PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 335

HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-EIGHTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1998–99

COMPRISING PERIOD
12 July—23 July 1999

£70

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THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-EIGHTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 335**

THIRTEENTH VOLUME OF SESSION 1998–99

House of Commons

Monday 12 July 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Tagging

1. **Mr. Desmond Swayne** (New Forest, West): How many prisoners have been released as part of the Government's tagging initiative; and what proportion has reoffended. [89210]

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): According to the latest figures, as of 7 July 7,226 prisoners had been placed on home detention curfew since the scheme commenced. Of this total, fewer than 1 per cent had been charged with fresh offences committed while on curfew.

Mr. Swayne: Can releasing a prisoner who has served only six weeks of a custodial sentence of six months be described as being "tough on crime, tough on the causes of crime"?

Mr. Howarth: According to important early indications, the home detention curfew is a success. More than 95 per cent. of those who have been discharged have completed their curfews successfully, or are still complying with them. The question that the hon. Gentleman needs to ask himself is this: can he suggest an alternative scheme that would produce comparable results? I suspect not—in which case, this scheme is a success. It is a qualified success at this stage, and we are still keeping an eye on it; but it is better for people to be released into the community under supervision, with some chance of modifying their offending behaviour, than for them simply to be let out with no such prospect.

Mr. Paul Flynn (Newport, West): As my hon. Friend says, the scheme has been a great success. One of its unexpected advantages is that there is now a surplus of places in open prisons. Would it not be a good idea to convert one of those prisons into a hostel for women prisoners, who normally pose a very low risk, so that they could lead more or less normal lives and have their young children with them? That would be a humane act.

Perhaps we could also follow the example of other countries, and allow a period of about a fortnight before young women with children need enter prison. That arrangement has been very successful elsewhere.

Mr. Howarth: My hon. Friend's suggestion is, in fact, being considered. If there is any surplus capacity in the prison estate, some of it might well be suitable for women offenders.

Miss Ann Widdecombe (Maidstone and The Weald): The Minister will be aware of the story that appeared over the weekend—*[Interruption.]* It concerned a massive security leak—which is not a subject for frivolity—relating to prisoner records at Belmarsh. Among those whose details were leaked were prisoners who had been released early, including Patrick Magee.

Is it the case that, when Magee's release was authorised, the Secretary of State for Northern Ireland and the Home Secretary were fully aware of the contents of the records, and of the threats that Magee was alleged to have made, which appear in those computer records?

Mr. Howarth: My right hon. Friend the Home Secretary has ordered an inquiry into the leaking of the documents. As far as we know, however, it was not Patrick Magee who was named in them.

Miss Widdecombe: This question, then, remains. There was a terrorist, even allowing for the fact that the report was inaccurate about who it was, and his threats about what he would do on his release are fully detailed in the records. Were those threats known and taken into account when the decision to release that person was made?

Mr. Howarth: For reasons that the right hon. Lady, as a former prisons Minister, will understand, it would be inappropriate for me to answer that question from the Dispatch Box today. We will, however, ensure that the full facts are given to her in the form of a letter from my right hon. Friend in due course.

Passports

2. **Mr. John Wilkinson** (Ruislip–Northwood): What estimate he has made of the compensation to be paid by his Department to British holidaymakers who are unable to travel abroad in 1999–2000 owing to the non-return of their passport by the Passport Agency. [89211]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): Compensation payments average about £260. Between April and July, there have been 132 cases in which compensation claims have been received relating to missed travel dates.

Mr. Wilkinson: Is the Minister in any way changing his attitude? He will recall that, on the morning of 29 June, he told the British public over the airwaves that the crisis was all their fault: it was all their fault for panicking. By the afternoon of that day, the Home Secretary was saying at the Dispatch Box that he would pay compensation—and rightly so—to all whose holidays had been wrecked, and to business men who could not meet due travel dates.

Does the Minister think that the figure he has given represents genuinely fair compensation? Is £260 sufficient compensation for a wrecked holiday, or for the unquantifiable business lost by business men who could not meet their travel dates?

Mr. O'Brien: We always consider compensation claims in full.

The hon. Gentleman referred to what I was alleged to have said. He completely traduced what I said. I said no such thing: I did not blame everyone for what had happened. Ministers have always made it clear that they accept ministerial responsibility for what happened in the Passport Agency, and we have not sought to duck that responsibility.

Let me try to set the compensation issue in context. The agency has made compensation payments for many years. In the last financial year, it made 70 compensation payments. In 1997-98, it made 50 and, in 1996-97, it dealt with 88 compensation claims. It normally identifies the cost within a budget of 2p on the cost of a passport worth £21, which, in total, raises about £100,000. In terms of the claims that we have met so far, we are not even nearing that figure; therefore, the compensation claims that we will meet will be dealt with properly. They will be considered according to the normal arrangements, as they have been for many years. We will seek to ensure that, so far as we can, we continue to meet 99.99 per cent. of travel dates that people ask to us meet.

Mr. Ben Bradshaw (Exeter): Could not the recent situation have been eased and future time wasting and bureaucracy avoided if we abandoned our rather idiosyncratic adherence to the requirement for passports for travel between this country and fellow European Union member states?

Mr. O'Brien: My hon. Friend will know that protecting our border controls was safeguarded as a fundamental principle by the Prime Minister at Amsterdam. We intend to ensure that we maintain border controls.

Mr. Richard Allan (Sheffield, Hallam): The Minister must be aware that the public would be very angry if they found that they had to pay the full costs of this year's chaos at the Passport Agency without the contractors paying serious penalties. Therefore, does he agree that it is in the public interest for there to be full disclosure of any penalties that are paid by Siemens Business Systems in respect of its part in the Passport Agency problems? If such agreements are covered by commercial confidentiality, will he approach Siemens to ask it to forgo that confidentiality for the wider public interest?

Mr. O'Brien: The summary business case is already a public document and we are placing it in the Library of the House. Any compensation payments will be dealt with in the normal way.

Mr. Dennis Skinner (Bolsover): Why is it that there are computers that are run by Government—when the Tories were in and now under the present Government at the Passport Agency—that seemingly do not work, yet, throughout the ages, there has always been one computer that works immaculately. We should use it every time for these purposes: the one that is used by Inland Revenue. When money is drawn in, the computer works. When money is paid out, for example, by the Benefits Agency and Passport Agency, it does not work. Why does my hon. Friend not take my advice and say stuff it to Siemens?

Mr. O'Brien: My hon. Friend will be pleased to know that we are having frank and full discussions with Siemens.

Miss Ann Widdecombe (Maidstone and The Weald): What are the current turnaround times for passports and when will the backlog be cleared?

Mr. O'Brien: My right hon. Friend the Secretary of State will make a statement on that point in answer to

Question 6 from the hon. Member for Somerton and Frome (Mr. Heath), but may I reassure the right hon. Lady? The way in which the computer system and staff are now operating continues to ensure that 99.99 per cent. of holiday dates are met. As for those people who have applied for passports but have not received them yet, we are attempting to do all that we can to ensure that they do receive them, and to meet all the requirements that people are putting on the Passport Agency. May I join her in paying tribute—as she did in last week's debate—to the hard work of the ordinary members of staff at the Passport Agency, who, in difficult circumstances, have done the best that they could?

AIDS

3. **Dr. Ian Gibson** (Norwich, North): If he will make a statement on the prevalence of AIDS among prisoners. [89212]

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): In 1997-98, a voluntary, anonymous survey of HIV, hepatitis and risk behaviour was conducted by the Public Health Laboratory Service Board at eight prisons. The survey found the prevalence of HIV to be 0.34 per cent. of the prison population overall.

Dr. Gibson: My hon. Friend will be aware that it is estimated that 7 per cent. of prisoners inject drugs and that 4 per cent. have anal sex. Does that not necessitate some robust scientific study to get the true prevalence of HIV in prisons? Furthermore, given last week's High Court ruling, which confirmed the right of homosexuals to have condoms, should he not review that procedure and ensure that it does not necessitate a prisoner saying that he or she is a confirmed homosexual?

Mr. Howarth: My hon. Friend should be aware that the High Court found, not as he described, but in favour of my right hon. Friend the Home Secretary. Prison doctors already have authority to prescribe condoms to prisoners if, in their clinical judgment, there is a known risk of HIV infection. Doctors view the issuing of condoms in prison from the perspective of protecting public health by preventing the spread of HIV and other infections among prisoners—to whom the Prison Service, of course, has a legal duty of care—and to the wider community when prisoners are released.

Voting

4. **Mr. James Plaskitt** (Warwick and Leamington): If he will undertake a review of the possible use of weekend voting for elections. [89213]

7. **Mr. Andy King** (Rugby and Kenilworth): If he will put forward proposals for voting at weekends at future elections. [89216]

18. **Mr. David Crausby** (Bolton, North-East): If he will bring forward proposals for a substantial extension of postal voting for future elections. [89228]

The Secretary of State for the Home Department (Mr. Jack Straw): The working party on electoral procedures, chaired by the Under-Secretary of State for the Home Department, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth), has been carefully considering all those matters. I shall be publishing the working party's final recommendations on modernisation of electoral procedures after its meeting tomorrow. Copies will be available in the Libraries of both Houses.

The Government are committed to improving our electoral procedures, as I am sure will be welcomed by all parties in the House. The working party will, among other things, be making recommendations for piloting new arrangements for voting, including changes in polling hours and polling days—to allow, for example, voting over more than one day, including over a weekend—all-postal ballots for certain elections, and electronic voting.

Mr. Plaskitt: I greatly welcome my right hon. Friend's answer, as that part of our political process is desperately in need of modernisation. Voting needs to be made more accessible, especially for families—many of whom, currently, are inconvenienced by Thursday voting because of school closures. Is my right hon. Friend considering committing himself to holding the next European Parliament elections on a weekend, as other member states do?

Mr. Straw: We shall certainly consult the other political parties on moving the polling date for the next European parliamentary elections, which will be held in 2004. There is also a case, which we shall consider very carefully, for ensuring that those elections coincide with local elections.

I entirely accept what my hon. Friend says about the way in which current voting arrangements might inconvenience families. There is nothing magical about using Thursdays as a polling day—until 1974, Saturdays were used in certain urban districts. I should also say—as it has been a problem in some polling areas of the west midlands—that I believe that there is no excuse for returning officers seeking to prevent parents from entering polling stations with young children, which would mean leaving those young children outside polling stations.

Mr. King: I am very grateful to my right hon. Friend for the answer that he gave to my hon. Friend the Member for Warwick and Leamington (Mr. Plaskitt). I am also sure that the whole House appreciates the very good work that is being done to reform a clearly antiquated system.

Mr. Eric Forth (Bromley and Chislehurst): No.

Mr. King: Certain dinosaurs might not want anything to be changed. In the European elections, there was an access problem in the west midlands, with mothers with young children in prams—who could not be left outside—being turned away from polling stations. Ed Doolan highlighted that serious problem on Birmingham radio. We must ensure that polling stations are open to all, and I ask my right hon. Friend to commission a study into how we can ensure that returning officers and polling station staff are fully briefed on their responsibilities.

Mr. Straw: My hon. Friend is entirely right. The issue was raised with the Under-Secretary by my hon. Friend

the Member for Birmingham, Edgbaston (Ms Stuart). He has examined the matter, and will tell Birmingham returning officers that there is no justification whatever for asking parents to leave their younger children outside a polling station. There is no rule whatever to say that younger children cannot be taken into a polling station. Against a background of falling turnouts, we must do everything that we can to encourage people to vote, and to make it easier—not harder—for them to do so.

Mr. Crausby: Is my right hon. Friend aware that hardly any doctors ever refuse an application by a pensioner for a postal vote? Should we not now save NHS time by allowing all pensioners the right to request a postal vote—perhaps with an application form in the pension allowance book?

Mr. Straw: My hon. Friend is entirely right. We need to do everything that we can to encourage people to participate. The simple fact is that the transaction involved in voting—a pencil cross on a piece of paper—now appears to many to be old-fashioned and inconvenient, and polling stations are not necessarily sited in convenient places. I am keen to see an extension of postal voting to almost anyone who wishes it.

Mr. David Trimble (Upper Bann): In any changes that are made, will the Home Secretary ensure that effective steps are taken to combat electoral fraud and vote stealing—a serious problem, not just in Northern Ireland, but in other parts of the United Kingdom? The Home Secretary must know that some of the measures that he has mentioned are the very means by which such electoral fraud is committed.

Mr. Straw: I accept entirely what the right hon. Gentleman says: these problems are not confined—as the myth has it—to Northern Ireland. Indeed, my hon. Friend the Member for Burnley (Mr. Pike) has a question on the Order Paper about problems in respect of the high numbers registered for proxy votes. The overriding and guiding principle for the working party on electoral procedures—chaired by the Under-Secretary—has been to ensure the integrity of the process. However, provided we get the procedures correct, there is no reason why, for example, there cannot be an extension of postal voting—a separate issue, and a system that is more secure than proxy voting—without undermining the integrity of the electoral process.

Mr. Forth: Surely the Home Secretary would not want to play any part in trivialising the voting process. Does he accept that it is not unreasonable to ask someone, in casting his vote, to take the trouble to go to a polling station between the very early hours of the morning and the late hours of the evening? Why should that be seen as so difficult? Why cannot a modern, mature electorate cope with that? Why should we have to spoon-feed people in the important matter of voting?

Mr. Straw: I see that the Conservative party is still intent on no compromise with the electorate. Such in-your-face hostility is unlikely to attract the right hon. Gentleman many more voters than he managed on the previous occasion. His approach should not recommend itself to his Front-Bench colleagues.

Mr. Forth: Answer the question.

Mr. Straw: I shall answer the question. Our voting arrangements were last changed to any degree in 1883, and life has moved on since then. *[Interruption.]* Evidently it has not moved on for the unreconstructed right hon. Member for Bromley and Chislehurst (Mr. Forth). In a modern democracy, we ought to ensure that, consistent with the proper integrity of the process, the system is made as easy and attractive for people to vote as possible. Surely we all have an interest in maximising turnouts at elections.

Miss Anne McIntosh (Vale of York): In reaching a compromise with the electorate, will the Home Secretary go back to one, single, easy to understand and to administer system for all elections? Is it fair to introduce five different election systems in the space of two months for the same electorate within the UK? Rather than considering weekend voting, could we return to the first-past-the-post system? Or is the Home Secretary running scared, as such a system would have returned 65 Conservatives and probably a single-figure total of Labour Members to the European Parliament after the recent elections?

Mr. Straw: Running scared is not one of my habits. There is much to be said on all sides about different voting methods. I recommend to the hon. Lady the speech that I made on the first Second Reading of the European Parliamentary Elections Bill, in which I talked about horses for courses. Whatever the arguments in favour of different voting systems, no one can argue that the electorate did not understand the system. That is a condescension. There is overwhelming evidence from Northern Ireland, Scotland, Wales and the United Kingdom that the voters understand the system; whether they agree with it is a different question.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): However, I hope that my right hon. Friend will not discount the views of those who find voting on Sunday offensive. I have sent him representations from my constituency, which is strongly Methodist. I know that many of my constituents are over 60, and can therefore of course be discounted, but there are still many people who regard this as a Christian country and find it offensive to be asked to vote on Sunday.

Mr. Straw: People who are over 60 are the least to be discounted, especially by this Government. I fully accept that there are those who would not want to vote on a Sunday, for religious reasons; there are also people, including members of the Orthodox Jewish faith, who for religious reasons would find it difficult if not impossible to vote on a Saturday. That argues for extending voting over the weekend on both Saturday and Sunday.

Mr. John Greenway (Ryedale): We are grateful for the consultation with the Under-Secretary, and we believe that the proposals are sufficiently radical to warrant a public consultation. What has happened to the legislative

prospects of the Neill committee report? The Home Secretary talks about no compromise. That ought to be the slogan for recommendations 83 to 88, on the conduct of referendums. Why do Ministers seem willing to rush headlong into legislating on the recommendations of the working party, when the Neill report was specifically commissioned by the Prime Minister and ought to be the priority?

Mr. Straw: In this Government, we can have more than one priority. I promised that there would be a draft Bill in response to the Neill recommendations by the summer recess and I fully intend to keep that promise. The Bill will deal with, among many other things, the recommendations on the conduct of referendums. There is no reason at all why we should not proceed as quickly as possible to put in place the other changes that were not dealt with directly by Neill in respect of electoral procedures. I am very grateful for the contributions of Conservatives, Liberal Democrats and others on the working party. It is in the interests of everybody who believes in democracy to ensure that our voting procedures are brought up to date.

Non-Home Office Police Forces

5. **Mr. Andrew Mackinlay** (Thurrock): What plans he has to review the control, role, responsibility and powers of non–Home Office police forces. [89214]

The Minister of State, Home Office (Mr. Paul Boateng): None. My right hon. Friend the Home Secretary is not persuaded that a need for such a review has been demonstrated, but he is ready to consider, with colleagues, as appropriate, any particular areas of concern.

Mr. Mackinlay: I appreciate the fact that I was sent, unsolicited, the brief that my hon. Friend has used to reply to me this afternoon. I am grateful, because I have had time to appreciate how inadequate that brief is. Will he confirm that it does not tell us that, when we were in opposition, Labour Members supported an amendment that I tabled to the Police and Magistrates' Courts Bill to give powers, in extremis, to British Transport, Ministry of Defence and Royal Parks constabulary police officers, when action is needed just outside their jurisdiction and no Metropolitan police officer is available, or when such an officer needs support? Will he further confirm that the brief does not tell us that the senior police officers of those forces and their representative organisations think that there should be a change?

My hon. Friend's predecessor, now Secretary of State for Wales, was clued up to the issue. Will my hon. Friend tell his officials that it needs to be reconsidered, because within a stone's throw of here there are officers who have no more powers of arrest than you or I, Madam Speaker, and that situation puts them in jeopardy? Will he return the brief and give those officials two out of 10?

Mr. Boateng: My hon. Friend makes his point with characteristic force. He brings an unprecedented historical knowledge to the role of the non-Home Office forces and I shall certainly take into account what he says. If he has any particular points that he would like to bring home to me in the privacy of my office, he is more than welcome to attend there.

Passports

6. **Mr. David Heath** (Somerton and Frome): How many applications for passports are currently awaiting processing. [89215]

The Secretary of State for the Home Department (Mr. Jack Straw): As of yesterday, the number of passport applications waiting to be processed was just under 500,000, a reduction of 6 per cent. on the previous week's figure. That is equivalent to just under four weeks' output. Passport offices in Belfast, Peterborough and Newport have cleared virtually all declared July travel dates. Liverpool passport office has cleared virtually all travel dates up to 19 July and expects to clear the remainder this week. Glasgow has cleared all travel dates up to 22 July.

Last week, the Passport Agency issued 166,000 passports, the highest weekly total on record. In addition, the Post Office estimates that between Wednesday and Saturday last week it extended 105,000 passports.

Mr. Heath: I am grateful to the right hon. Gentleman for that information, but I have difficulty reconciling it with the admirably clear information that is provided by the Passport Agency on its website. It appears to indicate that four out of the six passport offices had an increased processing time two weeks ago and that Glasgow and Liverpool now have a 42-day turnaround for an average passport application, which would mean that an application made today would be processed by the end of September—long after the holiday period. Can the Home Secretary confirm whether those figures are correct? Can he reconcile them with the figures that he has given and explain when things will get better?

Mr. Straw: I confess to the House that I have not consulted any part of the internet this morning: I prefer the accuracy of paper and ink—

Mr. David Davis (Haltemprice and Howden): So much for electronic voting.

Mr. Straw: I did not say that I would vote electronically, although I did in the Labour party's national executive committee elections and I enjoyed the experience. I shall write to the hon. Member for Somerton and Frome (Mr. Heath), but I do not think that there is any contradiction between the figures that I have given and those that he has cited. His figures represent the total delay in respect of each of the passport offices, but they are all processing first and foremost those applications with July travel dates. That, for the time being, necessarily means that those with later travel dates will be dealt with at a later time than otherwise would be the case.

I am clear, however, that—although the Passport Agency is not yet out of the woods—the changes that I put in place two weeks ago are making a difference. Output is now at record levels, and the changes in respect of the Post Office have considerably relieved the pressure of immediate applications. That is coinciding with what we expect to be the beginning of a seasonal downturn in the total number of applications.

Mr. Lawrie Quinn (Scarborough and Whitby): Can my right hon. Friend confirm to the House that we do not

expect to see this problem arise again? Can he also confirm to the hard-pressed staff in the offices in my constituency that they will no longer be faced with up to 30 callers a day trying to sort out their problems?

Mr. Straw: My hon. Friend is quite right to complain about what has happened in the Passport Agency. I made the position clear to the House when I spoke about it two weeks ago and I apologised to those many people—not only the 132 who have been paid compensation, but the many thousands of others—who have been inconvenienced by the changes. What has happened is unacceptable and we are working hard to make sure that it does not happen again.

Mr. John Bercow (Buckingham): Given that the right hon. Gentleman has already decreed that the £10 charge for a passport application in person should be waived in circumstances in which an individual is obliged through no fault of his own to make that application, will he now go one stage further, do the decent thing and agree that any such individual—obliged, often at short notice, to make a visit to a passport office—will be reimbursed, in full, his travel costs?

Mr. Straw: We could not conceivably agree with that proposition, and I doubt very much whether Conservative Members, if they were in government, could either. Indeed, I am sure that they did not agree with that proposition when problems were encountered—they were not on the present scale but they existed—at the roll-out of the previous computer system in 1989.

The London office is a caller office, as some people require passports at very short notice. I have said previously that the £10 caller fee should be waived for people who apply for passports but who do not receive one in the 10-day target period and must then go to one of the caller offices around the country. I think that that is fair.

Electoral Procedures

8. **Mr. Peter L. Pike** (Burnley): When he expects the working party on electoral procedures to report; and what changes he proposes to make in the proxy voting system. [89217]

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): I am aware that the police are investigating a number of allegations of proxy voting abuse and it would be inappropriate for me to comment on any of them specifically.

The final report of the working party on electoral procedures, which I chair, is likely to include a number of recommendations on absent voting. However, as my right hon. Friend the Home Secretary made clear in an earlier answer, we have to be convinced that any changes that are made will not undermine the integrity of the ballot.

Mr. Pike: I thank my hon. Friend for that answer, and I know that he and my right hon. Friend the Home Secretary are aware that, in May, about 28 per cent. of the electorate in Burnley's Daneshouse ward claimed proxy votes. The working party report will soon be available, and it is important to do everything possible to ensure that people are able to cast a vote, whether it be by post or by proxy. Is not the integrity of the vote the overriding factor, and should not the aim be to ensure that a person's vote is cast as that person wishes?

Mr. Howarth: My hon. Friend is right. This country has a long and proud tradition of free and fair elections without any form of corruption. Any changes that we make must uphold both the spirit and the letter of that tradition.

Mr. Harry Barnes (North-East Derbyshire): Although changes such as increased proxy voting, voting at the weekend or electronic voting may be introduced, is it not most important that people are on electoral registers? If we can resolve the problem of the 3 million or 4 million people missing from electoral registers, we can move on to consider the other matters that have been raised. Does my hon. Friend agree that the question of electoral registers should be given priority consideration?

Mr. Howarth: I pay tribute to my hon. Friend, who has worked for a number of years to raise awareness of the problem of the number of people who do not appear on electoral registers. I assure him that we have studied the matter very carefully. An announcement will be made about it later this week.

Hunting With Dogs

9. **Mr. David Watts** (St. Helens, North): If he will bring forward proposals for legislation on hunting with dogs. [89218]

11. **Dr. Howard Stoate** (Dartford): If he will bring forward legislation on hunting with dogs. [89220]

14. **Dr. Brian Iddon** (Bolton, South-East): If he will bring forward legislation on hunting with dogs. [89224]

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): As my right hon. Friend the Prime Minister has made clear, we are actively considering how to take this issue forward.

The House voted overwhelmingly in favour of a ban on hunting in a free vote in 1997. Since then, we have been discussing ways of bringing this issue to a conclusion. We hope to make an announcement of our specific proposals soon.

Mr. Watts: I thank my hon. Friend for that response, which will be warmly welcomed by the vast majority of the public. However, does he agree that any legislation must ban hunting with dogs totally, and that no opt-out should be introduced under any further legislation?

Mr. Howarth: My hon. Friend will be aware of the words of my right hon. Friend the Prime Minister last week. Obviously, we will bring forward our proposals in due course, and I am sure that my hon. Friend and many others will welcome them very warmly when they appear.

Dr. Stoate: On behalf of my constituents in Dartford, who are overwhelmingly in favour of a ban, I thank my

hon. Friend for his reply. Is my hon. Friend aware of the latest MORI opinion poll, which puts 72 per cent. of people against hunting with dogs? Is he further aware that the survey shows that Conservative supporters are three to one against hunting, dwellers in rural communities are four to one in favour of a ban and readers of *The Daily Telegraph* are two to one in favour? In view of that, will he be able to produce legislation at the earliest possible opportunity—hopefully, before the end of this Parliament?

Mr. Howarth: If the opportunity permits, that is exactly what we hope to achieve. Of course, my hon. Friend is right. A large proportion of the public have repeatedly shown in polls that they favour legislation of that sort. Indeed, a majority of hon. Members have shown that they favour such legislation. For Labour Members, there will be a free vote and I hope that all the other parties will take a similar position.

Dr. Iddon: My hon. Friend knows that strong feelings run in all quarters of the House on this issue. I hear what he says about a free vote. Has he or have the Government had discussions with Opposition Members to ensure that there will be a free vote across the House, especially bearing in mind some of the press reports today? Furthermore, will he agree that all hon. Members ought to be welcome to express their opinions freely without being gagged?

Mr. Howarth: I can speak only for the Government when I say that the intention is that we will have a free vote. There are certainly compelling reasons why the Opposition may be persuaded that a free vote would be appropriate.

Mr. A. J. Beith (Berwick-upon-Tweed): So that hon. Members on both sides of the House and on both sides of this free vote issue will know how things stand, can we be clear whether this will be a Home Office Bill in Government time, introduced by Home Office Ministers? Will the Minister be publishing—at the time that the Bill is published, or before—the work done by the Home Office on the policing of a hunt ban and the memorandum in which he appeared to say that the International Fund for Animal Welfare would switch its attention from the issue to the Government if it were not resolved quickly?

Mr. Howarth: The right hon. Gentleman will not be surprised to learn that I will not comment on leaked documents—

Mr. James Gray (North Wiltshire): What about the money?

Madam Speaker: Order. Questions must not be asked from a sedentary position. I reprimand the hon. Gentleman. He must ask questions only when I call him.

Mr. Howarth: I am grateful for your guidance, Madam Speaker.

To answer the question asked by the right hon. Member for Berwick-upon-Tweed (Mr. Beith), there are three options, all of which are under consideration. The first is a Government Bill, the second the possibility of a private Member's Bill and the third the possibility of an amendment to a Government Bill. At this stage, we have not adopted a particular position, but we shall in due course make our position clear.

Mr. Douglas Hogg (Sleaford and North Hykeham): Has the hon. Gentleman ever been to the Lincolnshire agricultural show? Is he aware that, at last month's show, there was a display of the five local hunts, which was by far the most popular display at the show? Does he understand the dismay, bewilderment and extreme anger that would be felt by those who were at that show at the suggestion that the pastime that they so vigorously support should be made criminal? Does he not realise that would be an outrageous infringement of civil rights? Will he understand that this Government will long be remembered as the Government who released killers, but threatened with imprisonment those who have long supported the traditional country sports?

Mr. Howarth: The right hon. and learned Gentleman will probably not be surprised to learn that I did not attend that particular agricultural affair, but I acknowledge that there are strong feelings on both sides of the argument. Indeed, there are strong feelings on both sides of the House and they are not universally shared by members of particular parties. The truth of the matter is that the House expressed its view on the issue in this Parliament and the public have expressed their view in many opinion polls. The balance of the argument must be to move the issue further forward. The right hon. and learned Gentleman does not help his cause by using arguments that simply do not stand up to close scrutiny.

Mr. Michael Colvin (Romsey): Is the Minister aware that the country likes Government policy to be consistent, and that we like Ministers to be consistent too, even though they may occasionally be wrong? Is it consistent to change the law so as to put in prison people who hunt vermin with hounds and, at the same time, to release terrorists from prison?

Mr. Howarth: I have to point out that the Opposition supported the principles behind the Good Friday agreement, and it is, frankly, wrong for the hon. Gentleman to condense both that issue and hunting. I am sure that he, like the rest of us, wants to see peace in Northern Ireland, and I should not have expected the hon. Gentleman to raise this issue along with that of Northern Ireland.

Mr. Eddie O'Hara (Knowsley, South): When considering the issue, will my hon. Friend reflect, as I have, on the fact that those who demonstrate outside the House and on the Opposition Benches, saying, "Hands off our country sports," answer themselves out of their own mouths when they reveal that they make a sport out of pursuing, terrorising, torturing and killing high-order sentient creatures?

Mr. Howarth: My hon. Friend and constituency neighbour makes his own point. I simply repeat what I said a few moments ago: there are strong feelings on both sides of the argument, but I hope that those who want to express strong views will do so in a non-violent and

civilised way. The House is eager to debate the issue and, if we do so on those terms, we will not exercise ourselves wrongly.

Mr. David Lidington (Aylesbury): Given the honourable and long-held difference of opinion on this issue among hon. Members on the Government Benches as well as those on the Opposition Benches, will the Minister say whether the free vote among Labour Members will, as with Conservative Members, include members of the Front Bench and apply to all stages of any legislation?

Does the Minister accept that Home Office Ministers regarded such legislation as the very last thing that they wanted dumped on their desks at this time? They have been landed with it by the desperation of spin doctors at No. 10, who are in a panic about how to distract media attention away from the public slanging match between the Prime Minister and his deputy, and by their fears of a hostile advertising campaign operated by one of the Labour party's £1 million paymasters.

Mr. Howarth: The hon. Gentleman raises the question of a sum of money that was paid to the Labour party before the previous general election. Perhaps he and his hon. Friends would like to explain why a large sum from the same organisation was paid to the Conservative party and the Liberal Democrats.

In his remarks last week, the Prime Minister was reflecting the will of the House and the view of the people of this country. Perhaps it is about time that the hon. Gentleman and his party started to make similar reflections. They could not be more wrong about how we arrived at this position, and they could not be more wrong about who they think they will become popular with by taking the line that they have taken.

Anti-social Behaviour Orders

10. **Mr. Vernon Coaker** (Gedling): What steps he is taking to ensure that the powers contained in the Crime and Disorder Act 1998 to tackle anti–social behaviour are used. [89219]

The Secretary of State for the Home Department (Mr. Jack Straw): It is for the courts to decide whether an anti-social behaviour order can be granted. I have, however, issued detailed guidance to make clear the kind of circumstances in which applications should be sought. The orders provide a valuable tool to help combat anti-social behaviour, and I encourage the relevant authorities in areas where such behaviour is a problem to consider their use.

Mr. Coaker: On tabling a parliamentary question some two or three weeks ago about the use of the orders, I was surprised to find that, since they had come into effect in April, only one had been issued. The Home Secretary will know that many of us suffer the blight of anti-social behaviour on our estates, and were looking forward to the Crime and Disorder Act as a way of combating such behaviour. Will he do all that he can to encourage police forces, such as Nottingham police, and local authorities, such as Gedling district council, to use the orders that he has given them to combat behaviour that is driving many of our citizens absolutely mad?

Mr. Straw: I am happy to give my hon. Friend that undertaking. There was huge support for the idea of the orders—expressed nationally by the police and local authority associations, and to me personally by the police and local authorities when I visited his area of Nottinghamshire last year. Unfortunately, when new orders are introduced and this House and the other place create new offences, it often takes time for the authorities to make proper use of them. We are doing all that we can nationally to encourage the police and local authorities to make full use of the orders for which they asked. In turn, I ask every right hon. and hon. Member on both sides of the House to do everything possible to cajole and encourage their local police forces and authorities to make the fullest possible use of the orders.

Sir Robert Smith (West Aberdeenshire and Kincardine): Does the Home Secretary remember that, when the Crime and Disorder Bill was in Committee, Ministers gave assurances that the orders were a last resort and were not to be oversold? Is there not a danger in the question and the answer that he has given of sending out the wrong message, resulting in the orders being used as a blanket system of justice rather than a last resort?

Mr. Straw: We are not in any sense overselling the idea of the orders. They are indeed a last resort, although many people in many constituencies are at the end of their tether as their civil liberties—their fundamental freedom to enjoy life in peace without being harassed and intimidated by anti-social neighbours—are being withdrawn. That is why the orders are there. I think that they have already had some effect. The police tell me that the threat of them is already helping to ensure greater compliance in some neighbourhoods. So, the figures of the orders granted belie their effectiveness. They are a last resort, but they are there to be used, and used they should be.

Mr. Martin Linton (Battersea): Will my right hon. Friend ensure that magistrates receive information on, and training in, the use of anti-social behaviour orders, and that they are made aware of the results of imposing such orders in a national demonstration project along the same lines as the community service demonstration projects?

Mr. Straw: The last point is an excellent idea, which I shall pursue. I am grateful to my hon. Friend for raising it. There was considerable discussion with the Magistrates Association and the stipendiary magistrates, as well as with the Justices' Clerks Society, about the draft guidance. So, a great deal of work has already been done to draw to the attention of magistrates the detailed way in which the orders work and, indeed, the need for them.

Special Constabulary

12. **Mr. Bob Russell** (Colchester): What measures are being taken to increase recruitment to the special constabulary. [89221]

The Parliamentary Under–Secretary of State for the Home Department (Kate Hoey): We have supported the police forces' recruitment campaigns by holding a "Specials' Week" during which I and a number of my ministerial colleagues attended events held by forces around the country to highlight and promote the service provided by special constables. To complement the

activities, which were held during January, some forces received local press and advertising funded by the Home Office at a cost of £500,000. In addition, the Home Office has produced a recruitment video, a series of posters, and a recruitment brochure for the forces.

Mr. Russell: Does the Minister accept that that support has not been very successful, bearing in mind that the number of specials has fallen by 3,250 since the Government came into office? If that haemorrhaging continues at the same rate, by the end of this Parliament, the reduction will be nearly 40 per cent. Is there a place for the special constabulary in the modern police force? If so, is it not time that the Government did something positive about that?

Kate Hoey: The hon. Gentleman is right in that the specials play a very important role in our police force. We have done as much as possible to ensure that the police are given help to recruit them. Although he is right to say that the number of specials has recently slightly decreased, I should point out that they are now trained to a sophisticated level and are used for a much wider variety of duties. Rather than just, as used to be perceived, helping out at fetes, and so on, they are now used in a variety of expertise policing. They bring their own skills to the job. They are very important indeed. We want people from all walks of life to join the specials, because they are a very good practical example of police and public working together.

I hope that the hon. Gentleman congratulates the chief constable in his area, because, in that area, the specials have continued to do extremely well and are recruiting with increasing success. I hope that he will send out a message to all his constituents, encouraging them to join the specials, because they can give a very good service to the public.

Mr. David Drew (Stroud): I agree with what has been said about the excellent work of the specials and the depth of their interest and commitment. However, does my hon. Friend agree that the fundamental problem in becoming a special is the need to take time off work, and that there is a need to mount a proper campaign—perhaps alongside the Territorial Army and school governors—to persuade employers of the value of that activity? That would encourage people to put themselves forward for that interesting and rewarding activity.

Kate Hoey: My hon. Friend is right. We are considering all methods of bringing more people into the specials. We want to work with employers so that they give support by making available the time that is needed for training. We want there to be more specials. If hon. Members have any ideas that might be used to recruit specials, we shall be happy to work with them on those ideas. All of us together can increase not just the number of specials but the important role that they play in the police service.

Mr. Edward Garnier (Harborough): Can the hon. Lady, for whom I have the highest regard, tell me how many additional special constables will be needed to police hunt saboteurs now that the Prime Minister has made an announcement about the banning of hunting?

Kate Hoey: The hon. and learned Gentleman will know that such matters will be looked into when a Bill—of whatever sort, and whoever it is introduced by—is discussed by the House.

Detention Orders

15. **Mr. Bill Rammell** (Harlow): What discussions he has had with the Secretary of State for Health on detention orders relating to people with severe personality disorders. [89225]

The Minister of State, Home Office (Mr. Paul Boateng): The statement by my right hon. Friend the Secretary of State for the Home Department to the House on 15 February 1999, *Official Report*, columns 601-03, set out our proposals to introduce powers of indeterminate detention for dangerously severely personality disordered individuals. The development of this policy has required joint working at all levels between the Home Office and the Department of Health—including extensive discussions between Ministers from both Departments.

We shall publish the consultation paper on the management of such persons shortly.

Mr. Rammell: I thank my hon. Friend for that response. Does he agree that it is illogical that doctors can detain people with treatable severe personality disorders while members of a much more dangerous group, those with untreatable severe personality disorders, cannot be detained in that way and must be released unsupervised into the community? Does that not underline the need for co-operation and action between the respective Departments? Can my hon. Friend assure me and the House that the discussion that is taking place will lead to greater security for children and families?

Mr. Boateng: I can give my hon. Friend that categoric assurance. It is vital that a multi-disciplinary approach is taken to that group of highly dangerous individuals. A determination to protect the public must be at the heart of all that we do.

Miss Julie Kirkbride (Bromsgrove): I welcome very much what the Minister has said and the discussions that are taking place but, as I understand it, legislation will be needed to require people with severe untreatable personality disorders to be detained. That is obviously a priority. When will legislation be brought before the House to make that a priority? It is what the public want—perhaps more than his hunting Bill.

Mr. Boateng: The hon. Lady will appreciate that it is not for me to anticipate the Queen's Speech, but she will also know that we are showing all expedition in relation to that group of dangerous individuals. She will know of the £700 million that we are already investing to improve services for the mentally ill, and of the extensive action that the Government have taken in the Crime and Disorder Act 1998 to put public protection at the heart of the

treatment of those who present a danger to the public. She can be sure, therefore, that we shall take this matter forward at an early date.

Ms Bridget Prentice (Lewisham, East): May I suggest to my hon. Friend that, when he is consulting the Department of Health on this issue, he might take a look at my ten-minute rule Bill, the Restraining and Protection Orders Bill, which covered people who have severe personality disorders? Will he look at that very carefully, because health authorities in particular may have a role to play in ensuring that people who have such severe personality disorders are taken to a place of safety—especially if such people put themselves forward to the health authority because they know that they are at risk of being a danger to the rest of society?

Mr. Boateng: My hon. Friend is to be congratulated on bringing this matter to the attention of the House. She will recognise, however, that one of the problems is that psychiatrists say that they can do nothing for those who come within this group under mental health legislation. Similarly, those in the group may not yet have committed a criminal offence, although they almost certainly will do so. Therefore, we have to find a third way to put the public's protection at the heart of the treatment of this group of individuals.

Madam Speaker's Statement

3.30 pm

Madam Speaker: Following questions to the Secretary of State for Wales on 7 July, Members raised with me points of order relating to the matters on which the Secretary of State can be questioned following the transfer of powers on 1 July. This issue also applies to questions to the Secretary of State for Scotland. I should emphasise that I do not wish the rules relating to questions to become unduly restrictive; but a fundamental rule relating to questions is that they must relate to matters for which Ministers in this House are responsible.

I also note that the Procedure Committee, whose report on the procedural consequences of devolution has still to be debated, recently concluded that the rules for questions must recognise the fact of devolution and limit the range of permissible questions to Ministers at Westminster.

Where matters have been clearly devolved to the Scottish Parliament or to the Welsh Assembly, questions on the details of policy or expenditure would not be in order. Where Secretaries of State have a residual, limited or shared role, questions should relate to that role.

Examples of such limited areas of responsibility are: information that the United Kingdom Government are empowered to require of the devolved Executive; matters that are included in UK legislation relating to Scotland; all primary legislation relating to Wales; matters subject to substantive liaison arrangements between UK Government and the devolved Executives; operation of any remaining administrative powers.

In the case of reserved matters that are the responsibility of other Government Departments, questions should be tabled to the relevant Secretary of State. If questions are inappropriately directed to the Secretaries of State for Scotland or Wales, I would expect Ministers to transfer them to the responsible Department in the usual way.

These guidelines follow directly from the decisions of the House in enacting the Scotland Act 1998 and the Government of Wales Act 1998, and will ensure that priority is given to questions on those matters for which Ministers here are responsible. The House will also be greatly helped if Ministers confine their answers to matters for which they have responsibility.

I have offered this guidance to the House to enable the Table Office better to advise all Members on orderly questions. Once the House has had a chance to debate the fourth report of the Procedure Committee and the House has had some experience of the operation of the rules, I shall, of course, review the terms of my ruling.

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. May I ask whether Lord Steel of Aikwood, as the Presiding Officer of the Scottish Parliament, will also put before Holyrood the same stringent guidelines—the mirror image reversed—so that if we obey the rules that you have, understandably, set out, Madam Speaker, the same rules will be obeyed by the Holyrood Parliament? Have there been discussions along those lines?

Madam Speaker: I always inform the House first, and I have just done so. The guidance will be sent to Holyrood now that I have made my statement. These are not stringent rules. I have tried to be helpful to the House and to Ministers. These are simply guidelines until we have the fourth report from the Procedure Committee debated and until we see how things work. Perhaps we can then look at matters afresh. As I have said, I shall review these guidelines.

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Madam Speaker. Is there any mechanism whereby you can ensure and guarantee to the House that any legislation brought before the House by a private Member or by the Government is in no way unduly influenced by money changing hands, or by threats of money changing hands in one way or another? Is there a mechanism whereby we can ensure that, so that the legislative mechanism is seen not to be unduly influenced by wealthy people making threats, even to the Government of the day?

Madam Speaker: I have considerable responsibilities, but I fear that they do not go that far. Of course, we have the Neill committee on which we rely a great deal. Perhaps that is a matter that the Neill committee may consider in the coming months.

Mr. Gerald Kaufman (Manchester, Gorton): Further to that point of order, Madam Speaker.

Madam Speaker: I am sorry, Mr. Kaufman. I have dealt with the point of order. There can be no further point of order.

Personal Statement (Mr. Ernie Ross)

3.35 pm

Mr. Ernie Ross (Dundee, West): With your permission, Madam Speaker, I shall make a personal statement.

The Select Committee on Standards and Privileges, in its eighth report published on 29 June 1999, considered the first special report of the Select Committee on Foreign Affairs on a premature disclosure of reports on Sierra Leone. The Standards and Privileges Committee concluded that my action as a member of the Foreign Affairs Committee in making available to the Foreign and Commonwealth Office a draft of the Committee report was

"a serious interference with the select committee system",

and that my conduct fell below the standards that the House was entitled to expect from its Members.

I believe that all hon. Members should accept reports of the House that are critical of them, and of course I do so. I therefore apologise to the House for my actions in this matter. With your permission, Madam Speaker, I shall now withdraw from the House.

Madam Speaker: Thank you, Mr. Ross.

BILL PRESENTED

NORTHERN IRELAND

Secretary Marjorie Mowlam, supported by the Prime Minister, Mr. Secretary Prescott, the Chancellor of the Exchequer, Mr. Secretary Cook, Mr. Secretary Straw, Mr. Secretary Robertson, Mr. Secretary Michael, Mr. Secretary Reid and Mr. Paul Murphy, presented a Bill to make provision for the suspension in certain circumstances of devolved government in Northern Ireland and the exercise of certain functions conferred by or under Part V of the Northern Ireland Act 1998; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 136].

Sir Brian Mawhinney (North–West Cambridgeshire): On a point of order, Madam Speaker. I have just been to the Vote Office, and the Northern Ireland Bill that has just been presented is not available to right hon. and hon. Members. The Vote Office tells me that it has been told that the Bill may be available by 9 pm this evening, but that there is no guarantee of that.

I understand that the content of Bills and when they are debated in the House is a matter for the Government and not for you, Madam Speaker, but I wonder whether you have some power to help Back Benchers. The Bill may literally affect the peace of the realm. We are told that the Government expect it to go through all of its stages tomorrow. Have you the power to specify a time beyond which it would not be acceptable for the Bill to be made available to Back Benchers, if indeed it is to be considered tomorrow?

Mr. Eric Forth (Bromley and Chislehurst): Further to that point of order, Madam Speaker. Can you also advise the House how you envisage that it will be possible for hon. Members properly to consider such a Bill, properly to consult those who may legitimately be interested in it, and more crucially, properly to table amendments? How can the House have time to consider the original text of the Bill and the text of any amendments that may be tabled? Your advice is essential in this case, because there seems to be a great danger that the House will get itself into extreme difficulty in legislating properly, with such absurd time constraints placed on it.

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett) *rose—*

Mr. Gerald Howarth (Aldershot) *rose—*

Madam Speaker: Order. The Leader of the House and I are quite capable of dealing with the matter so far.

Mrs. Beckett: Further to that point of order, Madam Speaker. Of course I understand the anxieties expressed by right hon. and hon. Members, and I respect in particular the concerns of Back-Bench Members who have not been involved in the detailed discussions.

It may be helpful to the House to know that discussions are proceeding to try to get the Bill as strong and as robust as we can, so that there will broad agreement. The Leader of the Opposition and other relevant, closely involved parties are being kept informed and involved in those discussions. We hope that the Bill will be available in time for amendments to be tabled before Second Reading. That can be facilitated if the House agrees a motion that the Government have already tabled for decision later today.

Mr. Gerald Howarth *rose—*

Mr. Forth *rose—*

Madam Speaker: Order. May I just reply to those points of order. I am not in a position to delay tomorrow's legislation in any way. I am aware that Bill is not available—I made inquiries myself—but that is not unusual, as hon. Members of long standing will be aware. It is not disorderly, and it is no discourtesy to the House, not to have a Bill ready at this stage. That has happened on a number of occasions and we have heard what the Leader of the House said.

Sir Brian Mawhinney: Further to that point of order, Madam Speaker. I understand—and, indeed, I know from my own experience—that sometimes Government Bills are produced to the House when they are not in their final form. I cannot immediately think, however, of any example of that being the case when a Bill was to be put through all its stages the following day. I have to say through you that, as a Back Bencher, I want the protection of the Chair against those arrangements, which the Leader of the House tells us are being made in corners and behind Benches, even if they are being made with the most distinguished Members of the House. Your protection is for the vast majority of Members—the Back Benchers, who have as much right, duty and responsibility as the Front Benchers to consider the legislation.

Madam Speaker: The right hon. Gentleman might put those points about his dissatisfaction with matters in the Second Reading debate.

Mr. Paul Flynn (Newport, West): On a point of order, Madam Speaker. My point of order arises from your

statement, which will be very much welcomed in Wales, and I hope that we can avoid the confusion of last Wednesday. It has been suggested that Members representing constituencies in Wales, Scotland and Northern Ireland should no longer vote on matters affecting England only and that the House would act as an English Parliament on certain occasions. You will recall that we were all elected as representatives of the United Kingdom. Could you give some guidance, now or possibly in the future, on what the conduct of Members of Parliament should be when matters affecting England only come before the House?

Madam Speaker: I expect all Members who have been elected to the House to participate in all the procedures of the House. Whether that means going into the Lobby or not is up to them. It is not for me to determine whether Members should vote, but as far as I am concerned, they certainly have the right, the privilege and the responsibility so to do.

Sir Peter Emery (East Devon): On a point of order, Madam Speaker. I am sorry to return to this matter for a moment, but it is of considerable importance. The Northern Ireland Bill has been presented, but its Second Reading is not until tomorrow, when all stages will be taken. May we have the assurance that you, or whoever is in the Chair, will ensure that manuscript amendments will be accepted by the Clerks at the Table? That is imperative. Members may wish to amend the Bill, even if there has been agreement on it between those on the two Front Benches.

Madam Speaker: I am very tolerant of such things, but that is a matter for the Chair. When the amendments come in, I shall certainly look at them and be as helpful as I can.

Mr. Gerald Howarth: Further to that point of order, Madam Speaker. Whatever the precedent may have been, is it not unsatisfactory in terms of the proceedings of this House—quite apart from the time scale involved—for the Government to have presented a Bill that is not yet in its final form? Surely the time has come for Bills to be presented to the House in a form that the House can debate.

Madam Speaker: I have already indicated to the House that that is not a disorderly practice. Other Governments have presented Bills in a similar way. If there is a strong feeling among Members about Bills being ready when they are presented for First Reading, that is a matter for the Procedure Committee.

Standards and Privileges

Motion made, and Question proposed,

That this House—

(i) approves the Eighth Report of the Committee on Standards and Privileges (HC 607); and

(ii) accordingly suspends Mr. Ernie Ross, Member for Dundee West, from the service of the House for ten sitting days.—[*Mrs. Beckett.*]

3.43 pm

Sir George Young (North–West Hampshire): The House is grateful to the right hon. Member for Ashton–under–Lyne (Mr. Sheldon) and his Committee for the report and for the work that went into it. Its conclusions, which we are invited to approve, are divided into two: those that relate to the hon. Member for Dundee, West (Mr. Ross), and those that relate to the Foreign Secretary and his Department. I do not propose to dwell on the former; the hon. Gentleman has recognised the offence and has apologised. If the House approves the motion, which I support, he will be punished by suspension and the incident will inevitably cast a small shadow over his future career, but the House is, by tradition, forgiving, generous and non-vindictive in such circumstances. I propose to respect that tradition and to say no more about him.

The bulk of the conclusions, however, are not about the hon. Member for Dundee, West; they are about the Government. With respect to the Leader of the House, the Select Committee and the House are entitled to a fuller explanation of what is said about them than the formal moving of a motion.

The second part of the report is symptomatic of how the Government have treated the House of Commons and its institutions. The hon. Member for Dundee, West has at least apologised for what he did to the Select Committee; the Government have not, despite having been asked to do so on several occasions—and they should. They used information, to which they knew they were not entitled, to denigrate a Select Committee report before it was published. As Andrew Parker wrote in the *Financial Times* on 24 February,

"Tony Blair, Prime Minister, and Mr. Cook went on the offensive to rubbish the report on the morning of publication, describing its criticisms as disproportionate and unfair".

As my hon. Friend the Member for Spelthorne (Mr. Wilshire) pointed out at the time, that was before the report was published.

The Foreign Secretary, when invited to apologise on 24 February, refused to do so; nor has he done so in his correspondence with the Select Committee, published in the report. It is typical of his high-handed approach, as is his refusal to attend this debate. He should have apologised, not least in view of the history of problems between him and the Select Committee, which goes back a year to his refusal to respond to its requests for information, and his assertion that the Select Committee had not unearthed a single piece of information not already highlighted in the Foreign Office's own inquiry. If the Foreign Secretary cannot express regret about how the Committee was treated, the Leader of the House, who has a broader responsibility, which I believe she takes seriously, should do so on the Government's behalf.

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): Before the right hon. Gentleman gets too carried away, I remind him that my right hon. Friend the Foreign Secretary gave unprecedented access to Foreign Office papers and telegrams, which no Minister in the previous Government ever gave or would have dreamed of giving.

Sir George Young: The Foreign Secretary should apologise to the Select Committee and to the House for how he treated one of its institutions, and I regret that he has not done so.

May I deal briefly with page xv of the report and the role of the Chairman of the Foreign Affairs Committee? He is not criticised in the report and I do not criticise him myself. He was good enough to ring me this morning and to explain the background to the final paragraph on that page, which is an extract from a letter from the Foreign Secretary dated 17 March. It says:

"On the day before publication the Chair of the FAC gave a full briefing to Andy Henderson, the Head of the FCO Parliamentary Relations Department, making clear that the bulk of the Report's criticism would be aimed at senior officials. Mr Henderson minuted that exchange to officials within the FCO."

The questions that arise from that are: first, whether the briefing did take place and, if so, whether it was done with the knowledge and authority of other members of the Select Committee; and, secondly, whether it is common practice for Chairmen of Select Committees to do that in advance of publication. I also pose the question whether the hon. Member for Dundee, West might have referred to the briefing when he spoke after the Foreign Secretary's statement about the leak on 25 February.

The motion says nothing about paragraph 27, which refers to changes in the ministerial code. The Committee asks the Prime Minister to amend the code, and to notify the Committee and the House. Today's debate would have been the right time and place for the Leader of the House to respond to that recommendation, instead of moving the motion formally and saying nothing. Has the code been modified and, if so, how? What has happened to the recommendation in paragraph 29, where an undertaking was given on what would happen once the Committee had reported? Have those instructions been issued?

Can we now assume that the Foreign Secretary has abandoned the argument that he put in his letter dated 17 March, which was dismissed so conclusively and unanimously by the Committee? I was surprised, as I expect other hon. Members were, to hear the Foreign Secretary assert on the "Today" programme that any Member could sit in on any Select Committee hearing, even when it was deliberating on its report. I trust that we shall hear no more of the spurious defence that the hon. Member for Dundee, West could have gained advance knowledge of the report in that way.

Mrs. Beckett: I am sorry to interrupt the right hon. Gentleman again, but a moment ago he asked about the ministerial code. As the wording of the motion makes plain, the Government accept the report and have accepted the recommendations about the code, and the Prime Minister will review the code in that light. As the motion says that we accept the report, it did not seem necessary to take the time of the House further to elaborate on that.

Sir George Young: That is not acceptable. The ministerial code is an important document. It has been changed, but we have not been told how or when it was changed. The right hon. Lady should have told the House at the beginning exactly what action the Government were taking in response to the Select Committee's recommendation.

This whole sorry episode is symptomatic of the way in which the Government and some of their supporters treat Parliament. They seek to bypass, marginalise and undermine it. The leaking of a Select Committee report and its use by Ministers is a short circuit of the system, and it renders less effective one of the instruments of the House that holds the Executive to account. Given the Government's majority, it is even more important that the constitutional checks are not overridden.

Today's debate is about one of the most blatant breaches of one of the conventions of the House. There have been other developments, such as the making of announcements outside the House, the dramatic increase in the number of special advisers, and the use of the Government information service for political ends, which was the subject of a recent debate in the House. Those are signs of an arrogant Government who believe that they no longer have to account for themselves in the Chamber. I had hoped that the Government might have learned some lessons from this sorry episode, but their response so far leads me to doubt that.

3.51 pm

Mr. Robert Sheldon (Ashton-under-Lyne): My right hon. Friend the Foreign Secretary is not criticised in the report. He was under the impression that any Member of Parliament could go to a Select Committee, and that used to be the position. I frequently had to consider what would happen if somebody came into the Public Accounts Committee and witnessed a deliberative meeting. I concluded that I would ask that Member of Parliament to leave, and that if the hon. Member did not leave, I would adjourn the meeting, being prepared to meet on a subsequent occasion.

Standing Orders were changed following the realisation that that was the situation. Not all of us know about these changes. It was some time before I realised that the Standing Order had been changed in that way. The Foreign Secretary was not criticised for that: we pointed out that he was under a misapprehension, and we dealt with it accordingly.

The House has heard from my hon. Friend the Member for Dundee, West (Mr. Ross), who made a clear and unreserved apology. We welcome that, and respect him for it. The eighth report of the Select Committee on Standards and Privileges follows two special reports from the Select Committee on Foreign Affairs, which reported that my hon. Friend had admitted to sending a draft of our report on Sierra Leone to the Foreign Secretary in January, and to speaking to the Foreign Secretary's political adviser about the Committee's final conclusions. He had then resigned from the Committee, and we welcomed his acceptance of responsibility.

The Foreign Affairs Committee concluded that the matter was serious, and that such actions were likely to constitute a substantial interference with the Select Committee system. The Select Committee on Liaison, which I chair, took the same view. It subsequently came to light that my hon. Friend the Member for Dundee, West had also sent to the Foreign and Commonwealth Office

the final version of the report of the Foreign Affairs Committee on foreign policy and human rights. The Department had also received a draft of the Committee's report on European Union enlargement, although we did not know how it got it

The Foreign Affairs Committee concluded that the possession by the Foreign and Commonwealth Office of early versions of its first three reports of the present Session was likely to constitute substantial interference with the Select Committee system. Again, the Liaison Committee took the same view as the Foreign Affairs Committee, and we set out in our report the circumstances surrounding the leak of the Sierra Leone report. If I may, I shall summarise them for the benefit of the House.

My hon. Friend the Member for Dundee, West, who disagreed with the course of the Committee's inquiry, faxed a draft of the report to the Foreign Secretary's private office some time in the second week of January. At that time, the Committee was still informally considering successive drafts. My hon. Friend also sent a copy to the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), who did not show it to or discuss it with anyone. The draft report was seen by the Foreign Secretary's political adviser and by a number of officials before it was brought to the attention of the Foreign Secretary and the permanent under-secretary on 1 February. Meanwhile, the Foreign Affairs Committee proceeded to finalise the report, and it was published on 9 February.

The hon. Member for Spelthorne (Mr. Wilshire) raised the question of a possible leak with you, Madam Speaker, after Question Time that afternoon. You advised him to pursue the matter in the Committee, which he did. The Committee wrote to the Foreign Office, asking whether it had received a copy of the report before its publication.

At the beginning of the Committee's next meeting, on 23 February, my hon. Friend the Member for Dundee, West admitted responsibility for the leak. The matter was then referred to the Standards and Privileges Committee. After we had begun our inquiry, we postponed consideration until the end of the Kosovo conflict, given the work load of the Foreign Office at the time. We received written evidence from my hon. Friend the Member for Dundee, West, my right hon. Friend the Foreign Secretary and the Clerk of the House, and took oral evidence from certain Foreign Office officials who had seen the report, including the permanent under-secretary of state himself. We gave my hon. Friend the opportunity to appear before the Committee before we finalised our conclusions, but he indicated that he did not wish to do so.

I must emphasise that the Standards and Privileges Committee's conclusions were agreed to unanimously. That has been a characteristic of the Committee, as it was in the case of the more than 600 reports of the Public Accounts Committee, which it was my privilege to chair between 1983 and 1997. There are two main kinds of unanimity: that which results from acceptance of the facts disclosed, and that which relies on fudge to accommodate the various interests involved.

I have been irritated by comments that the Committee was dominated by Labour. In accordance with our rule, its composition reflects the composition of the House, which itself reflects the wishes of the electorate. The Committee certainly does not operate on a party political basis. It contains Labour Members, Conservative Members, a Liberal Democrat and an independent, and all subscribed to the report. There is unanimity on all our reports—including, incidentally, the report on my right hon. Friend the Member for Hartlepool (Mr. Mandelson)—and that unanimity is genuine. Moreover, during the Committee's discussions, members sometimes criticise others who belong to the same party. We should nail the claim that the Committee is party political.

The most important aspect of the leak of a draft report to a Minister is the risk that the Department concerned might attempt to influence the considerations of the Committee concerned. That would indeed strike at the heart of the examination of the Executive by a Select Committee: it would constitute a perversion of the system of inquiry. We are satisfied, however, that it did not happen in this instance.

In a letter to us, my hon. Friend the Member for Dundee, West wrote:

"It became blindingly obvious to me that my actions in sending a copy of the draft Report to my two colleagues had effectively ruled out any opportunity that I had had of submitting substantial or indeed any amendments to this Report".

That is, in fact, what happened.

Sir Peter Emery (East Devon): I am aware of the depth in which the right hon. Gentleman looks into matters such as this. The House is grateful for the service that he gives the Committee.

The right hon. Gentleman said that the briefing did not affect the Committee, but does not pre-knowledge of a report in a Department allow that Department to issue a presentation to the press and other media? In this instance, did not that presentation constitute a definite rubbishing of the report before it had even been published—or, at least, at the very moment of its publication? That cannot be to the advantage of those who have spent many months reading the report, and seeing what has been said. Is it not a weakness that we must overcome?

Mr. Sheldon: It is a weakness that has been around for a very long time. It should be remembered that the contents of final, confidential, revised documents are frequently relayed 48 hours before publication. Those involved have an opportunity to present their case. In any event, the very fact of an investigation alerts people who are being condemned, or traduced, or being dealt with in some other way, and gives them an opportunity to present their case—and they have a pretty good idea of what that case will be. I do not think that this is a particular problem, but as I have said, if it is, it has been a problem for a long time. Anyway, the Foreign Secretary confirmed that no one at the Foreign and Commonwealth Office had any contact with my hon. Friend the Member for Dundee, West between receipt of the draft and completion of the final report.

At this point, perhaps I should remind the House of the position of those who wish to attend a private meeting of a Select Committee. Until a few years ago, it was possible for any hon. Member to attend such a meeting, but Standing Order No. 126 now allows the Committee to prevent such an intrusion. Therefore, a Minister who is also a Member of the House is not now able either to

[Mr. Sheldon]

attend or to see the papers of a Select Committee that the Committee does not want him to see. That is the safeguard that we have now, which did not used to be present.

On 1 March, you, Madam Speaker, asked us to consider the general responsibilities of a Member who received a leaked draft report. We concluded:

"The Committee . . . entirely shares your view that the fundamental responsibility of a Member who finds himself or herself in this position must be to act in a way which does not impede the committee in the discharge of its responsibilities to the House. In our judgment the Member ought to make no use of leaked committee papers and should return them without delay to the clerk of the committee."

We agreed that the Prime Minister should amend the ministerial code, to require Ministers and Parliamentary Private Secretaries to comply with that guidance. I welcome my right hon. Friend's announcement that he will review the wording of the code in the light of the report.

I should like to make it clear that the report makes no personal criticism of my right hon. Friend the Foreign Secretary or the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Manchester, Central (Mr. Lloyd). Clearly, it would have been preferable if they had sent the leaked drafts straight back to the Committee, but, at the time, they did not have the benefit of the advice that we have given the House on the subject. The draft report had been in the Foreign Office for several weeks before the Foreign Secretary was even told about it.

The Committee examined the responsibilities of officials who receive leaked Committee papers. The permanent under-secretary of state, Foreign and Commonwealth Office, the head of the Department, explained to us that no guidance had been available before we made our ruling—it had been understood that it would have been wrong to make use of the papers, but not that they should be returned. We concluded:

"The duty of any official who receives leaked committee papers is exactly the same as that of a Member, namely to make no use of them and to return them without delay to the committee clerk".

Sir John Kerr told us that the Foreign Office had accepted that the guidance issued to Members should also apply to officials, and that other Departments were following that lead. We welcome that very much.

We note that Sir John had proposed that the guidance would be that officials in receipt of a leaked draft should return it to the Clerk of the Committee via the Minister. The Committee disagrees with that. The Minister has no business to see a leaked document. We concluded that the correct course of action should be for the official to return the documents directly to the Clerk of the Committee and to notify the Minister that he or she has done so.

Our Committee will examine the details of that guidance when it is produced. We share Sir John's hope that implementation of those instructions throughout Whitehall will deter potential leakers. Our position is clear:

"any unauthorised use of unpublished select committee documents received by a Department will in future be regarded by this Committee as a contempt."

I turn to the conduct of my hon. Friend the Member for Dundee, West. It is the Committee's considered opinion that such leaks strike at the heart of the role of Select Committees as independent and efficient scrutineers of the Executive in a number of ways. Those leaks undermine trust within a Committee. A report from an earlier Privileges Committee pointed to the

"damage that leaks had created among Members on committees by undermining their mutual trust, one for another."

That is the basis of Select Committees. Members meet and it is only when they have trust for each that they are able to come to conclusions based on the facts. Over time, if a Select Committee is working well, that will become the basis of proper scrutiny by that Select Committee.

We went on to point out that Committees' morale could decline if some members showed scant respect for the rules of privilege or for the loyalty of colleagues who do not betray confidential matters. We agreed with our predecessor Committee about the destructive effects of leaks, and concluded that my hon. Friend the Member for Dundee, West,

"as a member of a select committee charged with scrutinising the actions of a Government Department, disclosed confidential committee papers to a Minister in that Department without the knowledge of the other members of the committee and without the committee's approval. This was a clear breach of faith with the other members of the Foreign Affairs Committee which, as he recognised, made his position untenable. Moreover, it tended to undermine the Committee's authority by calling into question its independence from Government influence."

The House should be in no doubt that leaks from Select Committees to the Government are a most serious interference with the Select Committee system. In fairness to my hon. Friend the Member for Dundee, West, he did own up straight away and stood down from the Committee, so that no suspicion fell on any of his colleagues. We arrived at the conclusion that my hon. Friend

"must have known at the time that what he did was wrong"

For all the reasons that I have outlined, we unanimously agreed that he should apologise to the House by means of a personal statement—which he has done honourably—and that a suspension for 10 sitting days was appropriate.

It is a grave matter for the Committee to recommend that the House should impose a suspension on a colleague, and it is a conclusion that we reached after much deliberation. My hon. Friend has explained that he disclosed the draft report to the Foreign Office because he profoundly disagreed with what his colleagues on the Select Committee were doing, and that he wished to alert Ministers to the fact that their Department would be criticised. There is no excuse for those actions. It is our firm view that what he did fell below the standards that colleagues on the Select Committee—indeed, all hon. Members—have a right to expect.

I ask the House to uphold our conclusions, and to approve the Committee's eighth report.

4.7 pm

Mr. Michael Howard (Folkestone and Hythe): I do not wish to make any comment on the conduct of the hon. Member for Dundee, West (Mr. Ross). He has accepted the Committee's judgment, and there is little more to be said about that.

My comments will be directed, in the context of the eighth report, to the conduct of the Foreign Secretary, the Minister of State, Foreign and Commonwealth Office, of the hon. Member for Manchester, Central (Mr. Lloyd),

and of the Chairman of the Select Committee on Foreign Affairs—the hon. Member for Swansea, East (Mr. Anderson).

So far as the Foreign Secretary is concerned, the Committee's report is, in fact, quite damning. It deals with him at paragraphs 24 to 27. At paragraph 26, the Committee considered in detail the defence that he advanced for his conduct, and the conduct of those for whom he is accountable, in receiving and retaining draft reports of the Select Committee. The Committee, without qualification, rejected that defence. It seems to me to follow absolutely and inevitably from the Committee's findings that the Foreign Secretary was guilty of contempt of the House.

I have of course listened carefully to what the Standards and Privileges Committee Chairman, the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), has said, but I find his explanation for the lack of a specific finding in relation to the Foreign Secretary very far from convincing. That explanation may well go to mitigation of the Foreign Secretary's conduct, but the defence that he offered was rejected without qualification. The Foreign Secretary should, therefore, at the very least, apologise to the House for his conduct. His failure to do so and his absence from this debate themselves reinforce and aggravate the contempt that he has shown the House, and illustrate most vividly the contempt that the Government as a whole display for the House.

Mr. Dale Campbell-Savours (Workington): Is there not a distinction between what the right hon. and learned Gentleman calls "holding the House in contempt" and being in contempt? He has accused the Foreign Secretary of being in contempt. Will he explain why—and under which rule?

Mr. Howard: The hon. Gentleman is quite right to suggest that there is a distinction between the two kinds of contempt. However, I believe that the Foreign Secretary is guilty of both kinds. The reason—which the hon. Member for Workington (Mr. Campbell-Savours) has asked me to specify—is simply this: in his evidence to the Standards and Privileges Committee, the Foreign Secretary advanced a defence as to why he should not be accused of having held the House in contempt. That defence was rejected out of hand by the Committee. The logic, therefore, is that the Foreign Secretary was indeed in contempt of this House, and the explanation given by the Chairman of the Committee, the right hon. Member for Ashton-under-Lyne, while it may go to mitigation, does not affect that point.

Mr. Campbell-Savours: The right hon. and learned Gentleman has great experience, but he completely misunderstands the term "being in contempt". He is simply talking rubbish.

Mr. Howard: That is an assertion, rather than an argument. I invite the hon. Gentleman to look at paragraphs 24 to 27 of the report, where he will find ample justification for the points that I am making. Similar criticism applies also to the Minister of State.

Shona McIsaac (Cleethorpes): The right hon. and learned Gentleman points to paragraphs in the report which refer to the Foreign Secretary. Paragraph 26 states:

"It is the case that there is no precedent for regarding the disclosure of a draft report to another Member as a contempt."

Will he take that on board and stop going down this alley?

Mr. Howard: The fact that there was no precedent for regarding particular conduct as a contempt does not begin to mean that the conduct on the occasion in question was not a contempt. That is the point.

Mr. Sheldon: I thought that what the Committee said was quite clear—that it was not a contempt, but a misunderstanding. The Foreign Secretary thought that he could go to a Committee, as indeed I thought for some time after the introduction of Standing Order No. 126. Many Members still assume that they can go into a Select Committee. That was the view that we rejected—it had nothing to do with contempt. The Foreign Secretary thought that he had that right, and we said that he did not.

Mr. Howard: Even if that rule had not been changed, that would have been a fanciful and far-fetched reason for receiving a leaked report from the Committee and retaining it for a period of time.

Mr. Campbell-Savours: He did not.

Mr. Howard: The Foreign Secretary did receive such a leaked report, and he did retain it. He saw the report, and he did not return it. Even if the rule allowing hon. Members to attend Select Committee meetings had not been changed, it would be fanciful to suggest that that would have been an adequate defence. However, the rule had been changed, and the Foreign Secretary was capable of discovering that. He has not come to the Committee or to the House to say, "I am very sorry. I now know that the rules have been changed. Had I known, I would not have retained the report. I therefore apologise for the fact that I behaved in that way, in ignorance of the fact that the rule had been changed." That might have been an acceptable response. However, we have had no response of that kind, no apology and no recognition that what the Foreign Secretary did was wrong.

That is not the only aspect of this affair that merits close scrutiny. The first report from the Select Committee on Foreign Affairs referred to parliamentary questions relating to the time at which the Government might have had sight of the Committee's report on Sierra Leone. The report said:

"Though the answers to these questions are germane to the leak from the Committee, we express no opinion on them since this is a matter which the Committee on Standards and Privileges may wish to consider."

The Committee went on to draw particular attention to the Foreign Secretary's answer to my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) on 23 February. To appreciate the full significance of that question, one needs to look at the Minister of State's answer of 16 February, which is reproduced at annexe D to the report. The Minister of State was asked when he first saw the Select Committee report. He said that the report was first drawn to the attention of the Foreign Office when the Clerk collected it from the Select Committee on the morning of publication.

[Mr. Howard]

On 23 February, the Foreign Secretary for the first time gave a full account, putting up his hands and coming clean about the extent of the leak and his knowledge that the report had been seen by officials and by the Minister of State. The Foreign Secretary has claimed that the answer given on 16 February was "accurate, factual and correct". I do not believe that any objective commentator could possibly support that claim. He implicitly conceded as much in his answer of 23 February.

The question posed by my hon. Friend the Member for Chesham and Amersham was not about leaks or about when the Foreign Secretary received the report. It was about statements made by the Foreign Office to the media. If he regards it as a sufficient discharge of his duty to answer questions accurately, factually and correctly, as he suggests, there was no need for him to disclose information about the leaked report in answer to my hon. Friend's question. He did so only because he knew that the game was up, as on that very day the hon. Member for Dundee, West put up his hands and made his admission. On 16 February, Foreign Office Ministers thought that they could get away with it, so they gave an answer that was completely at variance with the facts as they knew them to be; but on the 23rd, when the game was up, they came clean.

The Government make much of openness. In his introduction to the ministerial code of conduct, the Prime Minister said:

"In issuing this Code, I should like to reaffirm my strong personal commitment to restoring the bond of trust between the British people and their Government. We are all here to serve and we must all serve honestly and in the interests of those who gave us our positions of trust.

I will expect all Ministers to work within the letter and spirit of the Code."

We do not need to look far into the body of the code before reaching its guidance on ministerial answers to Parliament. Paragraph 1.iii of chapter 1 says:

"It is of paramount importance that Ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers who knowingly mislead Parliament will be expected to offer their resignation to the Prime Minister".

Of course, the exercise of that sanction is a matter for the Prime Minister. This episode provides an illuminating illustration of the yawning gulf between his words and his deeds. The Foreign Affairs Committee specifically drew those parliamentary answers to the attention of the Standards and Privileges Committee, and it is a mystery to me why it did not investigate the matter.

My final point relates to the conduct of the hon. Member for Swansea, East. If the report is to believed—or, to be more accurate, if the Foreign Secretary's letter to the Committee, contained in the report, is to be believed—the hon. Member for Swansea, East gave a detailed briefing to the head of the Foreign Office's parliamentary relations department. If that were true, it would constitute a serious breach of trust in relation to the Committee, as I am sure the hon. Gentleman would agree. He told me this morning—and I imagine that he will repeat his account to the House if he catches your eye, Madam Speaker—that the Foreign Secretary's account is untrue.

I shall not embarrass the hon. Member for Swansea, East by calling him an old friend of mine, but I have known him for a long time. I would simply say that the account that he gave me this morning is far more likely to be in character for him than the account given in the letter from the Foreign Secretary. Again, I am surprised that the Standards and Privileges Committee did not investigate the matter. Had it done so it might have got to the truth and the hon. Gentleman would have been spared the embarrassment that he has suffered in the past few days.

The Select Committee system is an essential element in parliamentary scrutiny of Government. The events disclosed and considered in the report indicate a systematic attempt by the present Government to suborn that system. It is a story that gives the lie to the protestations of the Government about their conduct.

The Prime Minister has famously said:

"You know me, I'm a pretty straight kind of guy."

Well, the report reveals that he does not run a straight kind of Government. The sooner the country wakes up to that fact, the better.

4.21 pm

Mr. Donald Anderson (Swansea, East): The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) has been extremely fair to me—an unusual case of Llanelli rallying to the defence of Swansea.

The Standards and Privileges Committee has again produced a powerful and thorough report, and its Chairman, my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon), is to be commended on it. So far as it refers to the conduct of my hon. Friend the Member for Dundee, West (Mr. Ross), I can say only that I much regret losing a diligent and valued colleague from the Committee and I regret also the circumstances of his leaving. He has given a full and honourable apology to the House this afternoon.

So far as the second issue is concerned—the appropriate conduct of Ministers and civil servants on receiving reports—it is clearly right that neither Ministers nor civil servants should make use of such reports and that they should return them immediately. I would have thought that that was common courtesy and should not necessarily be enshrined in a code. However, I welcome the fact that the Government have responded immediately and that the ministerial code is now to be revised.

The House will not be surprised if I concentrate on two parts of the eighth report that refer to me, the footnote on page ix and the last paragraph on page xv, which states:

"On the day before publication the Chair of the FAC gave a full briefing to Andy Henderson, the Head of the FCO Parliamentary Relations Department, making clear that the bulk of the Report's criticism would be aimed at senior officials."

Let me say from the start that I totally rebut the idea that I fully briefed that official or, indeed, any Minister or adviser, or that I divulged or intended to divulge details of the report.

The allegation of a full briefing is a serious one. It goes to the heart of the integrity of the Committee and to the authority of its Chairman. Over the two years I have been privileged to chair the Foreign Affairs Committee, I have done my utmost to be Parliament's man, independent of Government and seeking to keep the Executive

accountable for what they have done and what they have failed to do. The Committee has received many plaudits for that role.

What are the facts? I wear several hats in the House. Mr. Henderson, the head of the parliamentary relations department, had recently taken up his post. He asked my office to arrange an informal meeting to leave his card, as it were, and to seek my advice on how best to relate to the Foreign Affairs Committee. I also chair the House's Commonwealth Parliamentary Association branch and I lead our delegation to the North Atlantic Assembly. I recall, for example, that the CPA figured largely in our conversation, in which I gave Mr. Henderson names of colleagues whom it would be valuable for him to meet.

The Foreign Affairs Committee report had, by that day, already been presented to the House. It was to be published the following day, so no question of privilege arose, and it was raised in our conversation only in passing. I recall saying to Mr. Henderson that I hoped that my right hon. Friend the Foreign Secretary would not rush to rubbish the report, and that anyone who had followed our proceedings would certainly know that officials, and not Ministers, were mainly in the frame. As Mr. Henderson was the man whose duty it was to try to improve relations between the Foreign Office and the Foreign Affairs Committee, which had been impaired in the course of our inquiry, I advised him that the Committee would never accept that the Government could prevent it from embarking on an inquiry by setting up an official inquiry, such as the Legg inquiry.

At the end of the meeting, I felt that I had done my best to do a good turn by giving Mr. Henderson the names of key parliamentary colleagues for him to meet. I believe that I actually introduced him to one or two of them.

I saw the eighth report of the Standards and Privileges Committee on 29 June, the day it was published. I was astonished and puzzled by the allegation of "detailed briefing", and immediately telephoned Mr. Henderson. I cannot recall the exact details of our conversation, but I do remember that I felt fully vindicated as a result of what he said to me, which was that I had done nothing improper and had said nothing that was not already effectively in the public domain.

Not only did I not fully brief Mr. Henderson, I had also scrupulously avoided seeing my right hon. Friend the Foreign Secretary and my hon. Friend the Minister of State, as a matter of principle. However, on the evening before publication, by chance I met my right hon. Friend briefly in the Division Lobby. I urged him not to rubbish our report, as he had criticised the Committee forcefully in December. I went no further: no more, and no less, was said.

Mr. Menzies Campbell (North–East Fife): I am grateful to the hon. Gentleman, who is giving a most lucid explanation of the report's contents, in so far as they affect him. However, will he say why he apprehended that the Foreign Secretary might rubbish the report of the Committee, of which the hon. Gentleman is Chairman?

Mr. Anderson: The answer is simple. The right hon. and learned Gentleman would understand my reasons had he read what my right hon. Friend the Foreign Secretary told the Committee when he appeared before it in December, in the course of our inquiry, or the various comments that my right hon. Friend made—or which were attributed to him—afterwards.

The report was thorough and, in my judgment, important. My hope was that it would be treated properly by the Department.

Mrs. Beckett: As my hon. Friend will appreciate, my memory of the events is not as clear as his, but am I correct in recalling that, over the weekend preceding the report's publication, there were references in the press—which I am sure did not emanate from my hon. Friend—to the effect that the report would be extremely critical of Ministers? Was it not in that context that my right hon. Friend the Foreign Secretary made his remarks?

Mr. Anderson: I shall come to the leaks over that weekend in a moment. As I shall explain to the House, I have received a letter of explanation from the official concerned, in which he stated that I had also told him how angry I was that there had been leaks over that weekend.

Sir John Stanley (Tonbridge and Malling): The hon. Gentleman has made a very serious statement. He has said that the Foreign Secretary's evidence to the Standards and Privileges Committee was materially incorrect. The Foreign Office minute, passed by Mr. Henderson to the Foreign Office officials concerned, of his discussion with the hon. Gentleman is available. It will clearly demonstrate either that a full briefing was given, as the Foreign Secretary suggested, or, as the hon. Gentleman has suggested, that no such briefing was given. In light of that, may I suggest to the hon. Gentleman that he request the Foreign Secretary today to place a copy of that minute in the Library of the House?

Mr. Anderson: I would not be unhappy with that, but I can probably go virtually as far, since I will shortly quote a letter from the official concerned which covers that same conversation.

After speaking to Mr. Henderson on 29 June on the telephone, I went immediately to the office of the Clerk of the Foreign Affairs Committee, referred to the report of the Standards and Privileges Committee, and told the Clerk that Mr. Henderson had confirmed my recollection. Since I considered that a Committee matter, I asked the Clerk to write formally to his opposite number, Mr. Henderson, on behalf of the Committee, to ask in effect for further and better particulars before placing the correspondence before the Committee.

I received Mr. Henderson's reply this morning. It is dated Friday 9 July. I shall quote it in full to avoid any misunderstanding and any suggestion that I might have quoted it selectively. After the standard first paragraph, thanking the Clerk for his letter, it continues:

"To answer the points you raised:

'Who initiated the meeting on 8 February?'

The meeting took place at my initiative. It was an introductory courtesy call on the Chairman of the Foreign Affairs Committee and in my new role as Head of Parliamentary Relations Department. The meeting had been arranged well before we knew that the Foreign Affairs Committee report into Sierra Leone would be released the following day;

'What were the circumstances in which the meeting took place?' The meeting took place over a cup of coffee in the cafeteria of 1 Parliament Street. It lasted a little less than one hour. We discussed a number of issues relating to the FCO's relationship with the Committee and more widely with Parliament in general;

'What did Mr. Anderson say to me about the Report?'

[Mr. Anderson]

Mr. Anderson told me that the Report would primarily criticise officials rather than Ministers, focusing in particular on a perceived failure to respond to the seriousness of events. He also indicated that the Committee remained concerned about the FCO's reluctance to co-operate with the Committee until the Legg inquiry had completed its work and the decision to deny access to 'C'.

He regretted the press leaks of the report the previous weekend. He hoped that the FCO would react constructively to the serious points made in the Report and counselled against an aggressive or angry response.

'Whether what he said could be construed as a leak of the Sierra Leone Report?'

Mr. Anderson briefed me in general terms but did not go into detail on any of the Report's specific recommendations. It would have been odd if he hadn't mentioned it, given its release the following day."

The reply from Mr. Henderson goes a little further than I recall, but all the matters mentioned were fully in the public domain. There was certainly not a full briefing as alleged in appendix 4. There is a clear difference between the FCO letter in that appendix and Mr. Henderson's letter, which suggests that he had not been consulted by the drafter of the letter before the report was issued. If he had been, I think that he would certainly have wished to revise it.

Yesterday, *The Sunday Times* reported that there would be a new row today in the House because details of the report were leaked to the FCO by me. The background is that the reporter—a respected reporter—sought to telephone me at 10.55 am on Saturday, rather belatedly. I did not return to my home until Sunday evening, when I collected the message on the answering machine. I therefore had no opportunity to put my side of the case before that damaging article was published in *The Sunday Times* yesterday. I now hope that *The Sunday Times*, as a responsible newspaper, will publish the facts next Sunday and, fairly, put the record straight.

Mr. David Heath (Somerton and Frome): I have no wish to defend any newspaper, but journalists at *The Sunday Times* will have read the Foreign Secretary's letter, which is printed in appendix 4 on page xv of the Committee's report, in which he clearly says that

"the Chair of the FAC gave a full briefing to Andy Henderson".

That can be construed only as referring to a briefing on this issue, but what the hon. Gentleman has just said flatly contradicts that—so how could the Foreign Secretary have given that evidence to the Committee in that form?

Mr. Anderson: I can only surmise that the person who drafted the letter that went before the Standards and Privileges Committee and which appears in appendix 4 had not consulted Mr. Henderson before he did so. Obviously, the Foreign Secretary would have signed that letter in good faith.

In brief, I had given an hour of my time to help an official. During the meeting, the Sierra Leone report arose in passing. All that I said was general and in the public domain, as has been confirmed by the only other person involved—the official who was present. I fully expressed the Committee's known concerns, which could have been clear to anyone who had followed our proceedings.

My role in safeguarding the independence of Parliament against the Executive has been demonstrated clearly in the past two years by my chairing of the Foreign Affairs Committee. I trust that my explanation will confirm that I did nothing improper. I therefore wholly refute the allegations and inferences made in the report.

4.37 pm

Mr. Edward Davey (Kingston and Surbiton): The House is grateful to the hon. Member for Swansea, East (Mr. Anderson) for clarifying the fact that he did not give a briefing to the Foreign Office official the day before the publication of the report. However, his later remarks sowed seeds of doubt about what different officials believed and what information they had to hand. I am glad that the hon. Gentleman has given an undertaking that the minute will be made available.

Mr. Donald Anderson: I am happy to request that the minute be made available, but I have no powers to force anyone to divulge it.

Mr. Davey: I am grateful for the hon. Gentleman's clarification. I hope that the Leader of the House will give an undertaking to the House that she will ask her colleagues to ensure that the minute is placed in the Library because it will help to answer all the questions that hon. Members have raised today.

Mrs. Beckett: I have the utmost sympathy with my hon. Friend the Member for Swansea, East (Mr. Anderson), who has been placed, primarily by *The Sunday Times*, in a rather difficult position. He has, of course, reacted strongly to any suggestion that he has been wrongly involved in briefing. Coming to these matters with the benefit of a degree of impartiality and having read the references in the report, I did not interpret them in the way that my hon. Friend, let alone *The Sunday Times*, did, and it did not occur to me that any allegation was being made against my hon. Friend of the kind that he would clearly want to refute.

It seemed to me—as it does now that I have heard his explanation—that there has been a misunderstanding about the use of the word "full". My hon. Friend has made it clear that he gave an incoming official a full briefing about the work of the Select Committee, in which he touched on the matter of Sierra Leone. If the hon. Member for Kingston and Surbiton (Mr. Davey) reads the Standards and Privileges Committee's report, he will find that it says that no use was made of the additional information. It does not, therefore, seem to me that the information was very germane to the report. I shall, of course, draw the hon. Gentleman's request to the attention of my right hon. Friend the Foreign Secretary, but whether he will feel that the matter needs to be pursued in that way or to that degree is another matter.

Mr. Davey: I do not think that the right hon. Lady's response is adequate. The House needs a promise that the minute will be published. The aim of this debate is to get to the bottom of the issues that the Committee was considering. The right hon. Lady seems to suggest that the newspaper misunderstood the report, but the report is very clear. On page xv, it says:

"the Chair of the FAC gave a full briefing to Andy Henderson, the Head of the FCO Parliamentary Relations Department"—

Mr. Menzies Campbell: Read on.

Mr. Davey: I shall do so.

"making clear that the bulk of the Report's criticism would be aimed at senior officials. Mr. Henderson minuted that exchange to officials within the FCO."

So, people knew what was going on. The right hon. Lady and her friends should take cognisance of that and be more open to the House.

Mr. Peter Bottomley (Worthing, West): If this debate continues for the next 10 or 15 minutes, would there not be time for the Leader of the House to ask the Foreign and Commonwealth Office to allow the House to see the minute that was circulated after the meeting? Does the hon. Gentleman agree that the right hon. Lady might want to describe in her winding-up speech the guidelines for Ministers on commenting on Select Committee reports when they cannot have had time to read them in detail? That seems one important issue. The right hon. Lady no doubt already has a briefing which she will read. How much nicer it would be if she also gave the Foreign Office briefing. The point has been made about the intensity of a noun and the strength of an adjective—"full briefing". That could be explained by the Government's disclosure, under open government rules, of a document that cannot be of any risk to anybody.

Mr. Davey: I am grateful for the hon. Gentleman's intervention. I hope that the Leader of the House heard his two points and will act on them.

Mrs. Beckett: I can help the hon. Gentleman and the hon. Member for Worthing, West (Mr. Bottomley). The guidance given to Ministers on how to respond to Select Committee reports is unchanged from that issued in 1990, when the hon. Member for Worthing, West was a member of the Government.

Mr. Davey: The guidance may not have been changed, but the House is trying to get to the bottom of a serious matter. The right hon. Lady's Government tell the House time and again that they are in favour of open government. I would have thought that, in that spirit, she would ensure that the information is made available to the House.

Shona McIsaac: The report on Sierra Leone was agreed to by the Committee on 3 February and published on 9 February. This briefing took place during that period. The hon. Gentleman will notice that, although paragraph 8 of the report relates to some of the other leaks, it states:

"although improper, they do not raise questions of privilege".

The question of privilege is raised only at the draft stage—not when a report has been agreed.

Mr. Davey: We seem to be getting to a case of angels on a pinhead. The hon. Lady is making a point similar to that made by the right hon. Member for Ashton-under-Lyne (Mr. Sheldon) when he gave his interpretation of the report. I congratulate the right hon. Gentleman and his colleagues on the Committee on a very strong report which does not pull any punches, although I do not necessarily agree with his interpretation of what the report is trying to convey.

Mr. Tom Levitt (High Peak): Will the hon. Gentleman give way?

Mr. Davey: No; I want to make some progress.

The right hon. Member for Ashton-under-Lyne said that he and his Committee were not criticising the Foreign Secretary, but they got dangerously close to doing so. As the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) said, it seems rather odd that a senior Minister receiving a leaked report from a Select Committee should not have instinctively understood that something was wrong, and known that he should not have received it and that he should declare doing so immediately.

Receiving a leak of a Select Committee report is almost tantamount to receiving stolen goods. We should be expecting a very high standard of behaviour among Ministers. We should be assured that their instincts—their understanding of our process and our culture—are such that they abide by the highest of standards in reacting to what was clearly a wrong act by an hon. Member, to which he has admitted. The Foreign Secretary and his colleagues on the Labour Benches are only making the issue worse. My advice is that they should stop digging.

Mr. Tam Dalyell (Linlithgow): As someone who has been in this place for 37 years, may I rather cynically say that the hon. Gentleman ought to understand that one of the less attractive features of the House of Commons is that there is one law that applies to Back Benchers and another law that tends to apply to senior Ministers? I find that attitude profoundly distasteful.

Mr. Davey: I am very grateful for the hon. Gentleman's intervention. I think that many people around the House share his concerns.

Mr. Levitt: Will the hon. Gentleman give way?

Mr. Davey: No. I have given way an awful lot, so I intend to continue.

Other serious questions have been raised in the debate. The Select Committee report asks the Prime Minister to amend the ministerial code. When the Leader of the House intervened on the right hon. Member for North-West Hampshire (Sir G. Young), she said that the ministerial code was being reviewed, but that does not mean that it will be changed. It does not mean that the Government have accepted the proposal in the Select Committee report. The Leader of the House did not give us a timetable for the review, or any idea of when the House would have its conclusions. I hope that the status of that review will be clarified.

The report raises wider issues about the way that the Government govern and the way that Ministers and the press operation treat Parliament. Through that, it impinges on how the House protects the Select Committee system. It is a key part of our democracy to ensure that that Select Committee system is independent and has full integrity, so that we can hold the Government of the day to account.

Leaks, such as that which happened from the Foreign Affairs Committee, can damage the Committee system. They damage the Committee in the public's eyes, thereby detracting from the report's authority. They can damage the trust between Committee members and the efficiency of a Committee's workings, and thereby damage Parliament's ability to hold the Executive to account.

Therefore, I submit that the Government should be looking at not just these Committee recommendations, but the need to review and strengthen the Select Committee

[Mr. Davey]

system—and how we might make members of Select Committees more independent of their party. Select Committee members should be responsible to the House irrespective of party labels. Perhaps we should consider developing career paths within the Committees of the House, so that people can see their way to developing their political careers, not just within their party, but within Parliament.

We should consider making positions on Select Committees more prestigious. The prestige of those senior positions should equal that of a junior Minister, so that people who hold them take the independence of the work that they do very seriously indeed.

The report is about upholding the integrity of the Select Committee system. A stiff penalty has been served on the hon. Member for Dundee, West (Mr. Ross), and I believe that all hon. Members will accept his full apology. However, to ensure that the integrity of the Committee system is maintained in future, more than the ministerial code needs to be changed. We need a clearer definition of the responsibilities of civil servants to Select Committees.

I do not know whether there is a code governing the relationships between civil servants and Select Committee members, but some of our exchanges today have shown that there is an urgent need for such a code, to ensure that the civil—

Mr. Levitt: I am grateful to the hon. Gentleman for giving way at last. Obviously, we need not bother with the Standards and Privileges Committee in future—it will be enough to have the hon. Gentleman investigating. He seems to have a gut instinct for determining what is right without bothering with the evidence. On this occasion, if he looks at the minutes of evidence, he will see the Civil Service and the Foreign Office responding in exactly the way that he asks. That is one of the benefits of the report—a report which, I believe, does correctly attribute blame. I speak as one who spent many hours serving on that Committee, investigating the matter in great detail.

Mr. Davey: The hon. Gentleman's comments are rather rash. I began my speech by paying tribute to the right hon. Member for Ashton-under-Lyne and his colleagues—including the hon. Gentleman—for the quality of the report. However, I must say that, after what we have heard today, obviously that appendix is not exactly complete and we need more information to ensure that the valuable work that the Committee did is fully finished.

There is a need for a new code of behaviour for civil servants and Select Committees. There have been other debates about the duties of civil servants and whether they are confined to the Government of the day or whether they extend to the wider public and Members of this place. As we dig down into the details of this affair, it is clear that we need to be sure that civil servants will work for the House without prejudicing their position in working for Ministers. There needs to be a much clearer definition of those responsibilities.

4.50 pm

Mr. David Wilshire (Spelthorne): As the Member who first raised the question of a possible leak of this Foreign Affairs Select Committee document, I am grateful to you, Mr. Deputy Speaker, for giving me the chance to contribute to the debate. When I raised my concerns on a point of order on 9 February, it did not cross my mind that they would expose something so serious. In a way, I am pleased that they have; in a way, I am sorry. I am pleased because my concerns have exposed an abuse of Parliament by a colleague and by the Government. I am pleased also that the House has been enabled to reassert some crucial rights and privileges at a time when they are being undermined day by day by the Government. I am sorry, however, because of the personal difficulties that this matter has caused a colleague, albeit one from a different party. He is a colleague with whom I have enjoyed working and come to respect.

The report from the Standards and Privileges Committee raises two vital matters. These are the conduct expected of us as Members and the conduct expected of Her Majesty's Government. Like others, I want to say little about the first matter, which is the conduct expected of us all. The report makes it crystal clear that what happened was wrong and worthy of punishment. I fail to see how any of us could disagree with that conclusion. However, there is a redeeming feature in this aspect of this sorry affair. The hon. Member for Dundee, West (Mr. Ross) swiftly admitted his actions. He did not hesitate to agree that they were wrong, he promptly offered the Committee a fulsome apology and he immediately resigned. Once the report that we are debating is behind us, I believe that we should draw a line in the sand regarding the hon. Gentleman's conduct.

However, I do not consider that the report closes the issue of the Government's conduct. In my opinion, and as we have heard the argument developed this afternoon, the report requires us to pursue matters more vigorously. The contrast between the response of the hon. Member for Dundee, West and that of the Foreign Secretary could not be more stark. Nowhere do I see any apology from the Foreign Secretary or from his permanent secretary for keeping, circulating and using a leaked document.

Instead of an apology, the Foreign Secretary contents himself with offering us weasel words in an attempt to justify his behaviour. He claims that the lack of clarity in existing rules entitled him to ignore the words "Confidential—For Committee Use Only", which appear in large letters at the top of each page of the leaked document. That is a pathetic attempt to wriggle out of his proper responsibilities.

The right hon. Gentleman suggests also that a Foreign Secretary can sneak into the private meetings of Select Committees and listen to confidential discussions. That is the most stupid defence of wrong-doing that I have ever heard. If there was no sense of wrong-doing in the Foreign Secretary or the Foreign Office, why did officials react with alarm and concern when they saw the leaked document? Why were documents destroyed rather than returned? I mention return because the report says that documents should be returned. As late as lunchtime today, not one page of one copy of the leaked document has ever been returned to the Clerk of the Foreign Affairs Select Committee.

In his evidence the Foreign Secretary claimed that no use was made of the leaked document. However, I raised my original point of order because someone was patently using information that could have come only from a leak,

in an attempt to rubbish our Committee and our conclusions before a single official copy had been handed to anyone.

The evidence given to the Select Committee on Standards and Privileges by the Permanent Secretary is not much better. It amazes me that diplomats who provide what the Permanent Secretary described to the Foreign Affairs Committee as a Rolls-Royce service require a memo to be circulated before they realise that receiving leaked documents, circulating them, using them, keeping them and failing to return them is plain wrong. I cannot comprehend why they need a memo to tell them that.

There is one thing about the evidence from the officials that does not surprise me. It does not surprise me to read in the report that they cannot remember when the leaked document arrived, they do not know how many copies were made, and they are not sure why they took weeks to tell the Foreign Secretary. Such a shambles led to the Sierra Leone report itself. The shambles revealed this afternoon led the Chairman of the Committee, my hon. Friend—if I may call him that—the Member for Swansea, East (Mr. Anderson), to issue a stout and utterly convincing defence of himself against more shambles from the Foreign and Commonwealth Office.

Mr. David Heath: I am grateful to the hon. Gentleman for giving way. Before he leaves the subject of the evidence from the permanent secretary, has he read the evidence on page 17 of the report in answer to the questions from the right hon. Member for Swansea, West (Mr. Williams)? There the permanent secretary seems to be advancing the proposition that Select Committees should not concern themselves with the way in which a Department has handled affairs of state, only with what it might do in the future. Does the hon. Gentleman agree that that is an extraordinary position for a permanent secretary to adopt?

Mr. Wilshire: It may seem extraordinary to some people, but after my experience of the Sierra Leone inquiry, nothing surprises me about the conduct, attitudes and comments of officials in the FCO. In principle, I agree with the hon. Gentleman, but on the specific point, I am amazed that he is amazed.

The eighth report raises another issue that the House needs to address—the role of the Prime Minister in this shabby episode. When he came to office in 1997, the Prime Minister made much of his changes to the ministerial code. My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) made exactly this point. After much trumpeting of moral virtue, what a pity that the Prime Minister overlooked the simple matter of leaked documents when he made his changes. What a pity that he waited for the report before making any further changes. The facts were clear and were admitted in February. It is now July, yet the Prime Minister has done nothing.

On numerous occasions, the Prime Minister promised the nation that he would dismiss erring Ministers. Given the clear evidence in the report of wrong-doing by the Foreign Secretary and by officials, when will the Prime Minister sack the Foreign Secretary?

As the report makes clear, the shortcomings revealed by the episode go right to the top. The House must not allow itself to be stopped in its tracks simply by making the hon. Member for Dundee, West a scapegoat. The House must demand this afternoon an unconditional and immediate apology from the Foreign Secretary, and must insist that the Prime Minister belatedly takes action, and does not merely carry out a review.

The report reminds me of three things. First, among any group of 659 human beings, weakness will always rear its ugly head from time to time. We wish that it would not, but we know that it will. Secondly, individual Members of Parliament can still act honourably, even when their conduct falls below the standard that our constituents are entitled to expect of us. Thirdly, the Government's conduct is all too often disgraceful. The report makes it crystal clear that the behaviour within the Foreign Office was not an abberation; it was entirely within the approach to the government of the country adopted by new Labour.

I believe that the Foreign Secretary should be in the dock this afternoon alongside the hon. Member for Dundee, West. Although the hon. Gentleman had the decency to own up instantly, to apologise and to resign, the fact that the Foreign Secretary has still done none of those tells the nation a great deal about the Government.

5 pm

Mr. Tam Dalyell (Linlithgow): I genuinely had not intended to speak this afternoon, but I have been listening intently to the speeches and this is one of those occasions on which speeches are important and possibly make a difference.

Let me say first that I believe that my hon. Friend the Member for Dundee, West (Mr. Ross) behaved in a very dignified way. My heart goes out to him, because, as one or two hon. Members may recollect, 32 years ago I was in a not dissimilar position having fallen foul of the Committee of Privileges in relation to a visit of the Select Committee on Science and Technology to Porton Down. I was hauled to the Bar of the House and the Speaker put on his black cap. Thankfully, that does not happen today, but it is a very unnerving and disagreeable experience to be hauled before the House of Commons in such a way. I can say only that my hon. Friend behaved with dignity and grace, and all credit to him.

I have one point to make. I have listened to the speeches, in particular those of my hon. Friend the Member for Swansea, East (Mr. Anderson), the Chairman of the Foreign Affairs Committee, and the right hon. and learned Member for Folkestone and Hythe (Mr. Howard). The speech of the former Home Secretary was understandably complex and, without reading and re-reading it, one could not sensibly pass any kind of judgment on it, but, whatever one thinks of those speeches, my whole instinct is that this is a matter between Parliament and the Executive. It is of such importance that my right hon. Friend the Foreign Secretary ought to come to the House, tomorrow or the day after, to answer the questions that have been raised.

For the sake of Parliament, this matter cannot be left in limbo. We cannot leave it at that because—however competent my right hon. Friend the Leader of the House may be, and she is indeed competent—no Leader of the House is in a position to answer for the Foreign Secretary and the Foreign Office in such circumstances.

5.3 pm

Mr. David Davis (Haltemprice and Howden): I commend the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), the Chairman of the Liaison Committee, on his report. Given the evidence presented to him, it must have been extraordinarily difficult to bring it together, particularly as a unanimous report. I understand the problems of achieving that better than most. It must have been extremely awkward to have reached some of the conclusions in the report, but it was probably the only set of conclusions that the Committee could have reached. That fact alone will have implications for the future, and I shall elaborate on those in a moment.

I wish to focus on three issues: first, the point made by the right hon. Member for Ashton-under-Lyne about the importance of breaching Select Committee integrity; secondly, the issue that must have presented the most difficulty for the Committee—the credibility of the evidence presented to it, and the problems that that created; and, thirdly, what should be done about such matters in the future. I am thinking more about the Select Committee system and the privilege system than about the substance of the report.

How damaging has this matter been? Frankly, it has been extraordinarily damaging, simply because the problem that we face—and the problem for the hon. Member for Dundee, West (Mr. Ross), who, I agree, has behaved with great dignity—hits at the mechanics of how the Select Committee system works. Select Committees have no absolute power. Most of them cannot dismiss, punish, change policy or allocate money. They can do nothing except expose information to the public gaze, comment on policy and outcomes and, in the final analysis, embarrass the Executive. That is their only weapon, but it would be surprising if the Executive of any political persuasion accepted that embarrassment passively.

That is the leverage, and the breach that we are discussing hits at the fulcrum of that leverage. Once an Executive knows in detail about an upcoming report, it can do any number of things to destroy the report's effectiveness. As the right hon. Member for Ashton-under-Lyne, my predecessor as Chairman of the Public Accounts Committee, knows, when a Committee produces 50 reports a year, the outcomes are known to the Government because they were there for the evidence sessions and know what happened. Moreover, there is a timetable for the publication of reports. As a result, the Public Accounts Committee, in extremis, is always susceptible.

I can give three examples that demonstrate what Governments, in general, can do. A year or two ago, the PAC produced a report on social security fraud. Unusually, the Government issued a Green Paper and made a statement to the House the week before in order to take away the report's impact. On another occasion, we issued a report on what was, at that point, the Government's fairly mixed performance on the millennium bug. The day before its publication, a very senior Minister went on television to talk about the good parts of the Government's work on the millennium bug, in an attempt to lessen the report's impact. On another occasion, an embarrassing report was due out on the Sunday and it was leaked on the Saturday.

There are dozens of other methods that Executives use. Select Committee Chairmen have to deal with them, and generally they do so without too much difficulty. However, the breach of a Select Committee's integrity by letting the Government know in advance what its report says allows the Executive any number of mechanisms for destroying the one lever that Select Committees have. If we leave such breaches unfettered, they will bankrupt our democracy. At present, Select Committees are the strongest check on the Executive that the House has. Clearly, therefore, this matter is of enormous importance. For that reason alone, I agree with the draconian penalty recommended by the Standards and Privileges Committee. If we do not take draconian action, we shall send out the wrong message.

I wish to turn now to a more detailed point—the credibility of the evidence presented to the Committee. Given the traditional procedures, the Committee had no choice but to come to the conclusion that it did. I do not agree with my hon. Friends who have disputed that. The House, however, has a separate duty to assess the evidence placed before it in the report. We have already heard from the hon. Member for Swansea, East (Mr. Anderson) about contradictory information from the Foreign Office, so I shall cite some of the evidence provided to illustrate to the House how much credibility we should give to it.

Paragraph 12 on page 6 of the report says:

"Mr Hood, Mr. Cook's political adviser, explained that he had come across the document by chance".

It is interesting that the document should have been come across by chance. Mr. Hood saw it as his duty to pull it out for himself, but,

"he had not alerted Mr. Cook to it straight away because there had been no opportunity to do so".

Mr. Hood is a special adviser—the political adviser to the Foreign Secretary—and the report is about the hottest issue of the day, and in the headlines at every turn. Mr. Hood was unable to find time to raise the matter with the Foreign Secretary for three weeks, although he admits in the evidence that he thought that he ought to have raised it with him at some point. For three weeks he did not find an opportunity to do so. I leave it to the House to judge the credibility of that point.

The report says that Mr. Hood

"had not thought it was wrong to retain the leaked draft but he knew it would have been wrong to have acted on it in any way."

He then said that he handed it to Mr. John Williams. Mr. Williams is not a policy wonk or someone who sits in the Foreign and Commonwealth Office and deliberates at great length on the policy implications of reports; his job is to handle the media—media manipulation. He was previously the political editor of *The Mirror*, so surely he would not sit idly by, given such a hot potato to handle. He is, in effect, a political appointee in the news department.

According to the report:

"Mr. Williams, of the News Department, said that he was unaware that he should not have seen the leaked draft."

This man had been the political editor of *The Mirror*, but he was unaware that there was anything wrong in a Department having a leaked document of a Select Committee. The report says:

"He regretted that he had focused on it too narrowly as a matter of media strategy."

Shona McIsaac: To be fair to Mr. Williams, the evidence shows that he stated:

"I was obviously aware that if I said anything that depended on knowledge of that leak that would be wrong. I did not do so."

Mr. Davis: The fact of the matter is that Mr. Hood handed it to Mr. Williams. What did he think Mr. Williams was going to do with it? Think about it for three weeks? That is an untenable line, but I leave it to the House to make its own judgment.

First, a special adviser does not see the political significance of the report. Then, an ex-political editor does not know that it is a problem for a Select Committee report to be leaked to a Department. Then we come to Mr. Grant, Mr. Cook's private secretary. I am an ex-Foreign Office Minister, and hon. Members should understand what a private secretary is, because he is not someone who does the typing. He is a high-flying, highly qualified member of the Foreign Office who will almost certainly end up as an ambassador somewhere or, like Sir John Kerr, will become the permanent secretary of the Department—that is particularly true of the private secretary to the Foreign Secretary.

In the Foreign Office, one of the skills people are required to develop as a diplomat is political acuity and political antennae. According to the report, Mr. Grant said that

"he had not appreciated the status of the document".

He did not realise that it was important enough to give to the Foreign Secretary, despite the fact that the prospect of it was on the front pages of the newspapers, and it was potentially the most embarrassing matter facing the Foreign Office.

The report goes on to say of Mr. Grant:

"Likewise, he had not informed the Foreign Secretary about the earlier leak of the draft report on EU enlargement because there was nothing in the substance of the report which the Foreign Secretary needed to know."

That undermines his earlier argument. If there was something in the text of the report that the Foreign Secretary needed to know, he would have passed it on. I have heard many comments about how busy the Foreign Secretary was at that time. Foreign Secretaries are always busy. I have served two Foreign Secretaries, and I cannot think of a time when their special adviser, their politically appointed press officer—although we did not have such people—and their principal private secretary were unable to get to see them for three weeks.

My concern is that the Committee had no choice. When faced with evidence that had no obvious flaw in its internal logic, how could the Committee penetrate it? In future, the House should arm the Standards and Privileges Committee with rather heavier weapons.

Mrs. Beckett: I have just been trying to refresh my memory in regard to Mr. Hood's evidence to the Select Committee. Notwithstanding the summary given by the right hon. Gentleman on the basis of his experience as a junior Foreign Office Minister, Mr. Hood's evidence makes it clear that, at the time in question, my right hon. Friend the Foreign Secretary was dealing simultaneously with the hostage crisis in Yemen, with arrangements for the Contact Group—he was trying to avert a war in the former Yugoslavia; Kosovo was also a problem—and with a number of other matters.

Mr. Hood said that one reason why he thought that the issue was not important enough to be drawn to the Foreign Secretary's attention immediately was the fact that he was entirely sure that there was nothing that the Foreign Office could or should do with the report. Does that not put Mr. Hood's evidence, and his decision, in a rather different context from that which the right hon. Gentleman has sought to portray?

Mr. Davis: On many occasions during the periods of office of the two Foreign Secretaries whom I served, crises arose at the same time. For instance, there have been Cyprus crises, Turkish crises and European Union crises, all at once. The right hon. Lady obviously does not realise that part of the task of a Foreign Secretary is to deal with such matters simultaneously. The Foreign Secretary has a broad reach, and there are plenty of times when he has half a dozen big issues on his plate. What is being proposed is implausible, at least in my judgment.

Sir Peter Emery: Is it not even more implausible, given that the Foreign Office is being referred to the Department of Trade and Industry in regard to a possible prosecution for an action that may have been taken by one of its officials? This is not something that happens every day; it is most unusual, and I should have thought that it was immensely important for it to be drawn to the Foreign Secretary's attention.

Mr. Davis: My right hon. Friend's point is reinforced by the evidence of Sir John Kerr. He said that he did not understand the significance of the report, in parliamentary terms, because—I paraphrase—he was so shocked by the import for himself of the point raised by my right hon. Friend.

My argument, however, goes deeper than the point that the Leader of the House tried to pick up. How does the Standards and Privileges Committee test evidence such as this? It has no access to the necessary judicial procedures. The evidence should be taken on oath, separately, and probably in closed session, so that people cannot collude. That is what should be done if such a problem arises in the future.

Another problem relates to the powers of the Parliamentary Commissioner for Standards. He or she can investigate infractions of standards in great detail—if any of us are accused of such infractions, he or she can have access to our bank accounts and to a number of other sources of evidence—but I understand that that does not apply to issues of privilege. That gives rise to two points, one of which was raised some months ago by the hon. Member for Thurrock (Mr. Mackinlay).

First, the ministerial code is, in effect, outside the powers of the House. It is adjudicated by the Government—by the Prime Minister, in the final analysis. That is wrong: it puts the Prime Minister in an impossible position. He must deal with political dimensions at the same time as dealing with natural justice dimensions, and he must simultaneously deal with the integrity of the Government. That is an impossible demand within the context of government. The ministerial code should be policed by the House, at least in the first instance.

[Mr. Davis]

The second point relates to the fact that we have to rely on the Department itself for the evidence. Some months ago, in a debate in the House, the hon. Member for Thurrock (Mr. Mackinlay) mentioned the idea of a parliamentary investigating facility. We should not have to rely on the report of an ex-civil servant, which we are told is impartial; we should be able to rely on a parliamentary officer, who should have absolute access in the same way as the Comptroller and Auditor General. The Committee could then reach a judgment that it could be authoritatively sure was based solely on hard facts, rather than on a defensive line put up by the Government.

5.19 pm

Mr. Peter Bottomley (Worthing, West): My right hon. Friend the Member for Haltemprice and Howden (Mr. Davis) has introduced the question of whether, on privileges issues, there should be an investigating officer for the House, whose report could be made available to the Committee before the Committee comes to its conclusions and puts its own report and recommendations to the House. That is an interesting idea. There may be other occasions when it can be discussed. I am not sure that it is an issue that should be settled in the eighth report of the Select Committee on Standards and Privileges.

I thank the Chairman of the Liaison Committee, the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), for the way in which he introduced the report; he did so very fairly. He said that there were two forms of unanimity, and the first form rightly applied to the Committee. It is not to make a point about any other Committee, but simply to point out that there was nothing of particular difficulty in reaching conclusions on the matter. The most important conclusion that we reached was in the interim response to the Speaker, which said that Members who had received material that they should not have received should return it straight away. That is clear. It is good English. It is good practice. I hope that it will be followed.

I hope that the next thing that I say will not be [illegible] a contradiction. The report does not deal with material that is wrongly leaked to the press. One of the first things that happened when I joined the House was that a Committee of the House recommended that either the editor or a journalist from *The Economist* should be punished, having printed something that they had wrongly received. With rare exceptions, which I cannot contemplate at the moment, I do not believe that the House should be in the business of trying to punish journalists for doing their job, which is to make available to all what is known to a few.

As I understand it, the Foreign Affairs Committee looked seriously at the issue on the basis that it was a leak to a Department whose actions were being considered by the Select Committee. Publication in a newspaper may have come about because of a bad act, but, once something has been published, it is open to all to see at the same time; it is not just for the privileged. It may be designed to undermine the proceedings of a Select Committee, but it has been done differently and more openly. That is not to justify a Member going to the press, but to try to draw a distinction. It is worth spelling out that we are not trying to muzzle the press, even if it obtains material following an action that cannot be justified.

That debate needs to take place on another occasion. A fair number of reports from the Standards and Privileges Committee are not usually debated because they do not recommend action by the House, yet some of those reports are as significant as the ones that recommend an action by an hon. Member or the House itself.

On another occasion, it would be useful to go into what I regard as some of the misconceptions in today's article by Peter Riddell in *The Times*, which seems to bring together a number of issues that should not properly be brought together in that way. However, as my right hon. Friend the Member for Haltemprice and Howden said, in this case, the commissioner does not come into the eighth report, so I will not waste the House's time by following up some of the different views that Peter Riddell could have mentioned.

My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the former Home Secretary, has made a strong case. The whole House will be grateful for the way in which right hon. and hon. Members on both sides of the House have spoken.

Had I worked rather more seriously at university, I should probably have joined the civil service, like my brother, father and grandfather, so I have more of a public than a political service background. We could possibly build too much on those two words "full briefing" in the letter from the Foreign Secretary. It would have been interesting to have heard from the official concerned. It would be interesting to see the report that he circulated in the Foreign and Commonwealth Office. If the Leader of the House does not disclose it this afternoon, I am sure that one Committee or another will obtain it. I do not regard it as the sort of paper that the civil service or Ministers can keep secret, and I see no reason why they should.

In one of the parliamentary answers that I was most pleased with when I was a Minister—I cannot say proud—I got two sentences into one line of one column of *Hansard*:

"I made a mistake. I apologise."—[*Official Report*, 2 December 1985; Vol. 88, c. 84.]

As a Minister, it is not very difficult to say that, especially if it is true. The Leader of the House says that Ministers in the previous Government did not always abide by conventions or guidance in responding to Select Committee reports—that is the standard response that one expects from the present Government. Ministers keep reminding us that the previous Government were never perfect, but they seldom confess to any mistakes of their own; they seldom come here to say that they are sorry. The right hon. Lady should institute a review, perhaps by an outside person, to see how many times the present Government have managed to get publicity that responds instantly, in an adversarial way, to a Select Committee report on the day it is published, or on the days before.

A bad trend has been set. However, the Government—who, understandably, consider the next day's newspaper headlines to be a very significant part of the parliamentary process—should understand that responding in that manner to Select Committee reports contradicts the parliamentary process. They should read those reports, consider them and allow them to be published so that other people, too, may read them.

On the day on which the Committee's ninth report was published, reports on Teletext stated that "So-and-so was cleared", whereas anyone who had read that report would

realise that that statement was not so much relevant as part of a briefing to ensure that the report itself—to which many civil servants had given much time—would be obscured.

If we demand that civil servants should be able to justify every adjective, noun and comma used in every piece of paper that they circulate in their Departments, in briefings to Ministers or for ministerial statements to the House, the civil service machine will only work more slowly and less effectively. When it is discovered that an inaccurate statement has been made, it would be much better for Ministers to state that in a parliamentary answer and to spell out the facts.

Openness is very important for democracy. If there were slightly less pride, arrogance and control, the relationship between Parliament and the Government would work better. It is more becoming for hon. Members, even Labour Members, to say to Ministers, "Try to tell us what you have got wrong as well as what you have got right. Try to give us the information that we should have, so that we are able to judge whether your action is fully or only partly justifiable."

5.27 pm

Sir Peter Emery (East Devon): I shall be fairly brief, but, as a member of the Foreign Affairs Committee, there are two matters that I should like to draw to the attention of the House, and one matter that I ask the House to consider.

First, the hon. Member for Dundee, West (Mr. Ross) made an absolutely frank statement to the Select Committee before any Committee member knew anything about what had really happened, and he submitted his resignation to the Chairman immediately before he spoke. He behaved entirely honourably in Committee about the mistake that he had made. That should be to his credit, and that credit should be given not only by Labour Members, but by an Opposition Member. I am very willing so to do.

Secondly, I compliment my hon. Friend the Member for Spelthorne (Mr. Wilshire) on his speech, in which he outlined a great deal about the Foreign Secretary's position—a matter to which I shall return in a moment.

Page xv, paragraph 2, of the report states:

"On the day before publication the Chair of the FAC gave a full briefing to Andy Henderson, the Head of the FCO Parliamentary Relations Department".

As a Committee member I had no knowledge of that fact, which the Chairman had not mentioned. That paragraph in the report was the first instance on which it was drawn to my attention.

Today, we have had a very important statement from the hon. Member for Swansea, East (Mr. Anderson), the Chairman of the Foreign Affairs Committee; it was right that that statement was made. I have no reason to disbelieve any of that statement. The hon. Gentleman has behaved quite honourably in all of his dealings with the Committee. It is therefore imperative that the Foreign Office—which seems to be trying to drag him into the matter by the statement on page xv—should support the hon. Gentleman's statement by making it absolutely clear that no use was made of

"either the draft or the additional information from Mr. Anderson or Mr. Ross"—

which Andy Henderson himself minuted and said that he circulated in briefing the press. I am sorry, but what the devil were those people up to? What was the publicity department doing? Those people are there to defend the Secretary of State. The idea that any information that they had would not be used for the benefit of the Department is nonsensical. If we believe that, we believe in "Alice in Wonderland".

Rather than retaining any doubt or criticism of the Chairman of the Foreign Affairs Committee, the Foreign Office is obliged to make public the minute by Mr. Andy Henderson, so the matter can be cleared up and the Chairman can proceed, knowing that his statement to the House is complete.

We have criticised the Foreign Secretary for not apologising to the House, and we have heard the Leader of the House say that no Foreign Secretary had made more papers available to the Committee ever before. Yes—but, by Jove, they had to be forced out of him. They did not come willingly. They had to be dragged out like bad teeth. One of the witnesses whom we wished to see was refused, and we never saw that witness. The concept that there was great openness from the Foreign Secretary is a slight myth, and the response from members of the Foreign Affairs Committee shows that they are not willing to run against my views.

Mr. Wilshire: Given what my right hon. Friend has just said, how does he rate our chances of seeing the minute to which the hon. Member for Swansea, East (Mr. Anderson) referred?

Sir Peter Emery: If I have anything to do with it, it will be a 100 per cent. chance. If the Foreign Office has anything to do with it, it will be a 0 per cent. chance. It will not be done willingly—it will have to be dragged out of the Foreign Office yet again.

I have always wanted to believe that the Foreign Office was one of the leading Departments. I was a Parliamentary Private Secretary there for three years, so perhaps I am slightly influenced. Of course, that was a hell of a long time ago—from 1961 to 1963, before most Members sitting in the Chamber today were in the House. Since then, and under any Government, the Department has had a high reputation, as have its Secretaries of State.

The report has left a nasty taste with members of the Select Committee. Real honour was not one of the thoughts being considered in the way in which the Department dealt with the Committee. Nor did the Foreign Office do anything other than try at every moment to hide anything that it could possibly keep from the Committee's inquiry. There is the unpleasantness.

The Foreign Secretary has not come here to apologise. The strange thing about this House is that if one comes to apologise, the House is forgiving. When one does not and one is wrong, we want to find out why. The Foreign Secretary has not apologised, and he is wrong. It is right that we ensure that we continue with the closest examination of him and the Department while he is still Foreign Secretary.

5.34 pm

Mr. Alan Williams (Swansea, West): Like my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon), I have been in the House for 35 years, and

[Mr. Alan Williams]

like so many right hon. and hon. Members here today, I have been a member of the Executive, but have also spent substantial time on the Back Benches. We tend not to be overblown about the importance of our work, which the press often accuse us of, but all too often to overlook it. That has been apparent to some extent today.

It is salutary to think that we are the mother of parliaments, but the average person's sole involvement in the parliamentary process, in 80 years of life, will be to have cast 20 votes. That is democracy, but democracy in the meaningful sense of the accountability of the Executive exists only in Parliament. That is why we are here today protecting the rights of our Committee.

Setting aside the politicking that always goes on in the House—we have been in opposition for long spells and fully understand the frustrations of Opposition Members—the most important thing to emerge from the report is that we have at last found a way of closing the channels. Leaks are only as important as the distance that they can get. If we can stop the movement of documents, we go a long way towards ending the problem of leaks to Ministers, and I think that the report achieves that.

I argued that it was not enough to call only the three officials, and that to call the permanent secretary would send a message throughout Whitehall. It did: within hours, Whitehall was responding. The permanent secretary brought us a message telling us that, even though he had been in the civil service for 33 years, he did not know that it was a breach of parliamentary privilege to handle leaked documents, but that from that day on, it would be treated as a disciplinary matter for any civil servant to handle documents other than to return them to the Committee.

That was important not only in imposing a discipline, but because of the career effect of that discipline. We underlined that by saying that the Committee would treat it as an act of contempt of Parliament for any civil servant to conspire to further the leak of a document. That is a major breakthrough for the legislature, and for that reason, if for no other, the report is extremely important.

5.38 pm

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): I join those who have thanked the Standards and Privileges Committee for its work and for the report. I echo the remarks of my right hon. Friend the Member for Swansea, West (Mr. Williams), who put his finger, in a few measured words, on the nub of what these proceedings should be about. His speech and the equally measured contribution from my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon) were in line with the measured tone of the report, although one might not have thought so from some of what has been said.

My right hon. Friend the Member for Ashton-under-Lyne made it clear that the report did not criticise my right hon. Friend the Foreign Secretary and that before this incident, there was no guidance on what a Minister should do should he or his civil servants receive a leaked Select Committee document, but he also made it clear that to handle such a document would now be regarded as a contempt of the House.

It was clear from the debate that many thought the report too measured, including the right hon. and learned Member for Folkestone and Hythe (Mr. Howard). He criticised the Committee, not only implicitly but explicitly, for not having gone further.

In this debate, the Committee's report has been stretched to breaking point, if not beyond. It was the right hon. and learned Member for Folkestone and Hythe who said that the report described a systematic attempt by the Government to suborn the Select Committee system. He said that the Foreign Secretary should be forced to come to the House to answer questions. My hon. Friend the Member for Linlithgow (Mr. Dalyell) indicated that he had not wholly taken in the detail of the right hon. and learned Gentleman's argument, but thought that the tone of his contribution was so grave that there was something in that argument. I cannot agree either with the right hon. and learned Gentleman or my hon. Friend, and I take this opportunity to explain that my right hon. Friend the Foreign Secretary is in Edinburgh at a most important meeting with the Brazilian Foreign Minister. Relations with Brazil, as all right hon. and hon. Members know, are of considerable importance to this Government and this country, and that is why my right hon. Friend is not able to be present in the Chamber this evening.

Mr. Howard: First, is the right hon. Lady suggesting that it is beyond the wit of the business managers to have scheduled this debate for an occasion on which the Foreign Secretary was in London, as he is from time to time? Secondly, what would she have done if she had received a leaked copy of a report from a Select Committee?

Mrs. Beckett: This report is not about my right hon. Friend the Foreign Secretary, as the Chairman of the Standards and Privileges Committee made plain. The timing of the debate was geared to providing, as speedily as we reasonably could, an opportunity to debate the report and the unfortunate issue of my hon. Friend the Member for Dundee, West (Mr. Ross), who was criticised in the report and whose suspension was proposed by it. That was the main consideration behind the timing of the debate, and properly so.

The right hon. and learned Member for Folkestone and Hythe was strong in his criticisms, but not as strong as the hon. Member for Spelthorne (Mr. Wilshire), who called on the Prime Minister to sack the Foreign Secretary and was also critical of the Prime Minister himself, as if the affair in some way involved him, which of course it does not. Therefore, it is right to remind the House, if only briefly, that the Government in no way, shape or form were the originator of the leak, as my hon. Friend the Member for Dundee, West made clear; that the Government made no use whatever of the leak, as has been made crystal clear—indeed, no hon. Member has even tried to allege that; and that, as my right hon. Friend the Member for Ashton-under-Lyne said in his capacity as Chairman of the Standards and Privileges Committee, the Government made no attempt, once they were in receipt of the leaked document, to use it to influence the work of the Foreign Affairs Committee.

Mr. Wilshire: The right hon. Lady is making much play of what the Government did not do, but can she tell

the House why the Government have still not returned a single sheet of a single copy of the leaked document to the Clerk of the Committee?

Mrs. Beckett: No, I cannot. Indeed, I was not aware of that point, but there may be a simple explanation for it and I am sure that it will be made available to the hon. Gentleman.

Shona McIsaac: My right hon. Friend may not have noticed, because it is only a tiny part of the minutes of evidence, but one official is quoted as saying that the documents ended up in the shredder.

Mrs. Beckett: That unworthy thought had crossed my mind and I am grateful to my hon. Friend for making the matter clear.

In the course of the debate, my hon. Friend the Member for Swansea, East (Mr. Anderson) understandably raised the issue of the interpretation that has been put on the briefing meeting he had—perfectly properly—with an incoming senior official in the Foreign Office, and how that has been reported.

In that context, there has also been some reference to my earlier intervention, in which I pointed out that my right hon. Friend the Foreign Secretary had made available to the Select Committee information that was unprecedentedly full. Some play was made, by Liberal Democrat Members, by the hon. Member for Spelthorne and by the right hon. Member for East Devon (Sir P. Emery)—whose constituency is one that, since the last round of Boundary Commission changes, I fear that I have increasing difficulty in remembering—about the fact that my right hon. Friend the Foreign Secretary did not rush forward, with a glad and eager heart, to offer access to any and every paper and telegram in the Foreign Office.

I do not consider that surprising in any way, shape or form. Indeed, my right hon. Friend would have been lacking in his duty if he had not thought that he ought to weigh very carefully what was certainly a very major precedent—some would call it a dangerous precedent—in terms of the information that he made available to the Select Committee.

In dialogue with each other, hon. Members then expressed confidence that the minute produced by Mr. Henderson after the briefing from my hon. Friend the Member for Swansea, East would have to be dragged out of the Foreign Office. That was intended to illustrate the lack of openness of the Foreign Secretary.

However, I have to disappoint those hon. Members. While we have been listening with eager attention to their observations, I have received a message from my right hon. Friend the Foreign Secretary, in which he states that he is entirely willing for that document to be released to the House. The document will, indeed, be made available.

Sir Peter Emery: I congratulate the Leader of the House on her success in getting documents released. It is much greater than that achieved by the Foreign Affairs Committee.

However, I remind the right hon. Lady of a recommendation made by the Select Committee on Procedure way back in the 1990-91 Session. It was that it was beholden on Departments to make certain that they made available to a Select Committee all documentation relevant to an inquiry being held by that Select Committee. The recommendation was made as a result of a Select Committee inquiry into Concorde, when the fact that not all the necessary documentation was made available to that Committee was referred to the Procedure Committee.

Mrs. Beckett: The right hon. Gentleman will be aware that the investigation into the Concorde affair was held a considerable period of years ago. Nevertheless, although all Governments seek to provide Select Committees with the right information, some documents are held to be of such sensitivity that they should remain confidential within government. Indeed, the right hon. Gentleman and other members of the Foreign Affairs Committee have confirmed that my right hon. Friend the Foreign Secretary released unprecedented information.

I shall conclude with one of the earliest points made in this short, but stretching debate. Although no supporting evidence was produced, some Conservative Members stated that the alleged behaviour was typical of the Government's misuse of the House. The shadow Leader of the House prayed in aid of that argument the Government's use of the Government information service, the number of special advisers, and so on.

However, the allegations about the use of the information service have been repeatedly and clearly refuted. As to the special advisers, the Government considered that, as a matter of professionalism, it was right to employ more than were employed by the previous Administration, at least at the end of their term of office. We have also thought it right, again as a matter of professionalism, to treble the money made available to Opposition parties in the House, in order that they may more adequately carry out their duties. I have not noticed any acknowledgement that that rather runs counter to the suggestion that the Government in some way are trying to misuse and abuse Parliament.

My final point is to quote from the conventions for Governments responding to Select Committee reports. Those were drafted as long ago as 1990 and were set out in a letter from the then President of the Council, who I think was the Deputy Prime Minister at the time, to the Chairman of the Liaison Committee. The passage that is particularly germane to this debate is that the document

"asserted the right of Ministers to respond publicly to criticisms of the Government as robustly as seemed appropriate; this would include criticisms in the Committee's Report itself, inaccuracy or mis-statement in media reporting, or public criticisms made by individual Committee members".

The advice continued:

"Ministers would feel free to respond immediately to recommendations",

where that was thought necessary.

Despite much that has been said in this debate, frankly, the substance of the complaints made by the Opposition are not borne out by the weight of the evidence on which they rest. This is a sufficiently serious and worrying matter in itself.

Like many other members who have spoken in the debate, I recognise the work that my hon. Friend the Member for Dundee, West has done in the House and on foreign affairs, and I regret the circumstances that led to

[Mrs. Beckett]

his suspension from the House, although of course I respect the judgment of the Select Committee on Standards and Privileges, as do we all.

I fear that in an attempt to exploit a measured and sensible report, which warns us all about the proper respect for the work of Select Committees and clearly warns Government Departments and civil servants about future conduct, an attempt has been made to erect an edifice of criticism of the Government, the Foreign Secretary and the Prime Minister, which is not borne out. Frankly, the evidence will not bear it.

Question put:—

The House proceeded to a Division—

JANE KENNEDY and MR. KEVIN HUGHES *were appointed Tellers for the Ayes; but no Member being willing to act as Teller for the Noes,* MADAM SPEAKER *declared that the Ayes had it.*

Resolved,

That this House—

(i) approves the Eighth Report of the Committee on Standards and Privileges (HC 607); and

(ii) accordingly suspends Mr. Ernie Ross, Member for Dundee West, from the service of the House for ten sitting days.

ESTIMATES DAY

[2ND ALLOTTED DAY]

ESTIMATES 1999-2000

Class I, Vote 4

School Inspections

[Relevant documents: The Fourth Report from the Education and Employment Committee, on The Work of Ofsted, HC 62-I; Department for Education and Employment and Office for Standards in Education Departmental Report: The Government's Expenditure Plans 1999–2000 to 2000–01, (Cm 4202.)]

Motion made, and Question proposed,

That a further sum not exceeding £59,500,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges which will come in course of payment during the year ending on 31st March 2000 for expenditure by the Office of Her Majesty's Chief Inspector of Schools in England on administration and inspection, including the inspection of schools and other educational institutions, funded nursery providers and local education authorities.—*[Jane Kennedy.]*

5.54 pm

Mr. Malcolm Wicks (Croydon, North): We move rapidly from Sierra Leone to Ofsted—one of these subjects is controversial.

As Chairman of the Select Committee on Education and Employment I am pleased to report to the House on our inquiry into Ofsted. On 14 June, we published a unanimous report following a 10-month inquiry. We heard extensive evidence. We received written evidence and heard oral evidence and—*[Interruption.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am sorry to interrupt, but far too many conversations are going on. This is an important debate.

Mr. Wicks: We heard oral evidence from many people, including union and professional associations, Her Majesty's chief inspector of schools in England, and the Minister for School Standards. For comparative purposes, we also heard evidence from the chief inspector of further education and Her Majesty's chief inspector of schools in Wales. Obviously, we are grateful to all our witnesses.

Many members of the Committee and our staff also had the opportunity to visit schools that were undergoing an inspection. I suppose that, on occasion, that created a slightly comic spectacle. I was in a class in a school in greater London where the Ofsted inspector was inspecting the teacher, Her Majesty's inspector was observing the Ofsted inspector and I, as Chairman of the Select Committee, was observing everyone, I suppose. In practice, it was a most valuable facility and we are grateful for it. I thank all those who helped us with our inquiry, in particular the chief inspector of the Office for Standards in Education and his staff.

Interestingly, Parliament first granted public funds to schools in 1833 and inspection followed quickly thereafter, in 1839. There has more or less always been a link between state education and the inspection of schools. By the 1960s, there were about 500 HMIs.

Ofsted was established under the previous Government by the Education (Schools) Act 1992. The office of Her Majesty's chief inspector of schools was then created. Although we focused chiefly in our report on schools inspection, and I will mainly focus on that today, HMCI also has responsibility for inspecting local education authorities, initial and in-service teacher training, nursery education, youth services and further education provided by local education authorities. I understand that the Government will shortly be extending the powers of the chief inspector.

Ofsted was created by the previous Government as part of a drive to raise education standards. Other developments of the time were the national curriculum, national testing and the publication of school results. We can see the work of Ofsted in the context of education standards, but also perhaps in terms of the "audit society", as some people have described it. The provision of information to parents is crucial, but we see the growth of regulation and inspectorates in other areas of public policy. For example, there are developments in social services and health—the National Institute for Clinical Excellence is an interesting example of that. It is all about consumer perspectives and the accountability of public services.

The main emphasis that I want to bring to the debate is that the Committee fully endorses the principle of external inspection of our schools and other education institutions. That is a most important conclusion in the report.

Schools are inspected by teams, which are led by a registered inspector. The contracts are awarded by Ofsted. Inspection takes place within a framework that is drawn up by Ofsted. We found when taking evidence that the framework was widely praised. For example, Professor Michael Barber, who now heads the Department's standards effectiveness unit, says that it was

"very strongly based on education research, school effectiveness and school improvement".

It is also interesting that the National Union of Teachers found that the framework provided

"a valuable check list for school improvement, not least for schools to use themselves".

There is thus much support for the framework.

We questioned two aspects of the framework and made recommendations, one of which related to special schools. We noted that more special schools than other schools are judged to be under-performing, and made comments and recommendations accordingly. In particular, we said:

"Given the importance of this issue, we recommend that Ofsted keep under review the way in which the Framework is used in the inspection of special schools. We also recommend that the DfEE keep under review the way the National Curriculum is applied in special schools."

We also made comments about pupil mobility and the need for Ofsted to take more account of that when making judgments about inspection. Clearly, if there is a great deal of pupil mobility, as there is in many of our schools, that will inevitably affect school performance, and Ofsted must keep that under review.

In general, we recognise that any inspection can be stressful—we have just been discussing the inspection of MPs—but the majority of schools found inspection teams professional and courteous. Undoubtedly, however, there

[Mr. Wicks]

is stress. Many of our witnesses highlighted the negative impact of inspections on teachers. For example, the report states:

"A GP wrote to us highlighting the 'significant symptoms of stress' suffered by three teachers at a local primary school, which were directly related to an impending inspection in the second cycle of inspections. The GP noted that this had happened despite the fact that the school had performed 'extremely well' in its inspection."

When we considered reform, we examined particularly critically the period of notice that a school can be given. In the past, some schools have known that they are to be inspected two terms ahead of the inspection. We believe that such notice had a distorting impact on the school and its work. We note that, following consultation, Ofsted is considering giving notice of between six and 10 weeks, but the Committee feels that four weeks would be more appropriate.

We recognise the argument that if a longer period of notice is given, much good work can be done within the school as it prepares for the inspection, and that the period of notice, rather than the inspection, may be what has a good impact on the school. However, we believe that now that there is a history of inspections, and schools are used to them, four weeks' notice is about right. That may reassure parents that a school stands more chance of being inspected as it is on a normal day.

We believe also that there is a role for snap inspections, not as an alternative to ordinary inspections, but a complementary process. Snap inspections would be carried out not by the mainstream Ofsted teams, but by Her Majesty's inspectors or local education authorities.

Mr. Nigel Waterson (Eastbourne): Do the hon. Gentleman and his Committee view snap inspections as one way to tackle the problem of over-preparation, which is referred to in a different part of the report, in that schools get keyed up about an inspection because they know that it is coming, but if the inspection is done on a spot basis, that problem does not arise?

Mr. Wicks: That could be one use for snap inspections. If, for example, the Secretary of State wanted a snap look at a particular subject or issue, such inspections could be used. We also had in mind the concern of parents with children at a particular school or in a particular area about problems such as school bullying. They might be worried that the school's regime was allowing pupils to get away with bullying. There is no point in inspectors telling the bullies and the teachers, "We shall be coming in eight weeks." They should turn up on a Monday morning and have a look. There is, therefore, a role for the snap inspection.

Alongside our proposal for a period of notice of only four weeks, we made recommendations to end the paper chase. At the moment, many schools over-prepare documentation for the inspection. That is only human, and one can understand that. We were struck, however, by one example of a school that had prepared so much documentation that it filled six large boxes and the registered inspector had to hire a man with a small van to cart it away. We never found out where he carted it off to, but we hope that it was recycled. We therefore recommend that Ofsted or the Department draw up a good practice guide—that will hopefully be a short document—to enable schools to end this devastation of our forests.

We believe that there should be a greater sense of ownership by schools of the inspection process. We want schools to view inspection as a valuable mechanism, not an external threat. We therefore suggested that it would be helpful if a school governing body were able to have an observer—not a member—on the Ofsted team that is inspecting the school.

I stress again that the evidence demonstrates that, in the great majority of cases, inspections are conducted in a fit and proper manner; and the inspectors are, in the main, courteous and professional in their dealings with pupils, staff, parents and governors. However, there are exceptions. We hear, for example, of inspection teams sometimes claiming to have inspected classes where there is evidence that they did not enter those classes. Ofsted should therefore continue its efforts to deal with poor inspection practice.

There is an issue to do with whether the inspection should be a clinical audit or whether it should develop into advice for schools. In considering that issue, we certainly welcomed the move towards greater feedback. In the school that I observed being inspected, I was impressed by the way in which inspectors would, whenever possible, give feedback to the teachers immediately after the lesson. We also observed feedback sessions with heads of department. All that is helpful, and we would encourage it. We want a process of professional dialogue, not clinical audit, to develop in Ofsted. Things are moving in the right direction.

Some argue that self-evaluation could replace external inspection. The Committee does not agree. There is an important role for self-evaluation, but it should be complementary to external inspection. We therefore recommend that Ofsted should include an assessment of self-evaluation within schools. That would be helpful.

We make recommendations about the membership of Ofsted teams. We heard a criticism that, too often, Ofsted teams are drawn from older members of the profession. That criticism can be exaggerated, but we certainly want to ensure that members of the Ofsted team have direct, current experience of teaching. We therefore recommend that more serving teachers and head teachers should be members of Ofsted teams. We would argue that if younger members of a team, who were teaching the literacy hour the week before the inspection, helped out for a few weeks a year as part of their professional development, they might be in a better position to judge the literacy hour during the school inspection. There are other arguments to support that recommendation.

We are also interested in the role of the lay inspector. Every team has a non-teaching professional, and we thought that that was a useful development. We saw that policy in operation. However, we think that it would be a good idea if more of the lay inspectors were young parents with school-age children. There are many ways to judge a school, but if the team contained a mother or father who was asking the simple question, "Is this school good enough for my child?", that would bring some reality into the inspection system from the parental point of view.

We considered the role of the Ofsted complaints adjudicator, which is clearly important. Currently, the complaints adjudicator is appointed by Ofsted. We do not believe that this is right; the appointment should be made elsewhere, either by the Secretary of State within the Department or by a board of commissioners for Ofsted—a recommendation to which I shall turn in a moment.

We also considered the accountability of Ofsted, which is important to the House. Ofsted is a non-ministerial Department, headed by Her Majesty's chief inspector. It is appointed by the Crown, and therefore has unique status in the education world. There are other non-ministerial Departments, but no clear analogies among them on reporting and accountability. We therefore conclude that

"accountability mechanisms for Ofsted are not sufficiently robust."

We recognise that the independence of Ofsted is crucial, but we do not think that that precludes effective and transparent accountability. We therefore recommend that there should be, among other things, a regular House of Commons debate on Her Majesty's chief inspector's annual report. In assessing education standards, that could be an important occasion for the House.

We recommend to ourselves as a Select Committee that we should hold annual meetings with the chief inspector on both his annual report and, more generally, the work of Ofsted. We also suggest that, before the appointment or reappointment of the chief inspector is confirmed, the Select Committee should receive evidence from the nominee and report to Parliament. A debate on the Committee's report could then follow. We also discuss the need for a board of commissioners for Ofsted. We looked at the pros and cons of such a board, and conclude that a case for it should be considered very carefully.

There was a sense in which we were reluctant to investigate the role of Her Majesty's chief inspector and his style because we were interested in policy and practice, rather than personality, but to undertake work into Ofsted without saying something about Mr. Chris Woodhead would be rather like discussing the Victorian era without mentioning good Queen Victoria.

As the report states,

"The purpose of our inquiry has been to consider the work of Ofsted itself: the principle and practice of inspection. Based on the evidence we received, however, we realised that any such study would be difficult to divorce from the style adopted by Mr. Chris Woodhead".

Several witnesses commented on it. We heard from critics of the chief inspector, although some witnesses took a much more supportive view of his style.

It has not been possible for us to make a judgment about the successes or failures of Mr. Woodhead's style, although we note that when he came before us he defended it vigorously. He said:

"It is very necessary . . . for messages that emerge from inspections to be communicated with absolute clarity to everybody who is interested in education. That, in a nutshell, is what I have tried to do. The issue of polemic; the issue of being excessively confrontational. I think is very much a matter of subjective judgment. I can only say to you that I think I have tried to speak plainly and, on occasion, bluntly and, on occasion, my attempts to do that have obviously provoked a pretty strong reaction".

We found it difficult, as a Committee, to make a judgment on whether such a style was necessary, although we note that many are critical of it.

We were concerned about the way Ofsted's work sometimes tended to focus on the negative. The day before we heard from the chief inspector, the annual report was published. The launch of the report was accompanied by a media focus on 15,000 failing teachers. We cross-examined Mr. Woodhead about that, and he told us that he knew no reason for such focus, given that the report was generally rather upbeat and optimistic. He subsequently wrote to us—I think that it was the next day—to point out that, at the press conference to launch his annual report, Ofsted officials responded helpfully to "persistent requests" to provide the number of weak teachers.

We are concerned not so much with looking back at the role of the chief inspector and his style but with pointing the way forward. Ofsted has been in existence for some time; we have a good deal of experience. We therefore feel that several principles should guide the chief inspector's work in future. First, the report states:

"the role of the Chief Inspector should include encouraging the formation of a consensus about the importance of Ofsted's work across a wide field.

Second, we support the view that HM Chief Inspector should, where appropriate, speak out on education issues."

That obviously helps to stimulate a wider public debate. The major interests must be those of children and their parents, although, as the report says,

"we feel strongly that such public expression of views should be based firmly on clear and scientific evidence emerging from inspections undertaken by Ofsted's inspectors and other reputable sources. There is a considerable danger that if this principle is not adhered to, the Chief Inspector will be seen simply as a pundit or polemicist."

Thirdly, the report concludes:

"in carrying out his or her role the Chief Inspector should be concerned to improve morale and promote confidence in the teaching profession. Hence the importance of fulfilling the role of Chief Inspector in a way that promotes wide acceptance of Ofsted's role and positive impact. We feel strongly that low morale among teachers inhibits the drive to raise standards."

Having—I hope—faithfully reported the Committee's conclusions, I must add that all of us in the House recognise the vital importance of education and the need to improve standards. The Committee recommends, as I suspect most of us present would, that external inspection of schools is vital. That should not be controversial. However, there is a strong case for reform, and our report presents arguments for it. We look forward in due course to the Government's full response to our report.

In practice, inspections are usually professional and well regarded. The great majority of our teachers undertake their work, often in very arduous circumstances, in the most professional way. Alongside such day-to-day work, however, there has been an over-excited public debate about Ofsted's role. Such over-excitement damages parents and children. We must pull down the Berlin wall that sometimes seems to separate Ofsted and teachers' representatives. That is the challenge for both the chief inspector and professional organisations.

6.17 pm

Mr. Phil Willis (Harrogate and Knaresborough): I echo the comments of many hon. Members who have praised the quality of the Select Committee's report on Ofsted. Although the area is contentious, such a unanimous report speaks volumes for the gifted leadership of its co-Chairman, the hon. Member for Croydon, North (Mr. Wicks).

The report makes more than 65 recommendations, the vast majority of which have been welcomed by teacher unions, governor and parent associations, the Local Government Association and most hon. Members. It is a positive and balanced report, seeking to find common

[Mr. Phil Willis]

ground between often differing views. It is important that it be acted on. Hopefully, in replying to the debate, the Minister will describe how the Department for Education and Employment intends to deal with each of the recommendations.

The Minister will be aware that the Liberal Democrats supported the Labour party in opposition in calling for a full governmental review of Ofsted. We had hoped that, as the Government, they would fulfil that pledge. The Select Committee inquiry may be seen by some as second best, but that would be extremely unfair. None the less, we would of course have liked more details and more debate on some areas.

The jury is still out on the appropriateness of the framework for inspecting special schools, especially those that deal with children who have severe learning and behavioural difficulties. Detailed research on the impact of mobility on school performance is necessary in order to come up with conclusions. More particularly, the pre-inspection context and school indicator—PICSI—data on which the background to school inspections in based clearly requires far greater attention. In work that is going on in Leeds at the moment, Benefits Agency data are being used as the basis for looking at a school's profile—instead of the pre-inspection context and school indicators, which are currently used.

Despite these criticisms, I believe that we should see the report as a starting point in the continuous public review and scrutiny of the Ofsted process. In particular, the Government should take heed of the uncertainty that surrounds the accountability of Ofsted to Parliament. The conclusion of the Select Committee at paragraph 196—

"we conclude that the accountability mechanisms for Ofsted are not sufficiently robust. Nor do they demonstrate that Ofsted is fully accountable for its work"—

is extremely important. It goes right to the heart of much of the public and professional criticism of Ofsted and of the chief inspector of schools.

The recommendations of a regular debate in Parliament on the annual report and the scrutiny of the work of Ofsted by the Select Committee are both welcome. I remain to be convinced—although my hon. Friend the Member for Bath (Mr. Foster) is entirely convinced—that a board of commissioners would significantly improve accountability, although I agree with the Committee that the Government should keep an open mind on that issue. No doubt if my hon. Friend catches your eye later, Mr. Deputy Speaker, he will lucidly explain why he believes that a board of commissioners is needed.

The introduction of a quinquennial review is perhaps the most important recommendation. The review would not only enhance public accountability but ensure that Ofsted remained a dynamic organisation, responsive to an ever changing educational world. On 17 February, in evidence to the Select Committee, the Minister said no to a quinquennial review. We trust that she may have reconsidered that position and may change her mind when she responds.

Such a review would, too, help to address the issue of the accountability of the chief inspector of schools, which I suspect for many is the key issue at the heart of the accountability debate. The appointment of the chief inspector and, more specifically, any re-appointment, should be subject to parliamentary scrutiny and review, and the Minister will be failing to catch the mood of the report—and of the profession—if she does not respond positively.

In our view, it would have been wrong for any chief inspector, let alone the present controversial incumbent, to be reappointed to his post without being subject to parliamentary scrutiny. Ofsted's work has changed considerably since 1992. The chief inspector now reports on the inspection of initial training and local education authorities. Yet his suitability for the enhanced role and his massive increase in salary were never publicly evaluated. If public inspection and review is good enough for our teachers, it should be good enough for the chief inspector.

Try as we may, it is difficult to talk about Ofsted without discussing the role of Chris Woodhead. They go together like strawberries and cream—or some might say sour cream.

My hon. Friend the Member for Bath and I have been among the strongest critics of Mr. Woodhead's style of leadership. We do not accept that his confrontational style was either necessary or desirable. Much of the demonisation of Ofsted has arisen from his public utterances, and the style of the early inspections took their lead from what he said in public.

The Select Committee report is masterly in its criticism. It condemns Mr. Woodhead's penchant for self-publicity and his use of intemperate language to make unsubstantiated criticisms of the teaching profession. The message to him from the Select Committee is clear: he has a duty to promote debate on education issues, but the debate should arise from evidence-based conclusions, not personal prejudice. In short, his style must change.

I am one of the very few Members present who, as a serving head teacher, experienced an Ofsted inspection before entering the House.

Mr. Damian Green (Ashford): Did the hon. Gentleman fail it?

Mr. Willis: I can assure the hon. Gentleman that I did not. I thank him, however, for his concern.

In view of my previous comments, the House may be surprised to hear that, for me, the experience of the inspection was very positive. It was very positive for many of my colleagues who, sometimes for the first time, had the quality of their work independently recognised. It was very positive for the governors, who all too often spent their time dealing with the problems caused by social, economic and educational exclusion. It was very positive for our youngsters, who genuinely enjoyed meeting these strange, oft-talked-about beings called inspectors—especially the two youngsters who persuaded one of the inspectors that they had lost their dinner money on Monday and then again on Tuesday.

The inspection was a rewarding experience for the inspectors, one of whom I met last night at the teaching awards ceremony. I should add that one of them nearly benefited from the free can of Coke that he was offered to give his form teacher a good mark but, to his eternal credit, turned it down.

The Ofsted inspection of John Smeaton community high school was stressful, but it was a success because of the quality of the registered inspector—an outstanding

man called Champak Chauhan. The way in which he prepared for the inspection with the school, and the way he dealt with the school community during the visit, were both thoroughly professional. His team was experienced and thus had the confidence of the staff. The inspection balanced audit with advice; it left the school community feeling proud of its achievements and aware of its failings but, above all, with a clear direction in which to move. That should be the experience of every single school community—but we know that it is not.

Liberal Democrats have always supported a strong, vigorous and independent inspection system for our schools. However, we believe that Ofsted inspections should be part of a wider process, and that audit by itself will not raise standards. The two elements of external inspection and continuous internal review, although distinct, must be linked. Ofsted should be charged with inspecting a school's internal review process, which should be rigorous and focused. By placing an emphasis on continuous review, as complementary to formal inspection, we could ensure that quality assurance comes not once every six years, but in every single year of a school's life.

No one seriously suggests that Ofsted should be responsible for supplying support to schools, but it is in a unique position in having observed a wealth of outstanding practice in our schools, and it should make that experience available. We would like the Government to consider how the good practice assembled by Ofsted could be disseminated to schools.

Of course, although we seek an enhanced role for Ofsted, schools must be confident that they are being inspected by competent inspectors with relevant current experience. The Select Committee was not able to form a conclusion on that matter, but we strongly believe that the cause of quality is not served by the present contracting system and the status of registered inspectors. We believe that, as costs are driven down, quality will fall further. A profession for which the Government are currently trying to produce a new career structure, in order to attract the brightest and the best, is entitled to an inspection system that is not based on a part-time force of casual workers—a "Dad's Army" of retired teachers and inspectors.

As the Committee Chairman said, we must have more serving teachers and head teachers on inspection teams, but to do so we must provide an appropriate pay scale that reflects the serious job of work that needs to be done. That should not be subject to the whims of the market.

The registered inspector is crucial to the inspection process. We believe that the inspectors should be HMIs—Her Majesty's inspectors—and should have permanent salaried status. We cannot accept that such a crucial role should be subject to the vagaries of who wins the contract.

Last night, the Minister and I attended, with others, a celebration of excellence in our schools at the national teaching awards celebration. It was probably the first time in my lifetime—especially my professional lifetime—that such a celebration has taken place on such a scale. It was certainly the first time that prime-time television had presented such an overwhelmingly positive picture of teachers to the nation.

Chris Woodhead may have believed that by saying that there were 15,000 failing teachers he would improve standards in our schools. Last night, by celebrating the work of 450,000 teachers, the teaching awards trust and the BBC did exactly that.

6.30 pm

Helen Jones (Warrington, North): I am grateful for the opportunity to make a short contribution to the debate. Like the Select Committee, I believe that a rigorous and independent inspection system is vital if we are to improve our children's education. However, I believe that any system of education inspection must be judged by how well it helps us to do that. For an inspection system to achieve that goal, it must do several things. It must be fair and consistent, provide solid evidence of what is happening in our schools and give feedback to teachers and parents. It must celebrate and spread good practice as well as pointing out failings. In other words, it must tell us clearly what works. We and the Select Committee have done an excellent job in these regards, but we must decide also what works in Ofsted, and what does not.

There have been some successes. The inspection system now focuses clearly on the process of teaching and learning in the classroom and on highlighting weaknesses in schools instead of focusing on structures. That is exactly how it should be. The Ofsted framework generally has been widely praised. It is true, as the Chairman of the Select Committee has said—my hon. Friend the Member for Croydon, North (Mr. Wicks)—that most schools have found their inspectors to be professional and courteous, despite there being some problems with certain teams. Nevertheless, we must face the fact—I find this in schools in my constituency every week—that the mention of Ofsted still instils fear and loathing in classrooms.

The Select Committee has drawn attention to the negative effect that the inspection process can have. Worryingly, the evidence given to it shows a wide disparity between head teachers' appreciation of the inspection process and the views of classroom teachers. The inspection process will never be easy for anyone. No profession and no individual likes being inspected.

If we are to enhance the Ofsted process and ensure that it has credibility, we must tackle three issues. First, we must ensure that the inspection system is not so bureaucratic that it interferes with good teaching in the classroom. Secondly, we must ensure that parents and teachers have confidence in the quality and consistency of the inspection process. Thirdly, we must, regrettably, consider the role and profile adopted by the chief inspector.

I was pleased that, in his letter reappointing the chief inspector, my right hon. Friend the Secretary of State called for a more flexible inspection style. I welcome also the move to a six-yearly cycle of inspections. It seems self-evident that schools that are failing or are not delivering improvements need more attention from inspectors than those that are succeeding, as, too, do those schools that on paper might be achieving good results, but in practice are coasting and not allowing their pupils to reach their full potential. The Government call that intervention in inverse proportion to success. Being a simple soul, I prefer to say, "If it ain't broke, don't fix it."

As well as taking that approach, we must reduce the notice of inspections still further. I welcome the fact that it has now been reduced to between 10 and six weeks. I welcome also the chief inspector's assurance to the Select Committee that he did not need van-loads of paperwork. I agree with the Select Committee on reducing the notice still further, but I would like to see many more unannounced inspections. That would reduce the

[Helen Jones]

bureaucratic burden on teachers and provide us with a much more effective picture of what is happening in schools. I do not wish to overstate the case, but it is not unknown for schools to rehearse for inspection, and to do so does not give anyone a true picture of what is going on.

However, that will not be enough. Schools must have confidence in the consistency and quality of inspections. I agree that we need far more inspectors with recent experience of the classroom. I think that the average age of inspection teams is about 52. I do not wish to denigrate the members of those teams, but it is clear that most of them, like my hon. Friend the Member for Plymouth, Devonport (Mr. Jamieson), the Government Whip, cannot have recent classroom experience. It is essential that serving teachers and head teachers are members of the inspection teams because of their experience and to increase the confidence of the profession in the inspection process.

When inspectors are inspecting schools, they should spend far more time in the classroom than they do now. Thirty or 40 minutes is not enough to grade a teacher. If that happened in any other profession there would be an outcry.

We need to examine carefully the quality assurance procedures that are adopted by Ofsted to ensure consistency between different inspection teams. Ofsted's research into the reliability and validity of its process was heavily criticised by one witness on the ground that it covered only volunteers who knew that they were being observed. I agree that that is not a particularly good method of research.

I was disturbed by the evidence of some chief education officers that there was as much as a 15 per cent. difference between how their inspectors saw schools and how Ofsted inspectors saw them. That in itself must give us cause for thought and make us question the figures. Knowing the chief inspector's views on education research, I am reluctant to recommend more. However, it is clear that some serious research is needed on how the inspection process functions. Ofsted's research should inform the comments that the chief inspector makes about schools. He has adopted a high public profile, unlike his colleague in Wales. Whether that improves children's education is debatable. It is right that any chief inspector should be able to comment on education issues and advise Ministers, but those comments and that advice must be based on sound evidence that has been gathered by inspection teams. They must not be personal prejudices and polemics, and they must highlight good practice.

I was pleased that my right hon. Friend's letter of appointment called for good practice to be highlighted. We do not improve teacher morale by constant denigration. Similarly, we do not attract good graduates into the profession by adopting that approach. It may be a truism, but we cannot have good schools without good teachers. The chief inspector and everyone else should bear that in mind.

I hope that we shall have no more incidents like the chief inspector's comment that 15,000 teachers should be removed, which was based solely on lesson observations in small primary schools. I have said previously that that sort of research would not pass muster with the supervisor of a first-year post-graduate. It is not good enough. The hon. Member for Harrogate and Knaresborough (Mr. Willis) might remember that in May 1996 the chief inspector, having made comments about achievements in standard assessment tests, gave evidence to the then Education and Employment Select Committee which seemed to indicate that he did not understand either a normal distribution curve or the concept of an average. I hope that we shall not have another incident such as that. More progress in English and maths is clearly to be expected.

Mr. Willis: Mr. Woodhead was an English teacher.

Helen Jones: The Chief Inspector was an English teacher and so was I, but at least I understand what an average is.

I want to see the chief inspector and Ofsted move forward and develop much more consensus about the work of the inspection service. I want to see him presiding over an inspection system which takes account of the context in which schools work, including factors such as pupil mobility and social deprivation. Those factors are not an excuse for failure, but we need to find the schools that have overcome such problems, in order that other schools can learn to overcome them as well. I hope that the chief inspector will develop much more of a professional dialogue with teachers, so that we can move forward together and see them as partners in raising standards in our schools, not as the enemy.

This is not, after all, a war. We are all on the same side—the side of raising standards. I hope that we move forward to a more consensual, collegiate approach that will benefit parents and teachers. Most of all, it will help to raise standards in our schools which, as the Select Committee rightly points out, is what our children deserve.

6.40 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): My attitude to the estimates is somewhat ambivalent. I am a great admirer of the inspectorate, by which I mean a great admirer of the chief inspector himself and of the system that has been put in place—which, incidentally, I regard as one of the great achievements of the education policies of the former Administration.

However, I am deeply concerned about the funding of former grant-maintained schools in Lincolnshire. Looking at the sum involved—£59.5 million—I am conscious that a small fraction of that would enable the Government to address the problems currently experienced by the former grant-maintained schools in the county that I represent.

On balance, my conclusion is that it is important that we approve the estimates so that the inspectorate can thoroughly examine the funding and the difficulties of former grant-maintained schools generally, and in particular in Lincolnshire.

To enable the inspectorate to perform the task that I hope it will perform as a result of the money that I anticipate the House will vote on the estimates, it may be helpful if I say a few brief words about the difficulties of the former grant-maintained schools in Lincolnshire, which are suffering underfunding as a direct consequence of the Government's policy.

Before I do that, there is a constitutional point worth making. The matter is relevant exclusively to England. Were there to be a vote on the matter—I do not suggest

that there will be a vote—I feel fairly certain that Government Whips would call on their colleagues from Scottish constituencies to vote. That would be a bizarre proposition.

I see no reason why Scottish representatives in the House should vote on funds that are relevant exclusively to English education. It is worth identifying this issue as one of many that will arise, on which we hope that representatives of Scottish constituencies will disqualify themselves from participating in votes. That, I understand, is the intention of the hon. Member for Linlithgow (Mr. Dalyell), whose courage is much to be commended in this regard.

I am anxious to stay fully in order, Mr. Deputy Speaker, so I emphasise that I support the vote in favour of the Ofsted grant of £59.5 million, in the hope that part of the money will be used to look into the problems of the former grant-maintained schools in Lincolnshire. To enable the inspectorate to discharge the functions that I hope it will perform as a result of the decision of the House, I shall outline the difficulties in Lincolnshire.

The problem is that former grant-maintained schools were funded in three ways.

Valerie Davey (Bristol, West): Will the right hon. and learned Gentleman give way?

Mr. Hogg: Yes, of course.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Before the hon. Lady intervenes, may I say that the report is about the work of Ofsted? I would not want the right hon. and learned Gentleman to dwell on the position of former grant-maintained schools in Lincolnshire. That is not relevant to the report before us.

Mr. Hogg: May I try to address the anxiety which I anticipated would be in your mind, Mr. Deputy Speaker? My purpose, obviously, is to highlight the problems of the former grant-maintained schools in Lincolnshire, because they are suffering from a deficit that is the direct and intended consequence of Government policy. *[Interruption.]*

Mr. Deputy Speaker: Order. All Members of Parliament have problems relating to their constituencies and their communities. Hon. Members know as well as I do that there are many avenues through which to highlight those problems, such as Adjournment debates and perhaps other education debates. However, in this debate the right hon. and learned Gentleman must stick to the terms of the report.

Mr. Hogg: I accept the rebuke, Mr. Deputy Speaker. I am trying briefly to highlight the point, but to stay in order. You have kindly reminded us that there are many ways in which the point can be highlighted. May I suggest to you that this may be one such, because it is part of the function of the inspectorate to look into schools? I suggest to the House, through you, that there is a particular problem with former grant-maintained schools, which the inspectorate ought to address.

The estimates give to the inspectorate £59.5 million, so it should have ample opportunity to look into those specific problems. To enable the inspectorate more fully and effectively to confront that task, I suggest that it would be in order for me briefly to identify the problem. I think that that is in order.

Mr. Deputy Speaker: The right hon. and learned Gentleman should not dwell on the matter. If he wants to mention in passing the problems that might arise and which the inspectorate should examine, that is fine, but I am trying to say as bluntly as I can that he should not make a meal of it.

Mr. Hogg: You have put your ruling graciously, Mr. Deputy Speaker. That being so, I shall respond in precisely the way that you suggest—not by making a meal of it, but in broad terms. As you see, I have put aside my notes.

In broad terms, the problem confronting all grant-maintained schools is that in providing funding in the current year, the Government have ensured that the funding of former grant-maintained schools is being frozen at the cash level in 1998-99. That is resulted in Lincolnshire and no doubt in many other places—

Mr. Bob Blizzard (Waveney): What about Suffolk?

Mr. Hogg: The same may well be true of Suffolk. The Government's policy has resulted in redundancies—

Valerie Davey: Will the right hon. and learned Gentleman give way?

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman has made his point. He has put the matter on record. He should leave it at that and concentrate on the report before us.

Mr. Hogg: You have put the ruling very clearly, Mr. Deputy Speaker. Therefore I shall not go on challenging it. I have identified a serious problem with regard to former grant-maintained schools. The problem may well occur in Suffolk; it certainly occurs in Lincolnshire.

I hope that the estimates will enable the inspectorate to focus on the former grant-maintained schools, especially in Lincolnshire, and to ask itself whether Government policy is having a seriously damaging effect on the quality of education in those schools. That is my contention and I hope that, following the approval of the estimates, the inspectorate will tackle the task that I have outlined.

6.49 pm

Miss Melanie Johnson (Welwyn Hatfield): I am minded to follow the remarks of the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) by referring to "Inspection '98: the Supplement to the Inspection Handbooks Containing New Requirements and Guidance". The annexe, which is headed "Seriously Misleading Reports", states:

> "Procedures are established for dealing with reports which are judged to be seriously misleading."

I introduce that reference to the debate so that hon. Members can reflect on it in the present context.

I have many interests to declare. I am still accredited to work as an Ofsted team inspector, which is my former occupation, and I declare that interest in case hon.

[Miss Melanie Johnson]

Members believe it to be significant to the debate. I have further interests: my three children are in the schools system and my constituency is full of children. All of us in the Chamber have tremendous interest in that aspect of our provision.

I shall make a number of comments on the report, and I begin with a few on the efficiency of the system. I was a member of a county curriculum committee some years ago, when Her Majesty's inspectorate was responsible for reporting on schools. It is worth recalling that its reports often arrived with county councils and local education authorities as many as 12 months after the inspection. Although we are considering extending by a week or so the time that the inspector has to complete the report, one of the triumphs of the present system is they are completed to a tight schedule. As a result, there is a tremendously fast turnaround for schools.

I believe, as the report suggests, that it is better for schools to have less notice that the inspectors are going in. I have been on the opposite end of the process from the hon. Member for Harrogate and Knaresborough (Mr. Willis)—he was on the receiving end—and I agree with the report's comments about the anticipatory dread experienced by many schools as a result of the long lead-in times. It is better that they have less time to worry about the imminent visit of the inspectors, not least because less paperwork will be produced in some cases.

The report comments wisely that often too much paperwork is produced for inspectors. I remember inspecting a school at which 42 box files of paper were presented to us; the experience was similar to that of my hon. Friend the Member for Croydon, North (Mr. Wicks), of the man with the van who had to collect the paperwork. Those masses of paper are often the result of nothing but panic in the school management team about the arrival of Ofsted. That does not help the team, the school, the staff or the system. I commend the suggestion that we give schools as little notice as is practicable for all sides.

On the question of the quality of the teams, there is always a danger with the present system—indeed, with any system—that the bad or the cynical will paint a picture of the system for everybody else. There has been too much of that in the present circumstances. Section 3.1 of the inspection framework for schools requires that the inspection reflects the nature of the school, which is important. It is important to remember that a report is a snapshot of a school during the inspection and inspectors in good teams always take into account the nature of the children, the school's circumstances and its recent history.

Although I have not checked this out recently, when I last spoke to colleagues I gathered that team members are no longer named on bids for Ofsted contracts. I am a little concerned about that. At one time, it was standard for Ofsted to require the team to be named on the bid for a school. In the light of the Select Committee's remark that it would be highly desirable to achieve a better match between experience and the school and to ensure that the quality of the team is good, it would be excellent if team members could be put forward as part of the contracting process in more cases, or at least in sensitive ones. The schools are not known by the contractors, which makes the process of contracting blind on both sides, and, although that situation will end in August, that does not help in respect of quality.

As different parties remarked in evidence to the Select Committee, larger contractors are not necessarily synonymous with higher quality. A message was left on my home answering machine only a few weeks ago by someone I had never heard of informing me that an inspection was taking place near my home and asking whether I would like to do it. I am obviously still on the list of inspectors and that person did not know that I was otherwise engaged in other places. Some of the smaller teams work closely together, and their members are used to doing that, so the problem of car park syndrome—teams were thought to have met in the car park—can be avoided. That was not my experience of working, and I played a part in inspecting about 50 schools in the four years before I was elected to the House.

Paragraph 69 discusses pre-Ofsted inspection and consultancies. It is worth remarking in this context that that highlights the need for the Government's proposals on appraisal and re-emphasises the importance of head teachers and leadership in schools. As we all know from our experience, a surprisingly large number of schools are going for pre-Ofsted consultancies. Making sure that the school is performing as it should be in the normal course of events, monitoring its work, reviewing its activities and appraising the performance of the staff and of the school as an organisation should be part of the normal work of managing the school and a normal activity for head teachers, heads of department and other senior managers in the school.

Quality depends in large part on the quality of the registered inspector. In this context, it is relevant to consider some of the financial issues on which the Select Committee took evidence. In my experience, a large number of such people have retired early. My hon. Friend the Member for Warrington, North (Helen Jones) commented on age, to the discomfort of our Whip, but I should point out that some such people have retired only recently and may be younger than some of those still working in the service. A tranche of people retired early at about the time at which Ofsted was established and they are probably reaching the age at which they will retire from the system once and for all. As a result, a large number of people will leave the system in the not-too-distant future. Most inspectors work part-time. The occupation is not full-time and the financial aspects of the system require them to be dedicated to other things. People cannot work part-time—in part, that was my situation—or they have to have a pension or money coming in from elsewhere.

Although the quality of the registered inspector is important, there is a lot to be said about the quality of team members. As a number of hon. Members have commented, it would be highly desirable for serving heads, deputies and, possibly, even teachers to be on inspection teams, although that would have resource implications. For example, I served on a number of inspection teams with the head teacher of a special school. He was an invaluable member of those teams, but, because of the nature of the inspection process, he had to leave his own school for a week during the inspection and for a period either side of it. Schools have to be able to cope with such absence, which ought to be the case, and cover arrangements would have to be made. Those who currently serve in our schools are unable to be greatly involved in inspections, and they would have to be trained, but trying to increase participation in such positions would be worth while.

I have already mentioned the need to match the team to the school and we could be doing more on that. I do not think that shadowing is viable because it puts people in a difficult position. I have been a school governor for many years and, if I were invited to shadow the members of an inspection team, things would be difficult for them and difficult for me.

Paragraph 126 of the report showed that there was a reassuringly high correlation in the judgments made by inspectors on the same lesson. People have commented about the nature of inspectors' judgments and the discrepancies between local education authorities' inspections and the inspection reports that have been issued. Sometimes, the reports by Ofsted inspectors have been better than those by LEA inspectors, and sometimes the converse. It is important to recognise, however, that judgment is not a science but an art. People who are in a position to judge the performance of others bring only their own ability to look at them in that context and to make a human decision about how well they are doing. It will never be an exact science.

It is important to consider the issue of special schools. Inspecting a special school is very different from inspecting a primary or secondary school. Too much is made of whether special schools should be inspected, but such inspections are almost inevitable. The framework for them is now different: for the first two years, there was a common framework, but that was subsequently split into three separate sections—secondary, primary and special. Thus, to some degree, the framework has already been tailored and, more recently, moves have been made to ensure that it is more tailored. The advice given to inspectors reflects that.

Inspections place enormous pressure on small primary schools where it is difficult for the inspection team not to be a heavyweight presence. While it is there, it probably has to inspect most of the classes most of the time, whereas in a large secondary school many teachers are often not seen by team members. It is therefore important to look at how inspections work, particularly with small primary schools.

Two of the points made in the report are about the inspection of only parts of lessons. That occurs for a variety of practical reasons, not least because timetabling sometimes results in very long lessons. Another reason is that inspectors of particular subjects must see a mix of the year group, the teachers and the subjects within a particular department, such as modern languages, where more than one subject is taught. It is important to be aware that the only constraint on inspectors staying longer in a lesson is that of resources—the number of hours allocated to a team to cover a school inspection. Paragraph 92 on feedback also has resource implications as it relates to inspectors going straight into lessons. If one is following up in one lesson, one obviously cannot be there at the start of the next. Those two points need to be brought together.

Paragraph 90 deals with the grading of lessons and points out that it is not teachers who are being graded. It is important to realise that, in the original system, Ofsted inspectors graded not teachers but lessons. I am slightly uncomfortable about how, subsequently, teachers became the subject of grading. That was not necessarily constructive and did not help to reinforce the fact that the school and the teaching, rather than individual members of staff, were being inspected.

On accountability, I believe that the annual report that we are debating would be a constructive move. It would allow more public discussion of the report itself and would highlight the information in the report, which sometimes receives scant and, as others have said, fairly skewed coverage for a variety of reasons. We must be careful about how the information is presented. Last week's report on improvements in primary standards as a result of the national literacy and numeracy hours shows that we can either present the results nicely and say that four out of five lessons were satisfactory or better, or we can say that only one in five lessons was unsatisfactory. It is question of presentation, and we need to get that right.

Ofsted has done much that is good. Hon. Members might expect me to say that, but neither the local education authority inspectorates nor HMI ever had the same collection of evidence from across the entire education system as Ofsted now has. Last week's primary report is based on 1.25 million lessons, which is a phenomenal evidence base. Although it is better to target resources as we propose, because we have completed a full cycle in all cases, the collection of a large amount of evidence in the first place shows the vital role that Ofsted has played.

The value of the inspection framework has also been commented on. Parents are reassured to have their suspicions confirmed, whether about the good points or the weaknesses of a particular school.

I dare to say that the report is good, but as an inspector I must resist the temptation to grade it. Ofsted is very good, especially given the recent adaptation. I am sure that this report goes some way to improving it further, as it should.

7.7 pm

Mr. Nigel Waterson (Eastbourne): I am delighted to have the opportunity to contribute briefly to this important debate. It is a pleasure to follow the hon. Member for Welwyn Hatfield (Miss Johnson), who obviously speaks with a great deal of practical experience of Ofsted inspections. I also compliment the Select Committee and its Chairman, the hon. Member for Croydon, North (Mr. Wicks); they have done a workmanlike job in producing this report.

It is worth just noting that Ofsted was set up in 1992 and was very much a Conservative policy. I am delighted that, these days, there is a spirit of cross-party co-operation, both on the Committee and in the Chamber, about the importance of Ofsted. That view has not always characterised the attitude of the leaders of some teaching unions. All too often, the reservations, which have not abated in the intervening years, have been funnelled into personalised criticism of the chief inspector. With some of them, it is still a coded attack on the concept of inspections altogether.

As has already been mentioned by at least one other hon. Member this evening, Ofsted has now completed its first full cycle of inspections, having inspected all of the country's 24,000 schools over a four-year period. Under the old system, secondary schools were inspected on average once every 50 years and primary schools once every 200 years, which says something about the previous system.

What this is all about is helping the process of accountability in education. Ofsted has always had, and will continue to have, its critics, who do not want this

[Mr. Nigel Waterson]

level of inspection and accountability in our education system, but the great weight of serious opinion, both in this House and in the teaching profession, is now firmly behind the concept of Ofsted. I very much welcome that.

The concept of inspection has reached a high pitch of interest. In my constituency—I am sure that Eastbourne is not atypical in this respect—the local papers cover Ofsted reports, with detailed coverage of the results and much picking over of the recommendations and findings. There is a vigorous rebuttal process by teachers and governors if the school feels that it has been treated unfairly. That is extremely valuable, because it brings the inspection process into sharp focus as it affects individual schools and communities.

Bishop Bell secondary school in my constituency has been turned round in the past couple of years by a new head teacher, Mr. Terry Boatwright. There is now a completely new attitude. I cannot help feeling that much of that is due to the inspection process and the prospect of an Ofsted inspection. At this time of year, or a little earlier, my mail bag used to fill up with letters from parents whose children had been allocated to that school. They said that they would rather die than have their child sent to that school. It was a massive problem, because it put enormous pressure on the other secondary schools in the area. As a result, Bishop Bell school had falling rolls, poor buildings—which it had to start off with—a poor reputation and was unable to attract the support that a successful school should have attracted. The writing was on the wall when permission was given to build a brand new school, Causeway school, which is now open. It is an attractive school, and is not far from Bishop Bell school.

One envisaged the new school attracting children away from Bishop Bell school and sucking its support. The moment had come when it was either to succeed or to fail. The governors took that on board, and a new head teacher was recruited. The school has been turned round, and parents now write to me because they cannot get their children into Bishop Bell school and ask me what I can do about it. That is a tribute to the school and the commitment and dedication of the head teacher, teachers, governors and parents. It fits neatly into the whole picture of inspection and of encouraging and driving up standards in schools, which was a centrepiece of education policy under the previous Conservative Government, and which, at least in their rhetoric, the present Government have also taken on board.

The inspection system gives real backing to dedicated and determined teachers and head teachers, and can make all the difference. A former Conservative colleague, Rhodes Boyson, who was very much loved in the House, was a well-known head teacher. He had strong views about the teaching profession, and he once memorably said that some teachers could teach a class of 50 in a bus shelter without any difficulties, whereas some teachers could have a riot on their hands with one dead chicken. We have all met both categories of teacher.

The Ofsted process enhances and underpins the concept of parental choice. Parents must be able to make an informed choice. There is a report in today's *Evening Standard* about the remarks of Mr. Justice Kay in a case brought about the assisted places scheme in private schools. He severely criticised some of the undertakings that were given by the Prime Minister and Ministers.

Mr. Deputy Speaker: Order. The hon. Gentleman is not talking about Ofsted, so he is straying from the subject of the debate.

Mr. Waterson: I am happy to take your guidance on that, Mr. Deputy Speaker. I was talking about parental choice, which is vital to our education system. The Conservative Government did much to breathe life into that concept. They did more than just pay lip service to the principle of parental choice.

With regard to the before and after effects on schools of an Ofsted inspection, the word "dread" may be slightly strong, but when I visit a school in my constituency that is preparing for an Ofsted report there is an air of constructive tension about the place. In some schools, people go to unnecessary lengths. That was dealt with in the report, which was right to talk about the dangers of over-preparation for an inspection. That is one reason why there is considerable support in the report and across the Chamber for unannounced, snap inspections. There is considerable scope for that, because if schools have a long notice period before an inspection, there is a genuine danger of over-preparation.

The report rightly refers to optimal tension between the inspectors and the inspected. That is important, because although the normal business of a school should not be brought to a grinding halt by the prospect of a looming inspection, it would be wrong and pointless if there were not an air of apprehension and worry about the effect of the inspection on the school. It is a tribute to those doing the inspecting—especially given what the hon. Member for Welwyn Hatfield said—that in the great majority of instances they manage to tread the narrow line between being over-officious and over-zealous and missing things that are important in any such inspection.

I should like to say a brief word about special schools, because the report dwells on them. It says:

"A rigorous and appropriate approach is needed to the inspection of special schools."

That is absolutely right, but in paragraph 19 reference is made to the fact that

"the proportion of special schools judged to require special measures (that is, 'failed' their inspection) was far higher than the proportion of mainstream schools requiring special measures."

I can testify to that problem by using an example in my constituency. Eastbourne has an excellent special school called Hazel Court, which has tremendously dedicated staff and has many children who suffer from a variety of severe disabilities. Not long ago, it was inspected by Ofsted, which made serious criticisms of the school. At the time, there was strong feeling in the school and in the wider community that it was being tested against a wrong set of criteria, and was being treated unfairly. I am sure that that was not the intention of those involved in the inspection, and that no one in that school or in any other special school would argue that they should be given an easier ride than any other educational institutions.

I endorse paragraph 23 of the report, which recommends that, whenever possible, the team inspecting a special school should

"include members with relevant experience of special schools"

It looks to Ofsted

"to monitor closely the composition of the teams that inspect special schools to determine the extent to which their experience reflects the particular challenges which special schools face."

I could not have put it better. There is real concern about how special schools are inspected. I am sure that this recommendation will be taken up by the inspectorate, if it has not already been pursued, and that it will remove the problem that I described in the special school in my constituency.

I have tried—I hope that I have succeeded—to give two specific examples of Ofsted inspections and their effect in my constituency. The report contains much good sense and many practical proposals. If I had enough time, I could dwell on many more such proposals, but I have tried to identify those that have particular resonance in my constituency. I again commend the Committee's work.

7.20 pm

Valerie Davey (Bristol, West): As a member of the Select Committee, I endorse its recommendations.

I want briefly to consider three underlying features of Ofsted's work: its contribution to the raising of standards in schools, the nature of the inspection process, and Ofsted's role in encouraging the wider learning perspective—a learning society.

Inspection—external, objective inspection—is overwhelmingly supported, but it does not in itself raise standards. Measuring does not increase length, and weighing does not increase weight. Traditionally, we have been guided by exam results, but there is much more to it than that. In every respect, we depend on teachers to raise standards.

I entirely accept what my hon. Friend the Member for Welwyn Hatfield (Miss Johnson) said about the assessment of schools' performance. Ofsted is assessing overall performance. That requires profiles and carefully established criteria, but assessing a whole school's performance is Ofsted's task. Having inspected schools, collected data, and assessed effectiveness and good practice, Ofsted has produced a virtual library of material to assist those who can affect standards more directly: Ministers, schools and colleges, teachers and governors.

Ofsted's process of monitoring and assessing schools is different from that of any other inspecting body. We are not looking at a single product; we are looking at a community—a complex community, including pupils, teachers, governors and parents. The very presence of inspectors is likely to change the dynamic—the effect of relationships—for good or for bad. There is a direct impact on the school community involved, and it is against that part of Ofsted's work that most criticism has been levelled.

A purely distant, judgmental role for Ofsted is not acceptable; the process must be developmental, while remaining objective. There must be a recognition of the impact of self-evaluation, which so many schools have now developed and which, in the long term, is essential. Teaching must involve high expectation, mutual respect and encouragement, which must be reflected in inspections. All education involves learning on the part of both teacher and student, and that too must include Ofsted.

Clearly, a wealth of information is gained, digested and used by Ofsted inspectors. However, inspectors must also genuinely recognise that they can still learn, and that they make mistakes. I am still dismayed by one example. A registered inspector, having been forcefully and consistently criticised by schools for his own forceful style, was finally deregistered—only to be sent a personal letter by HMCI offering to "oil the wheels" for his future.

The latest response—the primary report, also mentioned by my hon. Friend the Member for Welwyn Hatfield—reflects well on those three aspects of inspection. *The Times Educational Supplement* features the beautiful headline, "Woodhead applauds improved primaries". At last, it is good news all round: good, because standards are rising, and because HMCI is genuinely congratulating teachers and heads. There is a "but", however. As this is an estimates debate, let me refer to a commentary on the report. I believe that it was mentioned earlier.

According to the commentary, new ground is being broken. The report suggests that there is a case for additional resources in schools in tougher areas, which face problems that others do not. It says that more trained teacher assistants should be employed, and that class sizes should be reduced. I am afraid that local education authorities have known that for many years; it is too costly for Ofsted to have only just reached the same conclusion. In addition, Mr. Woodhead insisted that he was not advocating extra Government funding: he was suggesting only that local authorities should take account of the different needs of the schools involved.

I was asked to be brief. Let me conclude by saying that, if Ofsted is to succeed in its many diverse roles, it must be respected and above reproach. Ofsted should not be feared, although I accept that it will not often be wholeheartedly welcomed. In all instances, there must be mutual respect, and a dialogue between professionals. I believe that, if that is to be achieved, Ofsted must enter the new millennium under new leadership, challenging our schools, teacher training centres and colleges at every level, and working in partnership to ensure excellence in both teaching and learning.

7.26 pm

Mr. Damian Green (Ashford): We have heard speeches both from members of the Committee and from at least one former professional, the hon. Member for Welwyn Hatfield (Miss Johnson). I approach the subject rather tentatively, as an interested outsider.

I read the Committee's report with great interest. It struck me as a very thorough report, on a subject that, although I have always felt it should not be, is contentious. Although, in many respects, the interest aroused by Ofsted's work is commendable, I think it a shame that every aspect of its work has to be contentious—particularly its chief inspector. Many Conservative Members—and, no doubt, some Labour Members—feel that any report such as this should make the basic point that Ofsted and its chief inspector, Chris Woodhead, have been overwhelmingly a force for good in England's education since 1992. Any remarks that I make that cast doubt on some aspects of Ofsted's work should be seen in that context.

It is, of course, impossible to take a view on Ofsted without taking a view on Chris Woodhead; but before we deal with personalities, we should look at the facts of what he has achieved. As my hon. Friend the Member for Eastbourne (Mr. Waterson) pointed out, the fact that

[Mr. Damian Green]

Ofsted has inspected all 24,000 schools over a period of four years contrasts starkly with the long gaps between inspections that used to occur. More important than the process, however, is the product, and the fact that visible improvements in schools are now taking place.

In 1996, 40 per cent. of teaching at key stages 1 and 2 was defined as good; the figure has now risen to 50 per cent. The number of 11-year-olds reaching the expected level in national curriculum tests in English and maths rose by 15 per cent. between 1994 and 1998. The incidence of teaching judged to be unsatisfactory or poor fell, over that four-year cycle, from one lesson in five to one in 14. Happily, the four-year cycle spans activity under both the present and the last Government. I can, therefore, resist the temptation to try to score partisan points, as, no doubt, can Labour Members.

The hon. Member for Welwyn Hatfield suggested that whether we should see the figures in terms of one lesson in five being unsatisfactory or in terms of four in five being satisfactory was merely an issue of presentation. I am not sure that I agree. Surely it would be wrong to try to gloss over the fact that 20 per cent. of lessons in English schools were unsatisfactory. One of Ofsted's strengths has been that it has not been afraid to point out where things are unsatisfactory.

I thank Ofsted for one of its first reports on local education authorities: the one on Kent, which was largely positive. I know that many people in Kent welcomed Ofsted's endorsement of the Kent system, which includes many grammar schools, which are under threat. In Kent, both parents of children at grammar schools and those of children at other schools would repeat the words of the hon. Member for Warrington, North (Helen Jones)—"If it ain't broke, don't fix it"—and hope that the system that Ofsted has commended will be allowed to continue.

Chris Woodhead and his teams have not only brought about individual improvements, but contributed to a culture change. In some ways, there is a new conventional wisdom about education that was not there about 10 years ago. My hon. Friend the Member for Eastbourne has referred to the former Education Minister and Member for Brent, North, Rhodes Boyson, who would be particularly pleased about the culture change. In the 1970s, when he and others produced the education black papers, and said things that are now regarded as conventional wisdom about the way lessons should be taught in school and the importance of discipline and of structured lessons, it was regarded as way-out radicalism.

One of the unarguable improvements over the past 30 years is that those things have become the conventional wisdom in almost all areas—on both sides of the House and in most parts of education, although, I am sad to say, some of the more recalcitrant educationists in universities and a few in the teaching unions disagree. Indeed, that conventional wisdom is now shared even by Ministers. I am sure that the Minister will know that it is not what the Government seek to do, but the centralising way in which they seek to do it that Conservative Members object to.

Not only does Ofsted deserve credit for much of that change in culture, but Chris Woodhead deserves personal credit. Perhaps he did have to be as single-minded as he has always been to drive through those changes. Various hon. Members have criticised his style. Indeed, there has been some legitimate murmuring, if you like, about the way that he has sometimes addressed the teaching profession.

I have heard about that matter from head teachers in both my constituency and beyond, whose views on education I respect hugely. They have seen times when Chris Woodhead has seemed not very attuned to sensitivities that he should have taken into account. Nevertheless, the overwhelming balance is on his side.

If Chris Woodhead has occasionally erred in being too forceful, that fault was possibly made inevitable by the forces of inertia that he had to confront in the educational establishment. Certainly, nothing that he has done, or none of his views, is any excuse for the organised attack on him early this year, in part from, I regret to say, the Government Back Benches. A disputed episode in his personal life more than 20 years ago was no excuse for the personal vilification that he went through. Those attacks were transparently politically and ideologically motivated.

I hope that the Minister will take the opportunity of the debate to express her and the Government's continuing support for the chief inspector. I am sure that he was grateful—and I suspect that the House was—that, at the time, the Secretary of State for Education and Employment expressed that support.

Despite Ofsted's many achievements, there are always improvements to be made and the report identifies some of them. We have heard from many Members about the importance of reducing, or at times perhaps abolishing, the period of notice. Hon. Members on both sides of the House are aware of the tremendous tension that builds in schools that are waiting to be, as the jargon has it, ofsteded—that particularly unlovely new term that has been added to the English language; to ofsted, I suppose, is the verb.

Not only does that lead to an unrealistic assessment when the inspection finally takes place, but the amount of energy that is diverted into preparing for an Ofsted inspection seems, in some cases that I have seen, to damage palpably the quality of the teaching in that intervening period. Apart from that, some schools will go as far as rehearsing for an inspection, so they present an unrealistic picture of their real attainments when the inspectors come.

Therefore, from all points of view, it would be better if it became the norm that there was no long period between the announcement of an Ofsted inspection and its implementation. Indeed, Ofsted inspectors could sometimes just drop in to schools to see what is happening on a normal day. I am sure that hon. Members on both sides of the House will agree that, in relation to the various measures, some schools do not need to be inspected as often as schools that may not have been doing so well.

The Minister and her colleagues are about to impose new burdens on Ofsted. Under the School Standards and Framework Act 1998, it has already taken on the inspection of LEAs. Soon, it will inspect post-16 education. I hope that the Government will provide adequate resources.

Ofsted is one of education's success stories over the past few years. It would be a great shame if that were put in jeopardy by under-resourcing its new and extra

responsibilities. Ofsted is now too important to be stretched too thinly. It needs to do an important job; up to now, it has done that job very well. It would be bad not just for Ofsted, but for all those at school and in post-16 education if the new burdens that Ofsted has willingly taken on—perhaps not burdens; the new jobs that it has taken on—were not adequately resourced.

Perhaps that is an issue that the Minister will want to address more than any other not only in the debate, but in the months ahead. However, in general, like the Select Committee report, we would give Ofsted a clean bill of health, and give it and Chris Woodhead personally our thanks for the good work that they have done for English education since 1992.

7.38 pm

Mr. Gordon Marsden (Blackpool, South): I feel privileged to be able to speak in the debate. I am a member of the Select Committee that produced the report, the first report that I worked on as a member of the Committee. I feel that we have made a substantial contribution.

It is important to touch on what we tried to do with the report. We were conscious of all the noises off. Therefore, the report was not intended to be a witch hunt either for or against the chief inspector. It was not intended to be a product of political correctness. It was intended to be thorough, considered, forensic and not personally judgmental. The aim was to recognise that both Ofsted and HMCI have to work for all the players in the schools sector—for teachers, parents and pupils. In that respect, everyone has a view. Everyone is a stakeholder.

I am glad that all hon. Members have recognised that inspection is not a touchy-feely exercise. However, nor is it the Spanish inquisition or, as Professor Mortimore characterised it in his comments to us, a Kafkaesque process. What we have to ask about inspection is—this is highly relevant in response to the Government's emphasis on raising standards and putting standards at the heart of everything—how it gets schools from A to B. Since 1992, what has Ofsted achieved in raising standards? Is Ofsted learning, and is it getting better in the inspection process?

The Select Committee report was, therefore, a structurally driven, not personality-driven inquiry. The report was meant to produce—I think that it has produced—recommendations that will produce results for the next 10 to 15 years. I should like to pay particular tribute not only to my hon. Friend the Member for Croydon, North (Mr. Wicks), who chaired the Committee with excellent judgment, but to the Committee Clerks and my fellow Committee members, who put so much time and effort into the report.

Some of the key issues thrown up by the report are far from the fire and brimstone media controversy about the chief inspector himself. For me, one of the report's most significant and important recommendations is that Ofsted should take account of significant variables, such as pupil mobility and absence. As a constituency Member of Parliament, those matters are particularly important, as annual student turnover at some of my schools is 30 to 40 per cent.

Evidence is now beginning to emerge from the Department for Education and Employment on local education authorities that, in their educational development plans, have highlighted problems in pupil enrolment turnover. LEAs with such problems are often in inner-city areas—particularly London boroughs with large short-term housing and transient groups—old manufacturing areas and seaside towns, in which the seasonal demands of the tourist industry and poor-quality housing exacerbate the problem. In 1997-98, my own local education authority, for example, took 1,200 pupils into its primary schools as non-routine admissions, constituting 15 per cent. of our entire primary school population.

I am, therefore, pleased that, in our report, the Committee has highlighted turnover as a crucial factor. I am pleased also that the chief inspector has recognised that it is an important factor, and that there have been indications that it will be included formally in the future inspection process.

I should also like to comment on the shorter, demystified inspections—which my hon. Friend the Member for Croydon, North described as the secular equivalent of a royal visit, with all the trappings and traumas that go with that. Schools may not have new loos, but they have crates of paperwork and, if anyone ever wanted to stage that famous Gogol play "The Government Inspector", Ofsted would provide a very good context in which to do so.

The Select Committee also tried to highlight in our report the fact that Ofsted and its inspectors perform a job that, necessarily, steers a third way between the audit approach and the management consultancy approach. Inspectors of course have to maintain an element of detachment, but they and Ofsted also have a duty to use their material to achieve the intended effect. Moreover, when the glass is not only half full, but 80 to 90 per cent. full, the chief inspector has a duty to recognise that fact in his comments.

Accountability is a key issue: the question of who governs the governors is particularly relevant to Ofsted. The current structure of accountability—there is such a structure—is curiously attenuated.

When we discuss options for the future, I hope that Ministers will reflect again on some of the issues mentioned in the report that they have not yet dealt with—particularly the board of commissioners and quinquennial reviews.

The main issue is broader than Ofsted alone, however, and touches on the role that Parliament might play in an increasingly audit-obsessed society. It is also about the role that Parliament will have to play because of the increased importance of secondary legislation and the increased number of agencies that, inevitably, do not have to come before the Bar of the House. To that extent, in considering Ofsted, concerns about centralisation and checking the Executive are particularly relevant.

I believe that Ofsted has an important role to play and a very good future ahead of it. However, if it is to play that role and have that future, Ofsted and the chief inspector of schools—whoever he or she may be in future—must learn the lessons of Ofsted's first few years and make necessary adjustments.

Ofsted faces new challenges and new tests, not least the inspection of local education authorities and involvement in the post-16 sector. Although it is right and proper that Ofsted should be so involved, it is also important that Ofsted and the chief inspector do not go for easy applause and simplistic solutions that ignore current good practice.

[Mr. Gordon Marsden]

That includes—in relation to the Further Education Funding Council, for example—taking on board feedback and college inspectors, who are very supportive.

It is not surprising that concerns have already been expressed that Mr. Woodhead's hitherto gung-ho approach will go down like a lead balloon if he attempts to apply it in the further education sector. We must not lose the gains that have been made there.

Ofsted has been a successful caravan, but it is a caravan that must move on. Although there must be no slacking on standards in Ofsted, neither must it constitute a hanging jury. If I were Mr. Woodhead, I should have gone away, read the Committee's report and digested what was said in it. He might also consider the reported remarks of Zsa Zsa Gabor—it may have been Mae West—that

"Guys who act too macho aren't always mucho."

I welcome the report's recommendations and the role that we propose for Ofsted. However, as I said at the beginning of the Select Committee's press conference on the report, it is vitally important that the singer is not allowed to get in the way of the song.

7.46 pm

Mr. James Clappison (Hertsmere): This has been a good debate on an important subject and important report. The Chairman of the Committee, the hon. Member for Croydon, North (Mr. Wicks), began the debate with a thoughtful and measured speech, and all the subsequent speeches have followed in the same vein. The hon. Gentleman and the members of the Committee deserve our congratulations on having produced a balanced and sensible report which is plainly the result of a very great deal of hard work. The Opposition feel that the report and its recommendations should help to take forward Ofsted's work.

The Committee deserves to be congratulated also on having chosen Ofsted as the subject of such a major inquiry. Occasionally, Ofsted has had a relatively high profile and been the subject of much comment. The hon. Member for Blackpool, South (Mr. Marsden) caught the flavour of some of that comment when he described it as "noises off". Against that background, it is good for the Select Committee to examine an organisation that has become such an important part of the fabric of our education system.

Ofsted was established in 1992, and it is fair to say that its advent was not greeted with universal acclaim. My hon. Friend the Member for Eastbourne (Mr. Waterson) made some well-justified remarks about that fact. Since 1992, however, Ofsted has undoubtedly been a success, which has been reflected in the speeches in this debate. As the hon. Member for Croydon, North rightly said, Ofsted's work takes its place—with the national curriculum, national testing and publication of results—as one of the pillars supporting and driving forward higher standards in our schools.

I agreed with the evaluation of Ofsted made by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), and with the description by my hon. Friend the Member for Ashford (Mr. Green) of Ofsted as a force for good. The Opposition think that it would be difficult to overestimate the part that Ofsted has played in raising standards in our schools, not least because of the greater rigour and frequency that it has brought to the inspection process.

School inspections were much less frequent before the inception of Ofsted inspections. Like my hon. Friend the Member for Eastbourne, I have heard estimates suggesting that, before Ofsted began its inspection regime, on average, secondary schools were inspected once every 50 years, and primary schools once every 200 years. I am not sure whether those estimates are entirely accurate, but inspections were certainly much less frequent before Ofsted started its work, and Ofsted's inspection cycle is certainly a big step forward.

My hon. Friend the Member for Eastbourne was right also to draw a connection between Ofsted's inspections and improvements—sometimes dramatic improvements—in schools. He mentioned the Bishop Bell school in his constituency, and undoubtedly many other hon. Members could give examples of similarly high standards being achieved by schools in their constituencies. Not all high-achieving heads and teachers can go on television to receive awards, but we should be unstinting in recognising the good work in our constituencies.

The task before us now is to find how best to build on the success of Ofsted—and there has been common ground across the House on that objective. The hon. Member for Harrogate and Knaresborough (Mr. Willis) made a thoughtful and valuable contribution, based on his relevant experience. However, I had a slight reservation when he started to talk about a full review. There is no question about the necessity of Ofsted, or about the way in which it is doing its work in general. As with the report, the purpose of any review should be to see how to build on what is being achieved. The report is an important aid in carrying out that task and, as the hon. Gentleman said, each of the recommendations calls for a careful response from the Government.

I do not propose to go through each of the recommendations, but several need to be highlighted. One key issue is quality. Are the financial incentives now in place compatible with the high quality of inspections for which we are all looking? From the report and the evidence, it appears that the Minister was broadly satisfied with the present arrangements to ensure quality. The Committee was less sanguine about the matter at paragraphs 35 and 36, in which it stated:

"we are anxious to ensure that the quality of every inspection team is high, and we have some sympathy with the concerns of inspection contractors who argued that the current process did not provide incentives for contractors to put in place high-quality training, development and quality assurance systems . . . We therefore take these concerns seriously as the contracting process has a significant impact on the quality of inspection team which is assembled by the successful contractor. The overall aim is to reach the highest level of quality which can be provided for by the system."

That is one part of the Committee's report which calls for a particularly careful response, as does the part in which the Committee draws attention to the relationship between inspection quality and inspectors' pay. I listened to the interesting comments of the hon. Member for Welwyn Hatfield (Miss Johnson) on this subject, and

there appears to be good sense in the Committee's recommendation in paragraph 44 that Ofsted should undertake a study into rates of pay.

Ofsted needs to look at the Committee's findings on unacceptably poor inspection practice, and to respond to the Committee's call to examine any potential flaws in its own quality assurance systems. The Committee also made sensible suggestions which are worthy of exploration on a range of other subjects, including feedback from inspections; improving the clarity of reports and cutting out jargon; and governing bodies nominating an observer to the inspection team. It is also common sense that self-evaluation should be complementary to external inspection, and not a substitute for it, as the hon. Member for Croydon, North said. Rigorous external inspection is indispensable.

In paragraph 110, significantly, the Committee welcomes the introduction of short inspections, which accord with the wider principle—now being given some currency—of intervention in inverse proportion to success. [HON. MEMBERS: "Hear, hear."] The Minister for School Standards, and the Government Whip, the hon. Member for Plymouth, Devonport (Mr. Jamieson), signify their assent for that principle. We agree, but—without introducing a discordant note—we wonder whether there are certain areas where it could be applied more consistently than it is at the moment. That principle holds good throughout education, and not just in those parts where the Government wish it to apply.

The report referred also to the length of notice of inspections, and also to snap inspections. That was valuable, as this matter was clearly in the mind of Ofsted. Ofsted announced recently that the period of notice of inspections given to schools is to be reduced from two terms to between six and 10 weeks. The case has been made for a shorter period of notice for inspections, and the Committee concluded that it was in favour of reducing the period of notice of inspection to the shortest term that was practical. The Committee believed that four weeks' notice was appropriate, and there is merit in that approach. The hon. Member for Welwyn Hatfield agreed with that proposition.

We wonder whether it is possible to take the debate further on unannounced, so-called snap inspections. There is a good deal to be said for those as well. We note the evidence of the chief inspector, who said that he could see merit in the proposal. Paragraph 112 of the report states that snap visits might have several purposes—

Mr. Andrew F. Bennett (Denton and Reddish): On a point of order, Mr. Deputy Speaker. I understood that there was an agreement that the time would be split more or less 50:50 between the two debates. The second debate has already conceded a little time to allow for an 8 o'clock finish. We are not leaving much time for the Minister to wind up if the hon. Gentleman is still speaking at four minutes to.

Mr. Deputy Speaker: The hon. Gentleman will understand that the Chair is not party to any arrangements but is guided by the rules of the House. I understand that this debate could go on until six minutes to nine. As the hon. Gentleman says, there may be some arrangement for the debate to finish earlier, but that has nothing to do with the Chair.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I do not see that there can be anything further to the point of order, as everything is in good order.

Mrs. Dunwoody: May I nevertheless ask whether you have had any message from Opposition Front Benchers? Since they think transport is so important, I am sure that they would not want to hold up the debate.

Mr. Deputy Speaker: There are always conversations between hon. Members and the occupant of the Chair but, as the hon. Lady knows, they are private.

Mr. Clappison: In light of that remark, I will do my best to put my contribution in the bus lane. I will fast-track it as well as I can and watch out for ministerial cars coming up behind me.

We believe that snap inspections have a part to play and could give additional reassurance to parents. Generally, the report suggests a number of refinements which would add to the effectiveness of Ofsted. Parents in particular value high-quality, rigorous inspection of schools, and parents appreciate some of the leadership that has been given in this regard by Ofsted.

The leadership of Ofsted—to which the Committee refers at the end of the report—has been mentioned today, although I take the point made by the hon. Member for Blackpool, South that the report was structurally driven, rather than personality driven. For our part, we think that there is value in having high-profile leadership which draws public attention to issues emerging from Ofsted's work which must be addressed.

Transport is very important, but so are some of the issues that we are discussing at the moment. They include the report on primary schools issued by Ofsted at the end of last week, which it is worth remarking—given the comments about the critical character of some reports—drew attention to the progress that had been made over the period of Ofsted's inspections; to the good practice that was going on; and to rising standards in primary schools. The report traced some of the reasons for that—in particular, the reduction in the amount of topic-led discussions, and more whole-class teaching, which can be identified as two vital factors responsible for rising standards in our primary schools.

Paragraph 215 of the report says:

"Mr Jim Hudson, Headteacher of Two Mile Ash School, expressed the view that OFSTED itself was well regarded by parents, due in part to the fact that 'HM Chief Inspector has not failed to confront the issues and parents' perception of OFSTED's work has been enhanced in the process'."

We agree. There is a place for leadership that opens up the issues. Education should not be, as it has so often been described in the past, a secret garden; it should be a place where parents can come in and take an interest, and someone should evaluate schools and reflect their concerns.

[Mr. Clappison]

Sometimes the message from Ofsted reassures parents, but there are times when parents need to hear messages that are less reassuring. Parents value Ofsted's work and are keenly interested in what it has to say. We had an illustration of that earlier today in the case of the parents of Heather Begbie, who transferred her from a junior school that was said to be failing its Ofsted inspection to the junior school of a leading independent school, and—

Mr. Deputy Speaker: Order. The hon. Gentleman is talking about a court decision. That is nothing to do with the report and it is not a matter on which I would want him to dwell.

Mr. Clappison: Of course I accept your ruling, Mr. Deputy Speaker. All I say is that parents will look to Ministers to keep their promises.

The report is important. It has given Ofsted a clean bill of health while suggesting some refinements to assist it in its valuable work. The Committee deserves congratulation. The report builds on success, so let us not alter the foundations that have brought about that success but instead look for ways in which we can refine Ofsted's work and bring even greater success and higher standards in the future.

8.2 pm

The Minister for School Standards (Ms Estelle Morris): Let me put on the record my appreciation for the work done by my hon. Friend the Member for Croydon, North (Mr. Wicks) and the Committee in producing the report. They took on a challenging task, given the nature of the evidence and the enthusiasm of some of those who attended the meetings. They have come up with a thoughtful report, which looks back but which mostly looks forward, to the way in which we can build on Ofsted's success.

I assure all concerned that the Government will reflect on the report and produce a formal reply in due course, so tonight I will only touch on a few of the points that have been made, especially bearing in mind the remarks of my hon. Friends the Members for Denton and Reddish (Mr. Bennett) and for Crewe and Nantwich (Mrs. Dunwoody).

This is probably one of those issues on which Government and Opposition Front Benchers will not argue a great deal. That is to some extent a sign of Ofsted's success; it is now part of the education landscape, and our debates are about its future and how to improve it, not about whether it should exist at all. We must remind ourselves that it is not very long since the debate in the education profession outside the House was about whether there was a need for external inspection.

It is good that everybody in the education service now acknowledges that external inspection is right, helps to identify both weaknesses and good practice and gives us a wealth of information on the basis of which we can make judgments and policies; but as there are still a small—and I believe dwindling—minority of people outside the House who do not believe in external inspection, it is right that we should take every opportunity to reconfirm how important it is in the effort to raise standards.

Mr. Waterson: Can the Minister imagine a Labour Government ever introducing Ofsted?

Ms Morris: Of course I can. It is a shame that the hon. Gentleman could not keep his comments in line with the atmosphere that has pervaded this debate. Ofsted is a good news story. The Labour party never voted against it. It behoves us as a Parliament to improve on the good start that has been made and not to back-track into political point scoring.

I welcome and endorse the report's comments about the need for external inspection. I want to put on record my thanks to Chris Woodhead and all the inspectors and staff at Ofsted who got it up and running. We all bring our personal style to our jobs, and heaven forbid that senior jobs should be done without any personal style. Because of the opposition from the profession at the start of the process, it certainly needed somebody with the determination and vision of Chris Woodhead to get Ofsted off the ground and ensure that it stayed on track. It is to his credit and that of his staff that we are able to say today that it is rooted in our education system and plays an essential role in it.

It is interesting to compare my experience of being inspected as a teacher with the experience of the hon. Member for Harrogate and Knaresborough (Mr. Willis). The difference is that the hon. Gentleman entered the House five years later than I did, so he taught under Ofsted. Both my hon. Friend the Member for Plymouth, Devonport (Mr. Jamieson) and I left teaching in 1992 and we discussed the fact that we had never taught in a school that had had a full inspection. I spent 18 years teaching, and my hon. Friend spent 20—he is clearly a great deal older than me. Somebody mentioned 50 years, but I want to make it clear that that does not apply in our case. I welcome the fact that there are now regular inspections.

The need to praise teachers is absolutely crucial. There are many outstanding teachers in this country. I join the hon. Member for Harrogate and Knaresborough in paying tribute to what he and I experienced last night at the national teaching awards, which were a celebration of excellence and a long overdue recognition of the contribution that teachers make day in and day out. I congratulate the winners and all those who entered, as well as the National Teaching Awards Trust and the BBC, which has shown its commitment to public broadcasting at the highest level.

We must get the balance of pressure and support right. We all do that in our own ways. We know as politicians that criticism makes headlines and praise often does not. When the chief inspector praises schools, as he does each year in the list of outstanding schools in his annual report, it may make regional headlines but it does not make national headlines. I make a plea to those who have responsibility for reporting education news to give as many column inches to the successes as to the criticisms.

There is a bit in all of us that picks up the criticisms and not the praise. I plead with the teaching profession not to be so defensive and to accept that it, like any profession, will have members who are good and members who are poor. I ask it to rejoice in the success of its good members and to join in criticising the performance of its weak members.

Two groups of people suffer when we have weak teachers: the pupils and the teachers who have to pick up the pieces when they take the children the next year. I hope that the profession will come to value Ofsted because it pinpoints poor practice and allows good practice to be praised.

It is important to remember that Ofsted has not stood still since its start. We almost do not need five-yearly reviews. Some of the changes that we have made to the Ofsted system in the past two years include feedback to teachers on lessons that have been observed. That is now in place. We have introduced a limit on the daily amount of observation to which any individual teacher can be subject. Several hon. Members mentioned the reduced notice period—from five terms to two—and that is now in place. The summary reports, which make key information available to parents, are now in place. Inspection reports on the second round can now comment on the progress made since the report on the first inspections.

Inspection contractors will be named in reports and the details of any areas where they lead will be given. The quality standards for inspections were introduced from September last year. We also have a new complaints procedure that has been strengthened by the appointment of an independent adjudicator. The House will know that the Government have made plans to identify coasting schools, which lurk in the middle of the performance tables and can get too complacent, so that we can determine whether they need to make further improvements. The period of notice for school inspections will be reduced to about six weeks and shorter inspections will be introduced for schools which, on the evidence, are doing well.

We must remember that Ofsted is constantly evolving, as it should. That fact, together with Ofsted's role as a central part of the education service, is much to be welcomed. I again put on record the contribution that Ofsted and the chief inspector make in working with us so that we can improve the system.

The Committee's report contains much that we wish to reflect on and take forward. Almost every hon. Member who has spoken mentioned pupil mobility, which is a challenge to which Parliament and those in the education service outside the classroom have only just turned their minds but which teachers have had to cope with for many years. Some of our schools have year groups with up to 70 per cent. pupil mobility in one year. Many of those mobile pupils bring a range of challenging behaviour—some are refugees or do not have English as their first language. Some are mobile because of family breakdown, and suffer from the insecurity that can bring. It must be right for an inspection of such schools to recognise those circumstances. We are working with Ofsted so that as we develop the framework we can collect and report information about pupil mobility.

I also listened carefully to the comments that were made about special schools. I shall reflect on those comments, but the key message must be that we expect as much from children in special schools as we do from children in any other school. I do not want to go back to a system in which one looks for good care in special schools, not robust education. In getting the balance right, we might have been harder than some people wanted, but I will bear in mind the points made by many hon. Members that the measurement of progress in special schools sometimes needs finer judgment than measuring progress in mainstream schools.

I am not persuaded of the case for snap inspections. One of the features of an Ofsted inspection is the process of preparation for it. I agree that such preparation should not be manic, but schools should have a feeling of anticipation and a wish to get their ship in order before the inspection. Our survey showed that schools welcomed a notice period of four to six weeks. However, in some instances, such as cases of bullying, we might want to ensure snap inspections, so that misdemeanours or poor practice could not be hidden. I will reflect on that point and ensure that such inspections are possible.

The hon. Member for Croydon, North talked about a professional dialogue. I hope that, as we move into the second round of Ofsted inspections, we will have the opportunity to celebrate schools that have made progress since the first round of inspections. I also hope that we will have an education service—at Ofsted level, at Government, local and national level, and in the classrooms—that can use the inspection service to have the essential professional dialogue that has been needed for so long.

My hon. Friend the Member for Bristol, West (Valerie Davey) was right when she said that the Ofsted inspection identifies weakness. It does not by itself raise standards, but by putting weakness into the public domain it leaves it to the rest of us—policy makers and teachers—to ensure that we use that information to raise standards for children. Ofsted plays a key role in that and I offer my thanks to everybody who enables that organisation to run so smoothly and effectively, and my thanks and congratulations to the Committee and all those who have participated in the debate today.

Question deferred, pursuant to paragraph (4) of Standing Order No. 54 (Consideration of estimates).

Class III

Transport

[Relevant documents: The Ninth Report from the Environment, Transport and Regional Affairs Committee, on the Integrated Transport White Paper, HC 32-I; and the Department of the Environment, Transport and the Regions Departmental Report: The Government's Expenditure Plans 1999–2000 to 2001–02 (Cm 4204).]

Motion made, and Question proposed,

That a further revised sum not exceeding £25,917,026,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges which will come in course of payment during the year ending on 31st March 2000 for expenditure by the Department of the Environment, Transport and the Regions.—*[Mr. Hanson.]*

8.16 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Owing to a serendipitous spelling mistake in the report we have published today, which includes the Government's response to the ninth report of our Committee, on integrated transport, the words of my right hon. Friend the Deputy Prime Minister have been described not as "Foreword from the Deputy Prime Minister", but as "Forward with the Deputy Prime Minister", which is a useful indication of what is happening to the transport system under the present Government. That is true not least because some people not unconnected with the previous Government have, on the road to Damascus, discovered the transport system. That is a welcome change, but it is not one on which the Government have based their examination of the need for proper planning of the transport system.

When we talk about an integrated transport system, we tend to talk about individual types of transport without saying that what we need to do is to think seriously about whether our modern society can continue to make a god of the combustion engine. That is not to say that it will be simple to encourage people out of their little tin boxes into alternative forms of transport, or that the car is not needed. It is not even to say that we should take a punitive attitude to one form of transport and ignore the implications for others. It is to say that we have to plan the transport system if we want to tackle congested cities and roads; if we care about the quality of the air we breathe; if we care about children who live in those cities; and if we want a civilised society in which quality of life is related to housing and to the facilities and services available to us.

This applies across the board, and does not involve merely seeking ways to build more and more roads. The previous Government did that and, when it turned out too expensive, they produced more and more wish lists of what they thought was important in transport.

We want something very different. We want a rail system—some of it is 120 years old—that is fully integrated with a bus system that has, alas, been allowed to run down. That integrated system should be fully responsive to the needs of elderly and young alike, and not regarded as a second-rate alternative whose importance is demeaned and for which Government expenditure priorities are ignored.

The Select Committee report looks at all forms of transport and how they should relate to each other. We have considered where more Government money, muscle and urgency should be applied, and we have searched for the positive points that can be gathered from our study.

I regret that the amount of legislation on constitutional change that has gone through the House has meant that we have had to wait two years to get the Bill establishing the Strategic Rail Authority. That important piece of legislation will come before the House in the autumn, and it will give impetus to the changes that need to be made to the rail system. The Bill will try to bring together all the disparate and warring elements of the private railway system, and weld them into a useful and tolerable pattern. Our railways will thus be improved, and people will be able to travel on safe, clean and reliable trains.

I hope that the Bill will follow the Committee's recommendations. For example, we believe that the industry should plan to make bus and rail stations information points and the nubs of properly integrated services, and that those stations should be made to relate to each other.

We believe that we should not think of railways without thinking about the safety of the people who travel by rail, which means enforcement, and ensuring a high standard of cleanliness and safety. Moreover, we should not think of bus services as a transport system in decline, used only by the poor. We should plan to put Government money into rural bus services and better facilities, and thus ensure that they are related, one to another.

When the Committee asks for more staff to man rail and bus stations for longer hours, we are responding to what so many passengers want. They want better lighting so that they feel safe, and they want to know that all facilities are readily accessible. That is what people want—be they the elderly, mothers with young children, or people who simply need a reliable and punctual service.

The Government will have to give serious consideration to the powers that the Strategic Rail Authority and the regulators will have. Those bodies will need the power to compel operators to integrate services, which should not be allowed to operate as if they were totally independent of one another.

Local transport plans will require considerable Government funding. The Government will have to tell those companies taking taxpayer's money that they must produce results. Money must not be used to fund companies that respond by upping payments to shareholders without providing the services that people need.

Mr. James Gray (North Wiltshire): Does the hon. Lady agree that interventionism and central planning, such as she has described, are unlikely to achieve the increase in numbers of passengers that the companies need if they are to make the greater profits that she mentioned? It is a mistake to say that the companies are awful because they are trying to make lots of money. The companies are splendid for exactly that reason, as they make money by attracting more passengers to use their trains and buses. In that way, they achieve exactly what the hon. Lady desires.

Mrs. Dunwoody: Unfortunately, many of the companies have grown so used to managing for decline

that they have not responded to the perceived stimuli of the market, or to the needs set out by local authorities and passengers. It is extraordinary that bus companies must be encouraged to think seriously about the quality of the services that they provide. When I visited my local hospital on Friday, for example, it was a great relief to find that Cheshire county council is using Government money to provide high-quality buses at the times and places that they are needed and of the size required. That should not be a difficult or revolutionary idea: it is a sensible response to the needs of the modern passenger.

I know that other hon. Members wish to speak in the debate, and I think that my hon. Friend the Member for Denton and Reddish (Mr. Bennett), who is my co-Chairman on the Committee, will want to talk about the aspects of the Government plan that cover the environment, housing and planning. In the Select Committee on the Environment, Transport and Regional Affairs, Chairmen come in pairs, like all good dining room furniture. I hope that my hon. Friend will have an opportunity to contribute to the debate.

The Committee looked at the amounts of money being spent by the Government and the facilities that that money is being used to provide. My reservations about Railtrack are well known, but the Committee studied in great detail the amounts of money that it has promised for investment. We looked at some grandiose plans that boil down to quite small amounts of cash, and we examined the suggestion that Railtrack could invest only if it got matching money from—guess who?—the taxpayer.

I am afraid that we said some rather harsh things. For instance, we said that we did not think that Railtrack was very entrepreneurial, and that we saw no evidence in the company's track record that it was prepared to put money into the system. We also made it clear that we expected the Government, and especially the new regulator, to look closely at the deals that were being offered. There has to be an end to the assumption—made by all transport companies when they are in trouble—that they can run to the Government for a few bars of gold without being expected to provide results. I look forward, therefore, to the establishment of the new Strategic Rail Authority in the autumn.

I believe that the Government's plans for light rail will transform many cities. It is extraordinary that people seem to think that there is an advantage to be gained from sitting in a traffic jam. We are allowing our city centres to become more and more clogged because we refuse to plan for any management of the combustion engine; but that does the motorist no favours. Given the increase in car ownership, we cannot continue to allow people continually to use their motor cars when proper alternatives exist. However, those alternatives must be seamless, comfortable, clean and available, and I believe that those aspects of the problem are set out very well in the report.

It is also rather depressing that Conservative Members should have published today's slightly strange statement about their being the motorist's friends. I understand the reason, but it is sad that those elements of our report that deal with road safety and speed are ignored by the proposals in the Opposition's press statement. It is as if the attainment of lower road accident statistics and the achievement of improved safety are not important. Speed kills, and it continues to kill. Those who ignore that fact will be personally responsible for the deaths of many people in future.

Mr. Bernard Jenkin (North Essex): The hon. Lady has obviously not read the document to which she refers.

Mrs. Dunwoody *indicated assent.*

Mr. Jenkin: She may have a little flyer, but the document in its entirety deals substantially with safety issues. We think that 3,500 deaths on the road every year are far too many. Will she agree, first, that the Government whom she supports inherited one of the best road safety records in Europe? Secondly, does she agree that the slashed investment in the roads programme means that roads will continue to be dangerous that would otherwise have been made safe by these schemes, had the Government continued to invest in them? Who then is responsible for the continuing deaths on British roads today?

Mrs. Dunwoody: The hon. Gentleman will get his chance to make his own speech and his own apologia pro vita sua. Frankly, to suggest to motorists that there is an easy way out of congestion by not planning for the future is not only a failure of a political party, but an irresponsible attitude to the use of road transport. However, I have been tempted twice and I promise not to be tempted again, Mr. Deputy Speaker.

The reality is that the Government think seriously not only about the integration of cycling, walking and the various transport systems, but about freight. In response to the suggestions in our report, they have laid out some sensible plans which most of us will want to be carried out as soon as possible. However, that will require co-operation from the railway system, co-operation in road transport, and a considerable amount of rethinking the role of the city—the way in which and the speed at which we deliver goods, and the manner in which we plan our transport and freight systems. That will require the support and certainly the clear view of the Government.

I wish to make one or two personal comments in closing. The Deputy Prime Minister has not always had a good press because he insists on making it clear that he believes that transport is fundamental to the economy and planning of the United Kingdom. That is a subject that seems to have been rediscovered only recently. The fact that we have had to wait some time for legislation, even though sums of money have been poured into different aspects of transport, might give the impression that there was no sense of urgency in the Government. I do not believe that that is so.

When the Deputy Prime Minister goes out of his way to write a foreword to a Select Committee report saying,

"As we approach the beginning of the 21st century, we are entering a new era in transport policy.

There is a growing consensus that we cannot go on as we have been",

he reflects a set of priorities that the Government and certainly the House ought to regard as vital.

Dr. Norman A. Godman (Greenock and Inverclyde): I am exceedingly grateful to my hon. Friend for her characteristic courtesy in giving way. She has mentioned

[Dr. Norman A. Godman]

safety on more than one occasion. My question relates to maritime safety and to the laudable objective outlined on page 171 of the annual report of the Department of the Environment, Transport and the Regions: that of

"improving safety for those who use the sea for transport, employment or leisure".

Is my hon. Friend satisfied with the Government's response to her excellent report on the Coastguard agency?

Mrs. Dunwoody: As my hon. Friend knows, the Committee and I have strong views on the Coastguard service. There will be no safety for the people of this country unless we understand that it is the maintenance of that vital service that keeps us all safe as we use the seas.

Finally, I am proud of the report. The Select Committee worked hard on it. All members of that Committee contributed considerably. The Government's response shows that they understand that it maps the way forward. Their response is good. Let us now, as it says in the foreword, go forward with the Deputy Prime Minister.

8.34 pm

Mr. Tom Brake (Carshalton and Wallington): This is certainly a timely opportunity for a debate on the ninth report of the Select Committee on the Environment, Transport and Regional Affairs. The debate coincides with press reports that the Deputy Prime Minister will keep his transport job and with the Conservatives reaffirming the strength of what they claim is their love for the motorist.

The previous Administration fuelled the demand for more cars by building more roads. That is clearly identified on page 91 of the annual report of the Department of the Environment, Transport and the Regions. Between 1979 and 1997, total capital expenditure on roads topped £50 billion, and between 1986 and 1996, almost 1,700 km of motorways and trunk roads were completed. Did that help to ease congestion? Did it help motorists, businesses, pedestrians or the less well off? No, it did not. It only ensured that traffic increased by a total of 75 per cent. over the period.

Mrs. Eleanor Laing (Epping Forest): Can the hon. Gentleman imagine what would have happened during that period of great economic growth, and hence transport growth, if that road-building programme had not been put in place? What would congestion now be like if we had not built those roads?

Mr. Brake: I thank the hon. Lady for her intervention. No doubt she will have heard of predict and provide in road building.

One looks in vain to the Department's annual report for significant measures to tackle congestion. That lack of policy is reflected, at paragraph 62 of the Select Committee's report, by witnesses who gave evidence that current Government policy fails to provide for road traffic reduction.

Tough choices are being postponed because Galaxy man must be allowed to cruise. That is why paragraph 63 of the Select Committee report describes the White Paper as

"vague about the rate of traffic growth the Government would consider acceptable."

That is also why the Select Committee makes no fewer than 76 recommendations about how to tackle the transport crisis that the country faces.

On the London underground, the public-private partnership is behind time and has been criticised by almost everyone who has more than a passing knowledge of the subject, including academics, business men, Labour MPs and trade unionists. It has also been criticised in a report of the Transport Sub-Committee. Chapter 13 of the DETR annual report highlights that very problem, and states that the London Transport grant will fall to just £81 million in 2001, on the basis that the PPP will kick in at that point. It will not, however.

The Government' recent White Paper, "A New Deal for Transport: Better for Everyone", and their consultation paper, "Breaking the Logjam", were welcome and made constructive suggestions about how to improve public transport and encourage more cycling. Yet the Select Committee deemed it necessary to highlight, in recommendation (s), that there will be no increase in cycling if it is not made safer, making it impossible to fulfil the requirement to double cycle use in the UK.

Any Bill will need to achieve four aims: reduce overall traffic levels; produce greater cohesion between modes of transport; give a greater incentive for commuters to use public transport, and allow local authorities to reuse funds raised from road charging for investment in public transport. All those points are contained in the report's recommendations.

A reduction in overall traffic levels must be the starting point for any integrated transport policy. Everyone recognises the need to do something about congestion and traffic. Yet as I have already stated, that is entirely missing from the Government's plans and the White Paper, though it is highlighted in the Select Committee report. Chapter 7 of the DETR's annual report is unhelpful and refers only to reducing traffic growth.

The Government have made a two-stage promise: first, to reduce traffic growth and then to reverse it. That was the correct promise, and that is what the Select Committee report calls for. The promise should be kept because of the increase in asthma. There are now 3 million asthma sufferers in the UK, half of whom are children. The DETR has a clear objective on that, and chapter 7 of its annual report says that its work is aimed at improving health.

The two-stage promise should be kept because of the Government's international pledges, signed in Kyoto, to reduce CO_2 emissions. In the UK, CO_2 emissions from road transport are the fastest growing contributor to climate change. In fact, vehicle emissions account for more than one fifth of CO_2 emissions in the UK. The objective is of course identified in the Department's annual report, which refers to the

"important contributions to climate change and air quality targets"

that the transport sector can make. No one must forget that the UK has signed a legally binding target to reduce greenhouse gases, and that the Labour party has made a commitment to reducing CO_2 emissions by 20 per cent.

The promises must be kept for these very reasons—and others, such as the need to reduce road congestion. Road congestion costs British industry £15 billion a year, and the annual report does not neglect that. It identifies 37 road schemes that will save £2.35 billion in operating costs, which must be welcomed.

An obvious point that is often forgotten is that the car, which gives independence to many, does not give independence to the one third of all households that do not have access to one. We know that such households tend to be worse off. So a love affair with the car can be socially regressive. The car does not, as the official Opposition's document that was published today claims, "liberate" those without one. These are the reasons why we must reduce road traffic, as is acknowledged at paragraph 74 of the report.

Mr. Jenkin: Will the hon. Gentleman explain how reducing the availability of the car and people's access to it will increase mobility and freedom? That seems to be what he is arguing.

Mr. Brake: That was not the point that I was making. I was referring to the need to reduce road traffic. An exclusive emphasis on the role of the car, neglecting the fact that one third of people do not have access to one, is socially regressive.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Brake: I am sure that I would be called to order by the Deputy Speaker if I took too many interventions on the same point.

We should move towards taxing the use, not the ownership, of vehicles. I am sure that hon. Members on both sides of the House would agree with that key point. We should increase vehicle excise duty for the least efficient vehicles, and abolish it for those that are most efficient. The Select Committee's ninth report is perhaps too reticent on that subject.

Taxing fuel is fine, but to achieve a reduction in traffic, we must invest in public transport. The motorist must see some gain before a moderate amount of pain. Services and routes provided by different modes of transport must be co-ordinated, and journey terminals should be linked so that switching between bus and train or train and bicycle becomes simple and safe. Many recommendations in the report refer to aspects of such issues.

We should create a strategic transport authority that has responsibility for both rail and bus regulation. I am disappointed that the Select Committee did not take up that option.

We must target journeys that pollute the most and which are easiest to reduce in number. That means two things: giving greater incentives to commuters to use public transport, and reducing the number of people who take their children to school by car. Some progress has been made through the safer routes to school initiative, which I hope will be further expanded. The Select Committee did not overlook such points in its report.

Local authorities have a huge part to play in improving our transport infrastructure. We should allow them to introduce road congestion charging where public transport alternatives are available or under development. Crucially, we must let them keep the revenue from road charging, parking and fines to facilitate reinvestment in public transport. That is covered by recommendation (ppp) of the ninth report.

We have to enable local authorities to use carrots in their fight against congestion. Local authorities will need the financial resources to introduce pedestrian zones, public-transport-only zones, and home zones with 20 mph limits and traffic calming schemes. Without finance, car-free city centres that are pleasant to live, work and shop in will remain a pipedream. That is why I wholly support recommendation (qqq) of the ninth report, which would give local authorities the ability to raise money for investment on the basis of future revenue streams.

To conclude, I believe that the Government should hold firm to their commitments and respond positively to the recommendations in the Select Committee report. They should not backtrack in the face of a Tory relaunch as the motorist's friend. The Liberal Democrats firmly believe that the measures outlined in the ninth report should be implemented. They would reduce overall traffic levels, increase cohesion as between modes of transport, provide more incentive for commuters to use public transport, and allow local authorities to re-use funds raised from road charging for investment in public transport. But the Government are running out of time, and they need to make an urgent start now.

8.46 pm

Mr. Graham Stringer (Manchester, Blackley): I have spent nearly 20 years arguing with the Deputy Prime Minister about aviation policy, trams and regional policy—agreeing more than disagreeing—but I should like to say, in the light of the disputes that there have been, that this country is very lucky to have a Deputy Prime Minister with his experience and expertise. In his response, he acknowledges that the only significant difference between the Select Committee and the Government is on the speed and the amount of resources, not on the general direction in which the Select Committee and the Government are going.

I have watched, listened and read with increasing [illegible]y the statements by the Conservative Opposition in the past week. If I am right, this morning the right hon. Member for Wokingham (Mr. Redwood) was saying that people were rushing to get on buses—that competition in the bus industry had worked. Has he actually read the statistics showing what has happened to the bus industry since deregulation in 1985?

There has been a 70 per cent. cut in subsidy. When Conservative Members are clamouring for more resources for road building, for railways and for buses, they should remember that, during their time in office, the money that was going to buses in most of the country was cut by 70 per cent.—in London, between 90 per cent. and nearly 100 per cent. During the same period, passenger numbers fell by 30 per cent. and bus miles went up by 30 per cent. I shall return to that point. Fares rose by 25 per cent. in rural areas and 50 per cent. in urban areas.

In the privatised industry, for 10 years or so there was almost no investment in buses. That destroyed the manufacture of buses in this country; only two factories are left. In fact, the bus industry was a complete mess. We did not get competition at the end of that period; we certainly got a great deal of pollution. That meant extra bus miles and fewer passengers, and as a result the Conservative Government achieved something that one would have thought scarcely possible before their time in office—in many city centres, each bus passenger mile created greater pollution than each car passenger mile. Only the deplorably inefficient system that they had created could have done that.

[Mr. Graham Stringer]

The Opposition have been saying that competition in the bus industry is working. Admittedly, in the first two to four years after deregulation and the privatisation of much of the industry, there was huge and inefficient competition on the roads in most urban areas, while buses simply disappeared in many rural areas. Road space in cities was wasted. However, we have now left behind the time when buses were driven dangerously and neither cars nor buses could get along our roads.

We are in a post-competitive phase. Circumstantial and direct evidence given by competitor companies is overwhelming in every city. It is that there are cartels and anti-competitive practices. From Manchester, for example, reports and evidence were provided to the Select Committee from a number of bus companies. However, the market is dominated by Stagecoach in the south and by FirstGroup in the north. Rarely do these companies compete with each other. Of course, Greater Manchester is a large area and there are one or two smaller companies.

There have been fascinating interviews. Stagecoach and FirstGroup have been interviewed twice because of their dominant position in the market. Simple questions have been asked. For example, "If Stagecoach has lower fares, better buses, has invested more than FirstGroup, provides a more reliable service and by and large has demonstrated that in Greater Manchester it offers a better service, why does it not compete in the areas of the north where FirstGroup is running a poor, inefficient service with higher fares?" It seems that the company cannot give an answer that would stand up to any criticism. In fact, it is implementing anti-competitive practices. It is almost a cartel. That is to the disbenefit of the travelling public.

That is why the Select Committee and my right hon. Friend the Deputy Prime Minister, in two interviews, are firmly in favour of re-regulating the bus industry. Whether it is quality contracts or re-regulation, when bus companies are operating as I have described and the Government are determined to improve the public transport system by improving bus services, there is a need for regulation. As my right hon. Friend the Deputy Prime Minister has said, if four or five extra passengers travel on a bus and that brings £400 million into the bus industry—I think that that is the figure—not all of that money will go into transport improvements or helping the passenger. The money will simply be bottom lined. That is why the Select Committee is in favour of regulation of one—

Mr. Lawrie Quinn (Scarborough and Whitby): Would my hon. Friend care to speculate on why the previous Conservative Government decided not to take the deregulation route for the capital? Why did they decide that London was a special case?

Mr. Stringer: Having seen the chaos that had been created in the west midlands, Manchester, Glasgow and Edinburgh, I think that they decided that there were too many marginal seats in London to make it wise electorally to bring the so-called benefits of deregulation to the capital. Wisely, or for self-interest, that was their decision. London is the only part of the country where passenger numbers have not fallen.

For the first time since the second world war, there has been a 1 per cent. increase in the number of people using buses. That is extremely good. It has been brought about by some of the work done through quality partnerships by various local authorities and passenger transport executives. However, there is scant evidence that motorists are leaving their cars at home or that pensioners or other bus users are using buses more often. Most of the evidence, such as it is, is that those who are already using buses are using them more often rather than people making a modal change. That is important if we are to have the capacity in the public transport system to underpin a thriving economy.

As for metrolink and trams, there has been a dialogue between the Select Committee and the Government, after two reports, about the benefit of light rapid transit systems. In terms of Greater Manchester, one of their benefits is that they are a proven way getting motorists to leave their cars at home. The Manchester tram system, which is an old rail system connected through the centre of the city, is reducing the number of car journeys per year by 2.5 million. That is a terrific benefit to the atmosphere, to the travelling public and to the motorist. The system is being extended to Eccles, and the Greater Manchester passenger transport authority wants to extend it into north Manchester, to Oldham and Rochdale, into east Manchester out to Ashton-under-Lyne and into south Manchester, to the airport.

I hope that the Government will find a way to fund the expansion. Eventually the system will be self-funding, but it needs some initial capital, through a private finance initiative arrangement, the public sector or privately. Later, by using car parking charges or some other means, it will balance.

The benefits to the Government and the travelling public would be enormous. The system would take up to 10 million cars off the road every year and reduce the number of car journeys by 11 million vehicle/kilometres a year. It would create 5,000 jobs and increase the gross domestic product of Greater Manchester by £169 million. It would also benefit the Government by providing an example of an integrated transport system that worked. All of us who care about public transport need that.

The system that would run into Manchester airport would be the first multi-modal interchange that brought together trams, trains, aeroplanes and buses. It is a national disgrace that only two airports in this country are served by fast main-line trains. A tram link would help to ensure that more people used public transport to reach Manchester airport. I should declare an interest as a former director of Manchester airport and as a former member of the Greater Manchester transport authority.

I conclude with two points. Some of the proposals in the White Paper are for the medium term and some must be long term. One of the proposals in the present report and in other reports from the Select Committee on future housing projections has stated firmly that we should not use as many green-field sites as we are using. In the north-west there are sufficient brown-field sites on which to build all the houses required for the foreseeable future. If we want fewer transport problems in future, we must ensure that we use those sites. That will increase the density of population in the city. One has merely to do the sums and compare the effect of 1,000 houses 10 miles from the city centre with the effect of 1,000 houses in the city centre to realise the benefit. That is one long-term solution.

The Select Committee is at present looking into driving tests. We have also considered vehicle inspection and pollution. On every issue that we examine, we find that there is insufficient enforcement, whether in relation to diesel pollution on motorways or cars in cities, where about 20 per cent. of the cars that are badly maintained cause 80 per cent. of the pollution. We are currently receiving evidence that between 800,000 and 2 million people in Britain are driving without driving licences. That is a shocking figure. If there were more enforcement by the Vehicle Inspectorate, the police and all the other enforcement authorities, that would bring about a short-term improvement in the transport situation.

9 pm

Mr. James Gray (North Wiltshire): Serving on a Select Committee produces a curious kind of split personality: one finds oneself liking, admiring, listening to and even becoming friends with those with whom one has fundamental disagreements. For example, it is an honour to serve under the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), whose grasp of sound common sense often makes me wonder how she can possibly be in the same Labour party as some of her hon. Friends. Equally, one respects the knowledge that the hon. Member for Manchester, Blackley (Mr. Stringer) has of Manchester and of the inner cities, although he perhaps knows less of other areas.

I often tweak the tail of the hon. Member for Carshalton and Wallington (Mr. Brake) because he talks glibly about the countryside even though he lives in central London. He is more at home talking about such things as walking, cycling, integrated transport and cutting vehicle emissions, which are the home territory of the Liberal Democrats, than some of the issues on which he pontificates often in this place.

The report of the Transport Sub-Committee of the Environment, Transport and Regional Affairs Committee was technically unanimous. Some of us abstained, but we certainly did not divide the Committee. However, we produced a press release highlighting our fundamental differences with a number of points in the report. The whole point of the report is the search for the great grail of an integrated transport system. Every politician of every party in the history of parties has sought to achieve integrated transport—of course they have. I agree with everything the hon. Member for Crewe and Nantwich said about us having to find ways of integrating trains and buses—of course I do; what sensible person would not? But the trouble with so much that new Labour does is that it concerns not what to do and how to achieve it, but aspirations, launches, glossy new brochures, clever cliches and constant talk about the millennium.

I am beginning to suffer from millennium fatigue. I shudder to think what I will do the next time a Minister says that we will drive forward into the new millennium and that everything will be different on 2 January 2000, but that is what so much of the integrated transport White Paper is all about. It is not about doing things, what will happen or legislation that will be in the Queen's Speech, but what we would all like to happen—the 19 daughter papers and all that. There are marvellous words and clever spinning, but that does not amount to a row of beans. Of course we did not divide the Committee, because of course we agree with the vague aspirations in the report, but it was important that we put out a press release highlighting our differences with the majority of the Committee because so much in it simply does not stack up.

The Government's response to the Select Committee report, which was issued at some pace this afternoon, equally tends to the aspirational – the "hand everything over to a new Committee" way of looking at politics – rather than to anything realistic. It seems to me, to the papers and to every observer across the nation that their whole transport policy is seizing up in the most extraordinary way, but perhaps that is hardly surprising considering who is running it. Just look at who is in charge: the man whose only claim to any knowledge of transport of any kind at all is that he was a steward on a cross-channel ferry and that he now owns two Jaguars.

Caroline Flint (Don Valley): Snob.

Mr. Gray: From a sedentary position, the hon. Lady says that I am a snob. She is quite wrong as I come from a grammar school background. Nothing is snobbish about me, I assure her. My point, which is a powerful one, is that the Deputy Prime Minister has had no experience of any kind of anything to do with transport policy, with the single exception of being an agitator in the National Union of Seamen as a result of his job as a steward on a cross-channel ferry. That is his only experience of transport and that is the point I was making: it has nothing whatever to do with snobbery.

Mrs. Laing: I fear that my hon. Friend is doing the Deputy Prime Minister a disservice. Yesterday, he increased his experience of transport by travelling by helicopter to Silverstone, while the people whom his party always appears to address were waiting in queues on the motorway.

Mr. Gray: My hon. Friend makes an important point. I understand that, when the Deputy Prime Minister got there, he was so upset by his experience of travelling by helicopter and looking down at the plebs stuck in the traffic that when he went to ask officials how our best driver was doing, he inquired, "How's Damien?". They looked back at him blankly, because he had, of course, mistaken the driver's first name.

Mr. George Stevenson (Stoke-on-Trent, South): If the hon. Gentleman is so opposed to the contents of the report, why did he not vote against it rather than using the bolthole of issuing a press release, which he now thinks justifies his point of view?

Mr. Gray: I was happy, in my opening remarks, to try to draw a blind over our reason for not dividing the Committee, but as the hon. Gentleman asks me, perhaps the House will allow me to spell it out in detail. I made it plain to the Committee Chairman that I was determined to divide the Committee, but that, unfortunately, I was unable to be present in the Committee on the day on which the formal—[HON. MEMBERS: "Oh."] The reason was that I was having a private meeting with a Minister, who refused to move the time of the meeting.

Mr. Stevenson *rose—*

Mr. Gray: I shall not give way as I have just done so.

I made it plain to the Chairman that, as I was unable to be there, I could not divide the Committee—

Mr. Stevenson: Will the hon. Gentleman give way?

Mr. Gray: No, I have given way already and we do not have much time to carry on this sort of banter. My party wholeheartedly and fundamentally disagrees with many of the points in the report. As we could not divide the Committee for procedural reasons, we produced a press release to highlight our differences.

The Deputy Prime Minister, who gets muddled up about the names of our racing buffs, presumably looked down from his helicopter and was unable to spot a bus lane clear of traffic—or a bus lane full of traffic.

I spotted an interesting paragraph in the Government's response to the Select Committee report. The Committee referred to bus lanes and the Government responded:

"We agree that comprehensive bus priority measures have a major part to play in making bus travel more attractive and better able to compete with the car in congested areas."

My goodness, the Government have certainly tried to compete with the car. Presumably, it is all right for those in chauffeur-driven limos to compete with buses by making use of bus lanes, but not, as my hon. Friend the Member for Epping Forest (Mrs. Laing) pointed out, for the rest of us who are queueing to get to Silverstone.

What happens to people who drive down bus lanes? The Government have helpfully pointed out in the report what should happen to people such as the Prime Minister, who abused his position by using a bus lane. The report says:

"We agree that bus lane infringements need to be subject to appropriately stringent penalties . . . infringements cause danger, as well as inconvenience, to other road users."

I hope that, this evening, Ministers will carry that message, contained in paragraph (uu) of the Government's response to the report, back to No. 10 Downing street and say that it is not acceptable for Government car service drivers to break the speed limit and that they will get busted, just like the rest of us. Neither is it acceptable for them to drive on the wrong side of the road. It is not acceptable, in their words, to use even the "daft" bus lane—which the Deputy Prime Minister introduced—on the M4 on the way into London from Heathrow.

Frankly, the Deputy Prime Minister is a walking disaster. Perhaps it is just as well that he is walking, because if he were in a car he would be going nowhere fast. Under him comes the Minister for Transport. When we bumped into each other in the Tea Room a moment ago, I mentioned that I would be less than courteous, but I shall try to restrain my discourtesy to her because we all have the highest regard for her abilities in these areas and I mean no personal disrespect to her. However, there is a significant worry about her position in this debate. Constitutionally, she is disallowed from making any remarks about transport in Scotland. As a Scottish Member, the one thing that she may not do is represent her constituents on transport matters. She must leave that to somebody else in Holyrood. What does the right hon. Lady do? She comes down here to Westminster and pontificates on English transport—only English transport—which has nothing whatever to do with Scotland. And my goodness, what a mess she makes of it.

Incidentally, I was interested in the remarks made earlier in the debate by the hon. Member for Linlithgow (Mr. Dalyell) on fox hunting. How odd it would be if Scottish Members of Parliament came down to England and voted out the English sport of fox hunting. We shall return to that at another time. The right hon. Lady for Shotts—

The Minister for Transport (Mrs. Helen Liddell): Airdrie and Shotts.

Mr. Gray: I beg the right hon. Lady's forgiveness for getting her constituency wrong. She is the personification of the West Lothian question. In the forthcoming reshuffle, the Prime Minister must address the question of why my constituents in North Wiltshire have a Scottish Member making a mess of their transport system—and my goodness, what a mess the Government are making of it.

Mrs. Louise Ellman (Liverpool, Riverside): The hon. Gentleman is concentrating on personal and diversionary matters rather than on policy, because he has no policy.

Mr. Gray: I shall come to policy matters in a moment. My party has today published a policy paper that is full of interesting new ideas, so the hon. Lady is wrong. I should also correct her on one little point. I am not being the slightest bit personal. As I said, I have the highest respect for the Minister for Transport, and I am not being even slightly personal about her. She is in a constitutionally difficult position, because she is down here pontificating to my constituents in North Wiltshire.

Imagine if the Member of Parliament for North Wiltshire went to Edinburgh and said, "I want to come to the Holyrood Parliament and be the Minister for Transport in Scotland. I want to sort out transport in Scotland. I represent North Wiltshire and have nothing to do with Scotland, but I want to pontificate about transport in Scotland." What a fuss there would be from the Labour party if I even suggested that, but that is exactly what has happened the other way round.

The hon. Member for Liverpool, Riverside (Mrs. Ellman) is correct to put me right, so perhaps I should move on to the more meaty substance of the White Paper and the Government's response to the Select Committee's report. Other hon. Members will have something to say about other aspects of transport policy, such as the railways, buses, aircraft and airports, where odd things have been happening recently. I want to concentrate my efforts and remarks on the subject of road transport, which the nation has been most interested in recently.

People have heard the warm words and seen the policy launches—the Green Papers, the White Papers, the Committees and the working parties. The Deputy Prime Minister said that he would sort out transport, but people sit fuming in traffic jams up and down the country. People have seen petrol prices go through the roof: they are now as high as those in any other nation in Europe. Road haulage businesses have gone bust, or have been driven offshore because they cannot afford to pay the vehicle excise duty on their 20-tonne lorries. The road transport system is in the doldrums and in the grip of congestion.

What is the Government's dramatic and interesting new solution to this problem? They propose a variety of taxing proposals: road charging, congestion charging, work place

charging, and the possibility of retail charging—which the Select Committee proposed, although the Government are not in favour of it, so there is a slight divide between them. How well would those charges work? What will happen if there is road pricing and road congestion charging?

Imagine that you are a company executive living in a large house in Surrey. *[Interruption.]* The hon. Member for Riverside corrects my use of the word "you", which I am of course using hypothetically. Imagine that one is a fat cat living in a large mansion in Surrey with a large Rolls-Royce and a chauffeur.

Dr. Alan Whitehead (Southampton, Test): Does the hon. Gentleman have sufficient memory banks to recall a Government Green Paper called "Transport: the way forward" published in 1996, which had a long section about road charging? It said that the then Government presumed in favour of road charging. Does he remember that, and does he wish to reflect on it?

Mr. Gray: That has nothing whatever to do with my position. We have always been against extra taxation. In the paper that we published today, we have laid out— *[Laughter.]* Labour Members laugh, but it is a nervous laughter because they know that they are taxing the motorist off the road. We will not do that, and we are committed to reversing those taxes when we come back into power.

Never mind the party political points that the hon. Member for Southampton, Test (Dr. Whitehead) tries to make, let us consider for a moment the practicalities of road pricing and road charging. Let us return to our chief executive living in a mansion in Surrey.

Mr. Richard Burden (Birmingham, Northfield): Will the hon. Gentleman give way?

Mr. Gray: If the hon. Gentleman will forgive me, I have given way quite a lot. *[Interruption.]* Oh, why not?

Mr. Burden: I am grateful to the hon. Gentleman for giving way, because it is important that he is aware of his party's policy. All politicians should be aware of their own party's policy. I remind him that the 1996 Green Paper said:

"The Government will shortly be starting trials to explore whether it is technologically feasible to introduce electronic tolling on motorways. If these trials are successful, new opportunities will become available for shifting the emphasis of the costs of providing the motorway away from fixed towards marginal charges".

The paper goes on to refer to experiments with road charging, with the presumption in favour of legislation. Does the hon. Gentleman agree with that, or does he not?

Mr. Gray: The hon. Member for Southampton, Test made precisely the same intervention a moment ago. It is obviously No. 23 on the Labour Whips' list of suggested interventions. The answer is no, I do not agree. Today's policy paper made it perfectly plain that we do not agree, and my press release—which I mentioned earlier, in connection with the Select Committee report—made it plain that we do not agree. We are wholeheartedly opposed to congestion charging, to workplace charging and to retail charging. It is the Labour party that is wholeheartedly committed to taxing the motorist off the road—but let us leave aside the party political aspect and discuss the practicalities, as I suggested we should a few minutes ago.

Mrs. Liddell: Will the hon. Gentleman give way?

Mr. Gray: I am pretty keen to get on, but of course I must give way to the right hon. Lady.

Mrs. Liddell: The hon. Gentleman is developing his theme. Can he tell us how his party intends to make up the shortfall of £10 million that would be a consequence of the document that was published today?

Mr. Gray: I am afraid that I have no intention of doing anything of the sort, for a very simple reason. What we are discussing is the report of the Transport Sub-Committee on an integrated transport policy, and the Government's response to it. That is the purpose of the debate. No doubt my hon. Friend the Member for North Essex (Mr. Jenkin) will expand on the point, but it is no part of my business, as a Back Bencher, to do so.

All this party political banter is fine for those who are on the spot, as the Labour party is. I want to talk about some of the practicalities and details of road congestion, retail and workplace parking charging. It is quite interesting to note the way in which such measures will work. I was talking about a fat cat with a house in Surrey and a business in the City. At present—as the Minister for Transport suggests—he is having a terrible time: he cannot get into London because of congestion. So what does he want to do? He wants to tax congestion off the roads. That is not because he wants to get a train to the City; he wants to get rid of all those dreadful plebs.

So what are the Government going to do? They are going to do what the Greater London Authority Bill proposes and levy a £5-a-day congestion charge on those who wish to come into the centre of London. The chief executive of a bank in the City may be quite happy to pay £5 a day to be sure that the roads are clear; to a two-Jags fat cat, £5 a day is nothing. However, the Government are talking about the possibility of a workplace charge of £1,000 a year. Again, to the chairman of a bank in the City £1,000 would be small beer. He would pay far more than that to National Car Parks—£2,000 or £3,000 a year. A first-class ticket from Surrey would cost £4,000 or £5,000 a year, so £1,000 a year is nothing at all. But, my goodness—it would matter to one of my rural constituents, who has to drive an F-registered car to his or her workplace in Chippenham, if he or she had to pay £5 a day to get into Chippenham and £1,000 a year in work place charges. The Minister and other Labour Members, who spend all their time talking about London, the suburbs and the middle classes are not thinking about the people on whom the charges will bear down so heavily. The poor, the low-waged, the rural dwellers and the disabled—those are the people whom the Labour party has cast out in its drive towards new Labour policy.

Mr. Brake: Will the hon. Gentleman give way?

Mr. Gray: No.

Those are the people on whom workplace and congestion charges would bear down particularly heavily.

Retail charging is another Labour party proposal. Why not try to persuade out-of-town superstores to charge people to go there? What a strange idea. Eighty per cent. of us use supermarkets and buy a large amount of groceries. Indeed, some 320,000 people go to Safeway in Chippenham each week. So what are we to do? Let us charge them.

Mr. Shaun Woodward (Witney): Tax them.

Mr. Gray: That is right. Let us tax them. We cannot have all these people going to supermarkets; let us tax them. First, however, let us ask Safeway to charge them for using its car park. What a nonsense. Retail charging would bring in only 6p per person per year, which will not greatly change behaviour. All this constitutes is a tax on the buyer and a tax on the driver. That is what new Labour is about: tax, tax and tax again.

Labour Members say that the whole point about the charges is that they will be hypothecated. They will be hypothecated for 10 years, of course; no more than that. After 10 years, the funds will go into the Treasury. During the debate on the Greater London Authority, the Minister for Transport in London talked about how important it was that the mayor should have some revenue. The view is, "We will get the mayor some revenue. We will charge the motorist. That will be marvellous. Tax the motorist and pay the money to the mayor."

Britain's roads are at a standstill. Britain's transport is in a shambles. The Labour party is to blame. In its paper, the only solution that it can come up with is a few warm words, a few committees, a few shiny bits of paper and tax, tax and tax again. Today, we have come up with a new document that lays out some vibrant, important, interesting and useful proposals for getting Britain's transport going.

Mr. Brake: Will the hon. Gentleman give way?

Mr. Gray: I am just winding up my speech, if the hon. Gentleman will forgive me.

Mr. Brake: On that point.

Mr. Gray: Well, why not?

Mr. Brake: The hon. Gentleman was on the subject of useful points that the Conservative document proposes. Are two of them getting rid of traffic humps and stopping local authorities using traffic calming?

Mr. Gray: No. Of course, those come into the document in a variety of ways, but we talk about removing the fuel duty escalator and getting petrol prices back down to where they should be. We talk about sorting out road freight, which the Government have driven off our roads and on to the continent. We are sorting out the trains and the buses. We are talking about practical and sensible transport policies to get Britain going again.

Mr. Paul Clark (Gillingham): Will the hon. Member give way?

Mr. Gray: I am sorry. If the hon. Gentleman will forgive me, I am winding up my speech.

All the Government have done so far is bring Britain to a standstill. Their only solution is to tax the motorist off the road. We take a different view.

9.21 pm

Mr. George Stevenson (Stoke-on-Trent, South): For 21 minutes, the hon. Member for North Wiltshire (Mr. Gray) has tried to convince the House about why he abstained and saw fit not to have the courage of his convictions about the Committee's ninth report on the important issue of integrated transport policy. I have tried to recall how many sittings he attended. I am not sure; perhaps the record will show us. However, we have had 21 minutes of diatribe, with the hon. Gentleman trying to convince us that he feels strongly about these issues. One would have thought that he would have voted against the report. Nevertheless, that is for hon. Members to judge.

The Select Committee's report is important. What is worrying and discouraging is that the Opposition have tried to convince the public that the Government's integrated transport policy is anti-car. Of course, it is no such thing and the Select Committee has made it clear that it believes that it is no such thing. It is pro-transport. There is a big difference.

It is wrong to think that all of us can get in our cars and, particularly in urban areas, use them as we wish—to take our children to school and all the rest of it—without thinking about the effects on the environment, pollution, congestion and all the other issues that we are tremendously concerned about. The notion that those issues can be ignored and that people can simply say, "Government policy is anti-car and the Conservative party is pro-car, so we do not recognise that those things are a problem", seems disingenuous to say the least.

It is important to recognise that this is the first White Paper on integrated transport for some 20 years—that is my understanding from listening to the evidence to the Select Committee. That suggests that the previous Government, despite all the rhetoric and nonsense that Conservative Members come up with, were a little shy of tackling the problem. We could all play politics with the issue. Although I know that the hon. Member for North Wiltshire is quite adept playing politics—but abstains when it comes to voting—I think that he and I could agree that transportation is an extremely important issue.

The Select Committee's report is an extremely important document in the transport debate. Opposition Members who say that the Government's transport policy is anti-car, in an attempt to devalue the Government's policy and the Committee's ninth report, devalue only the Opposition. Particularly in urban areas, even car owners understand that we cannot use our cars as we wish, to go wherever we like. We realise that car use has knock-on effects and that we have to grapple with transport issues. The report identifies those issues. Moreover, as is right and proper, the report does not agree with every Government transport policy.

The public will not accept statements that the Government's policy is anti-car. Moreover, claims that it is simply demean the real arguments. We should not play party politics with the issue simply to make political capital, as the hon. Member for North Wiltshire has tried to do. That will not wash.

If the integrated transport policy is to succeed in the medium to long term—it is a medium to long-term issue—we shall have to promote public transport, which

will entail nothing less than a renaissance of public transportation. The report identifies and addresses that issue—which I accept is a challenge for the Government.

The Government cannot develop and implement an integrated transport policy simply by saying that it will be done. We have not only to develop objectives, but to will and effect their implementation. First, however, we have to ensure that the relevant arguments are identified and made, as the report attempts to do.

We have to ensure also that, particularly in urban areas, more public transportation is provided as other transport measures are implemented. The report rightly identifies that requirement. As the report states, if we say that there will be restrictions—either fiscal or physical, such as bus lanes—on motor car use, but do not provide public transport alternatives, there is a danger that it will be difficult to make the policy a success. The report says not simply that the Government are right in their policy, but, "We think that the Government's objectives are right, but Ministers have to take certain actions to ensure that people have transportation alternatives."

My hon. Friend the Member for Manchester, Blackley (Mr. Stringer) mentioned the Manchester area. In my constituency, 3.2 km of motorway have just been built, right through an urban area. At 1992 prices—the previous Government decided to build the motorway—it has cost £40 million per mile. By the time the bills are paid, there will not be much change from £200 million. The experts tell me that, within 10 years, the road will have reached its design capacity—in other words, it will be congested.

The new A50 is designed to replace the old A50, which runs right through Stoke-on-Trent for some 13 miles, north to south. If we do not use this window of opportunity to develop public transport in that area, we shall have two congested roads in 10 or 12 years, and we shall have spent a quarter of a billion pounds on them. If that is the Opposition's transport policy, they should say so.

Mr. Paul Clark: I agree with my hon. Friend. A new bypass has been developed for the Medway towns, and rightly so. Does he agree that, because of the opportunities afforded by the Government to make sure that regional transport plans are developed, we have a once-in-a-lifetime chance to take advantage of these bypasses?

Mr. Stevenson: The Government's policies are not only working, but providing opportunities.

To carry out the policy, resources must be made available, as the Select Committee identified. To ring-fence resources for 10 years and to hypothecate them are important. However, as the Select Committee pointed out, that is putting the cart before the horse. We ought to be providing the resources now, and hypothecating them against future revenue streams.

If we can do that and if we can integrate the Select Committee report into Government policy, we shall have an excellent opportunity—for the first time in perhaps 50 years—to present this country with an integrated transport policy to take us into the 21st century.

9.32 pm

Mr. Andrew F. Bennett (Denton and Reddish): It is a little disappointing to be winding up on behalf of the Select Committee after such a short debate. It was a tragedy that the Opposition tried to eke out the first debate to cover up the fact that they had so little interest in the second debate—particularly on a day when they were trying to make policy announcements.

It was disappointing also that the hon. Member for North Wiltshire (Mr. Gray) felt that he had to make a speech of 21 minutes, again to filibuster. Some of us on the Select Committee have felt sorry for the hon. Gentleman, who came on to the Committee at the start of this Parliament and is still there, whereas five of his colleagues have found their way on to the Conservative Front Bench. Following his speech today, I understand why he is still with us on the Select Committee.

I want to put on record my appreciation of Professor Peter Jones, who gave sound advice to the Select Committee, and to Kevin Lee, who worked hard to make sure that the evidence was nicely marshalled. I pay tribute also to all those who gave evidence. Select Committees depend on those people outside who take the time and trouble to give evidence.

We must look back over the previous two years and see what progress we have made on integrated transport. First, there is a recognition by the Government that we must put the environment and transport together. For the past 50 years at least, people have taken travel for granted. The assumption has been that travel is easy and that if one does a little more, it does not matter. We must recognise that it does matter, and that we cannot go on increasing the amount of travel that people do without thinking about it. If we are to integrate transport, the first thing we need is joined-up living. We have to try to ensure that as many people as possible, for as much of the time as possible, can live, work, shop, enjoy their leisure and take their children to school locally, without the need for expensive travel.

If we can get that message across over the next few years, we can make most people's quality of life far better, reducing congestion and pollution and making travel far easier. That point is at the heart of the Government's thinking and of their proposals for integrated transport, and the report emphasises it very strongly: it is the way forward.

We must not only ensure that services are available locally, but encourage people to buy local produce. I am not a great beer drinker, but it strikes me as significant that when I became a Member of Parliament 25 years ago, most of the beer drunk in Greater Manchester was brewed there, whereas most of the alcohol drunk in Manchester today rattles round the country, round Europe or even across the world. Has that choice been worth the extra pollution? Would not it be far better to buy local produce than stuff that has moved all round the world?

I believe firmly in the fuel escalator, and in congestion charging and charging for workplace parking; but if charging is to work, people must see the results at the point at which the charge is made. The Committee considered the example of the Netherlands where, to make the fuel escalator acceptable, income tax went down as the escalator went up. I do not mind what the Government come up with—it could be a reduced television licence for pensioners—but we must have some direct, hypothecated measure to go with the escalator, so that people can see that the tax is designed to change people's behaviour and not simply to raise money for the Treasury.

[Mr. Andrew F. Bennett]

We must do much more to encourage people to do their own bit. Simply recognising that the speed limit should be enforced by us, and not by external means, would make a huge difference. Experiments on the M25 showed that if people travelled at lower speeds, but managed to retain those speeds throughout the journey, they got there quicker than if they went fast and then slow.

It is crazy to build speed humps in urban areas when, if we could simply persuade people to stay within the 30 mph limit, the roads would be far safer. One of the weaknesses that the Committee identified when it considered integrated transport was the failure to bring the Home Office on board and to convince the police that they have a major role in ensuring that transport laws, such as those on bus lanes, are enforced.

I agree strongly with my hon. Friend the Member for Manchester, Blackley (Mr. Stringer) that bus lanes and the quality of our bus services are essential to getting people back on to public transport. It is sad that there seems to be a class element that makes some people reluctant to travel on buses; interestingly, Manchester's experience shows that there is no such reluctance to travel on trams. Manchester already has significant metro lines and it would make a huge contribution to solving its transport problems if we could increase that critical mass.

The Select Committee report was good and the Government's response is excellent, but my constituents want to see an improvement in public transport now, not in 10 years' time.

9.40 pm

Mr. Bernard Jenkin (North Essex): I might spoil the day for the hon. Member for Denton and Reddish (Mr. Bennett) by welcoming many of his comments. The hon. Gentleman is right to emphasise the connection between transport and the environment—a connection that we made in our period in office and emphasised in the 1996 Green Paper. He is also right to talk about the need for joined-up living, and there is much to be commended in Lord Rogers's recent report on the urban renaissance, as he calls it, especially when it comes to ensuring that we build on brown-field sites. The hon. Member for Manchester, Blackley (Mr. Stringer) mentioned that issue, and we share his concern about protecting the environment and creating the critical mass in urban centres so that transport can be efficient and public transport can work effectively.

I also share the view of the hon. Member for Denton and Reddish that we should consume more local produce, not less. That means, perhaps controversially, challenging the direction in which supermarkets have taken us. I am a strong supporter, for example, of the new farmers' market in my constituency in Colchester. That is the way that consumers, environmentalists and all of us want to go.

The hon. Member for Denton and Reddish was being a little more controversial than he realised when he talked about the need for overall fiscal neutrality in the tax changes on fuel, because that is certainly not his Government's policy. I also agree with him about the need to educate people about safety on our roads, especially the need to cut speed. Enforcement and speed humps are not necessarily the instant answer to every dangerous stretch of road.

The hon. Member for Denton and Reddish is also right in emphasising the need for quality public transport. On buses, it is hard to offer that quality, and tram systems, such as the Manchester metrolink—which was built under the Conservative Government—are the right way forward for public transport. We need a proper commitment to public transport as alternatives to the car. Unfortunately, the report, which was co-authored by the hon. Gentleman, the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) and the rest of the Committee, does not reflect such objectives as dispassionately as they would like.

The report is disappointing. I agree with my hon. Friend the Member for North Wiltshire (Mr. Gray) about the issue of taxation. It is sad that the Government's policies are characterised by their taxing motorists more and more for less and less benefit to the travelling public than we have ever seen before.

The really disappointing feature of the report is that it is stuck in a time warp. It is fighting the battles of the 1980s, which the hon. Member for Crewe and Nantwich should know she lost. She lost the arguments about bus deregulation and competition, and rail privatisation. The evidence shows that transport investment is increasing in the industries privatised by the Conservative Government, which include airlines, airports, buses and coaches, and the railway—investment in which has doubled since it was privatised. Those areas are seeing investment, growth and success and we can look forward to a better future.

Mr. John Cryer (Hornchurch): The hon. Gentleman talked about investment in the railway network. What does he say about the eight railway lines—at least—that face cuts under privatisation?

Mr. Jenkin: I would look at the evidence. Annual investment in the railways has doubled since privatisation. We want that investment to grow, as the railways are not yet good enough. Even Sir Alastair Morton, the rail supremo appointed by the Deputy Prime Minister, has said that it was always going to take 10 years after privatisation to get the railway system working. That view has been endorsed by the Government.

The growth in investment in all the modes of public transport that we privatised contrasts starkly with the catastrophe in the transport system for which the Government are responsible. Investment in the tube system has been slashed, after the Government cancelled the Conservative Government's investment plans. *[Interruption.]* Labour Members may laugh, but I would not be laughing if I were a tube commuter. I seem to have provoked the hon. Member for Eltham (Mr. Efford), so I shall let him have a go at intervening.

Mr. Clive Efford (Eltham): My question is quite simple. Why did the previous Conservative Government cut £320 million from tube investment just before the 1997 election?

Mr. Jenkin: The hon. Gentleman should look at the figures. During the previous Government's last year in office, more than £943 million was invested in the tube. At today's prices, that is equal to more than £1 billion. This Government have halved that investment. The hon. Gentleman may say that the Government inherited the

Conservatives' plans, but our plans were premised on billions of pounds of new investment arising from privatisation. The Government have dithered for more than two years with their dotty public-private partnership. The present shameful closures are a sign that the tube is getting worse under this Government, and if the hon. Gentleman tries to blame it on us he is just shirking his responsibilities.

Mr. Efford: Will the hon. Gentleman give way?

Mr. Jenkin: No. The hon. Gentleman has been squashed, and that is enough of that.

I say to the Minister that we need more investment in public transport. That investment was secured in the industries that we privatised, but the Government's public-private partnership is a fiasco. The Minister should apologise to the people of London, who suffer every day from worsening congestion. *[Interruption.]* I can hardly hear myself think for the Minister shouting hysterically at me from a sedentary position.

Madam Speaker: Order. We want no comments from sedentary positions.

Mr. Jenkin: We want investment in public transport and in alternatives to the car. We want there to be more choice so that there are alternatives to the car. However, the most fundamental problems that the Government have failed to address are traffic growth and congestion on our roads.

It is one thing to plan for alternatives to the car 20 years ahead, and to accomplish all the projects that the previous Conservative Government started. Those strands of thinking are evident in the Government's transport White Paper. It is quite another thing, and absolutely daft, simply to deny that traffic growth exists, slash the roads programme and expect the problem to go away. That is what the Government have done, however. Theirs is the most irresponsible and congestion-generating programme that could be conceived. As an act of deliberate policy, the Government have cut the programme of road improvements that would have relieved the congestion.

As we approach the close of the debate, one figure in the Government's estimates needs to be put in context. The Government—supported by a Select Committee which is, I am sorry to say, more concerned about propping up a failing Deputy Prime Minister and a failing Government with a failed transport policy than with its proper task of scrutinising the Executive—are fond of claiming that they are putting extra money into transport. We are told that the Government are putting an extra £1.8 billion into public transport, but we should examine the figures in the comprehensive spending review. That review shows that public spending on transport last year was £4.7 billion. This year it is £4.6 billion, and next year it will be £4.5 billion. The amount is therefore declining—the Government are cutting public transport investment.

That is the Government's policy. They have not only cancelled private investment schemes for the tube and the national air traffic control system—another scandal of which the Minister is in charge: they are cutting investment in those very transport networks that they claim to favour. They claim that public transport is their great priority, but they are taxing road users more and more. They are planning more and more taxes, so the road user will be fleeced, but less and less will be spent on public transport.

That is the catastrophe that the Government are visiting on the travelling public. The Government know that they should be ashamed of themselves. The Prime Minister knows that he is ashamed of his Deputy Prime Minister.

It is about time that the Minister for Transport, who is to reply, made a constructive contribution to the debate instead of thinking about getting back to Scotland.

9.50 pm

The Minister for Transport (Mrs. Helen Liddell): We heard an interesting comment from the hon. Member for North Essex (Mr. Jenkin) as he concluded. He seems to think that there is something wrong with hon. Members representing and taking an interest in their constituents. I wonder whether some of my colleagues in Essex might care to draw that to the attention of the hon. Gentleman's constituents.

I thank my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) for her helpful contribution at the beginning of the debate and I also thank her co-Chairman, my hon. Friend the Member for Denton and Reddish (Mr. Bennett). The Select Committee has put a considerable amount of work into the report and I commend all members of the Committee for the work that they put in—even those who could only abstain and who could not attend to cast a vote at the appropriate time.

In making that interesting point about the previous Government being on the road to Damascus, my hon. Friend the Member for Crewe and Nantwich missed out some of the U-turns that they have been doing on that road, as we saw today. That fact was very much summed up in the speech by the hon. Member for North Wiltshire (Mr. Gray), who failed to recognise that the quotations that my hon. Friends were using were from the 1996 Conservative Green Paper. He also failed to recall that devolution means that transport is largely a reserved matter—only a few aspects of transport are devolved.

Let us get away from the collective amnesia of the Opposition this evening. Sometimes, I think that they must belong to some obscure cult where a button is pressed and they completely forget their past.

In many of her arguments, my hon. Friend the Member for Crewe and Nantwich underlined the importance that the Government attach to transport, which was sadly neglected by the previous Government. That fact is underlined by the Opposition's statement today. Indeed, they have not explained how they would meet the £10 billion shortfall that has been exposed in their plans today.

Mr. Jenkin *rose—*

Mrs. Liddell: I am sorry, I only have a limited time.

Mr. Jenkin *rose—*

Mrs. Liddell: All right, I cannot resist the hon. Gentleman.

Mr. Jenkin: I am grateful to the right hon. Lady. She has just given the game away. The Government are going

[Mr. Jenkin]

to raise an extra £10 billion from the hard-pressed motorist, over and above what a Conservative Government would endeavour to raise. That is clear blue water between her policy and mine and I am proud of it.

Mrs. Liddell: The hon. Gentleman obviously has a bad attack of collective amnesia again. He is forgetting who introduced the fuel duty escalator.

Under this Government, we have seen 1,000 more train services every day, 16 new train stations, 70 new freight terminals and 1,500 new and enhanced bus services in rural areas. Bus investment is 80 per cent. higher than it was five years ago and rail investment is 33 per cent. higher than two years ago. We have also seen 37 new road schemes—including real bypasses—rather than the fantasy wish list that we got from the previous Government.

Some important points were made during the debate.

Mrs. Lait *rose—*

Mrs. Liddell: I am sorry, but I am under pressure of time and I want to answer some of the questions posed during the debate, so I will not give way.

My hon. Friend the Member for Crewe and Nantwich asked about security and enforcement on the public transport network, which the Government take very seriously. Indeed, we referred to it in our response to the report, both with the secure stations initiatives and also in our desire for much greater interchangeability, co-operation and co-ordination between all modes of transport—that extends to enforcement, too.

We have also issued guidelines for operators about personal security on public transport which offer advice on the role of staff. I am sure that my hon. Friend the Member for Crewe and Nantwich would accept that exact staffing levels are a matter for the individual companies. We are also providing £150 million over three years for closed circuit television and the infrastructure to enable it to operate successfully. This year, we shall commission research into improving personal security at bus stops and bus stations. That is very important to the travelling public, who understandably want a journey that is not only pleasant but safe.

My hon. Friend was very scathing, as she always is, in her remarks about Railtrack. She is aware that the Government share her view and the Committee's caution about Railtrack's 1999 network management statement. She referred to the establishment of the Strategic Rail Authority and the change that it will make to the fragmentation of the railway caused by the haphazard and ill-thought-out privatisation by the previous Government. We already have evidence from the National Audit Office which demonstrates what a giveaway Railtrack privatisation was.

We shall expect the new regulator, which will have new powers, to take appropriate action to ensure that Railtrack complies with all its obligations. That will be a considerable improvement, and we look forward to seeing the shadow Strategic Rail Authority—followed by the actual authority, when it is formally underpinned by statute—being able to implement more significant regulatory powers.

There is a sense of urgency in the Government about transport because it is a quality-of-life issue that affects the vast majority of people in this country. I am glad that my hon. Friend the Member for Crewe and Nantwich is proud of the report; she has every reason to be proud.

Several points have been made by hon. Members on both sides of the House. The hon. Member for Carshalton and Wallington (Mr. Brake) referred to the increase in asthma in the population. I thought it was interesting that the document published by the Conservative party made little reference to the impact on the environment of pollution. Each year, 23,000 people die prematurely from diseases that are directly related to pollution. Is it not interesting that one of the proposals in the Conservative party's document is to remove vehicle excise duty on cars that are more than 25 years old? Those are the very cars that cause the most pollution.

My hon. Friend the Member for Manchester, Blackley (Mr. Stringer) made several points, particularly about the Manchester metro. I am very interested in its development, and I look forward to further proposals for its extension. He also talked about the bus industry. I reiterate how anxious the Government are that there should be quality partnerships, leading to quality contracts that are underpinned to ensure that the general public get the best possible deal from the bus network. As my hon. Friend pointed out, the bus system must not become one that is used only by the poor. It is a key aspect of ensuring that we have an integrated, effective transport policy.

The hon. Member for North Wiltshire seemed, as usual, to be exhibiting his split personality. I was saddened by the snobbishness that he displayed about the Deputy Prime Minister. After all, the hon. Gentleman was a maritime broker who had never been on board a ship. As a son of the manse, it illbefits him to be so snobbish and to espouse the politics of envy, as he has done tonight. He pointedly has not listened to the proposals that the Government are developing.

This has been an interesting debate on a detailed report in response to the integrated transport White Paper. The Government have made a commitment to work in partnership to promote an integrated transport policy. I commend those who took part in the discussions and I look forward to the implementation of that policy by a Government who believe in integrated transport, public transport and a fair deal for the motorist.

It being Ten o' clock, MADAM SPEAKER *proceeded to put forthwith the deferred Questions which she was directed by paragraphs (4) and (5) of Standing Order No. 54 (Consideration of estimates) to put at that hour.*

SUPPLEMENTARY ESTIMATES, 1999-2000

Class I, Vote 4

Resolved,

That a further sum not exceeding £59,500,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges which will come in course of payment during the year ending on 31st March 2000 for expenditure by the Office of Her Majesty's Chief Inspector of Schools in England on administration and inspection, including the inspection of schools and other educational institutions, funded nursery providers and local education authorities.

Class III

Resolved,

That a further revised sum not exceeding £25,917,026,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges which will come in course of payment during the year ending on 31st March 2000 for expenditure by the Department of the Environment, Transport and the Regions.

It being after Ten o'clock, MADAM SPEAKER *proceeded to put forthwith the Question required to be put by Standing Order No. 55 (Questions on voting of estimates, etc.).*

ESTIMATES AND SUPPLEMENTARY ESTIMATES, 1999-2000

Resolved,

That a further sum not exceeding £97,900,070,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges for Defence and Civil Services for the year ending on 31st March 2000, as set out in HC336, 337, 338, 520 and 684.

Ordered,

That a Bill be brought in upon the foregoing resolutions: And that the Chairman of Ways and Means, Mr. Chancellor of the Exchequer, Mr. Alan Milburn, Dawn Primarolo, Mrs. Barbara Roche and Ms Patricia Hewitt do prepare and bring it in.

CONSOLIDATED FUND (APPROPRIATION) (No. 2) BILL

Mrs. Barbara Roche accordingly presented a Bill to apply certain sums out of the Consolidated Fund to the service of the years ending on 31st March 1999 and 2000: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 135.]

FOOD STANDARDS BILL [*Ways and Means*]

Motion made, and Question proposed, pursuant to Standing Order No. 52(1)(b),

That, for the purposes of any Act resulting from the Food Standards Bill, it is expedient to authorise the payment of sums into the Consolidated Fund.—[*Mr. Betts.*]

10.2 pm

Mr. James Paice (South–East Cambridgeshire): I am sorry that the Government chose to move the motion formally.

The Minister of State, Ministry of Agriculture, Fisheries and Food has kindly written to me and the rest of the members of the Committee considering the Food Standards Bill to explain a series of amendments and a new clause that he has tabled, and which have given rise to the need for this Ways and Means motion.

I hope that the Minister will tell us some of the reasons why we are facing such a shambles in the financial aspects of the Bill. We are talking about very large sums of money—close to £300 million. Most of it, we have always been told, was to be met by the taxpayer. The £90 per business levy was to raise £41 million. We have said before and we say again that we very much welcome the Government's back-down as a result of the widespread anger at the imposition of that charge. The Minister and the Department have had to eat humble pie.

On 22 April, the Minister said:

"We seek an accommodation and a method of charging that is seen to be fair and acceptable to the industry and to the wider public . . . some new money must be raised, otherwise there will be no Food Standards Agency. The question is how we collect that extra money"—[*Official Report*, 22 April 1999; Vol. 329, c. 1037-38.]

On 20 May, he said:

"Unless the levy raises some £40 million we will not have a Food Standards Agency. Therefore, we have to raise that sum".—[*Official Report*, 20 May 1999; Vol. 331, c. 1206.]

We have seen how the Government have had to back down—they are not raising that money, they are taking it, too, from central public expenditure. Of course, that was not the first time the Minister has found that speaking straight, for which he is renowned and for which we normally show our appreciation, causes him some difficulty.

After Second Reading, there was a money resolution. Now that the Bill has been in Committee for two weeks, the Minister proposes to remove an entire clause that deals with the financial basis of the Bill and to replace it with another, which has given rise to the need for this motion.

The justification for that shambles, given in the letter that the Minister has sent to the Committee, is:

"we are entering into new territory post-devolution".

Well, any witness to the Committee's proceedings will understand that. There is total and absolute confusion over the impact of devolution on the Food Standards Agency relating to the issues of accountability, advice and ministerial power.

However, devolution was legislated for a year ago. The White Paper was produced about 18 months ago. The draft Bill appeared six months ago, yet now, near the end of the Committee's consideration of the Bill, we are being asked to pass a Ways and Means resolution to sort out yet another bit of shambles because a few weeks ago, when the Government introduced the Bill, they could not sort out what the financial implications of devolution were going to be.

Now we are told in the Minister's letter to us all—an amazing couple of sentences—that part of the amended provisions

"does not however require"

the devolved Administrations

"to pay money to the Agency . . . though if they fail to pay an appropriate share, there are arrangements in the devolution Acts whereby the Treasury could recover money from them to make up the short-fall."

Advocates of devolution and those who believe, for example, that the powers of the Food Standards Agency in Scotland now fall to the Scottish Parliament would be very surprised to read that they are going to pay for the agency, like it or not.

Before the Opposition help the Minister out of his muddle, I hope that he can give us some answers. It appears from his letter to us that the Scottish, Welsh and national insurance moneys will effectively be top-sliced off the amount of money going to those authorities. That is the opposite of devolution. But if that is the case, what will happen about England? How much money will come from England and how much will come from Scotland, from Wales and from Northern Ireland? Will the amount of money that each pays be calculated on a per capita basis? If not, how does the Minister justify any alternative approach to dividing the money?

Where is the English money coming from—not just the large sum that is already allowed for in public expenditure, but the extra £41 million that was due to come from the levy? What will be the impact on the planned spending limits for the Ministry of Agriculture, Fisheries and Food and the Department of Health? Now that the agency is to be funded directly from the Treasury, can the Minister assure the House that neither MAFF nor the Department of Health is to have its plans cut in order to find the money? Do the £1.207 billion allocated to MAFF next year and the £43.271 billion allocated to health still stand? Or are we going to find those sums cut in order to pay that money? How many of our hospitals may go unbuilt or how many operations may not be carried out in order to find that money? The House deserves to know where the Government are finding that money.

We already know that ministerial largesse—or, indeed, extravagance—means that cuts will be made elsewhere. Very recently, the ever rising cost of the BSE inquiry led to cuts in research and the grants to various aspects of the fishing industry.

Equally, the Minister should explain what the impact would be if Scotland decided to go it alone. He has told us in Committee that the Scots and the Welsh have debated the matter and accepted that the agency is to be a UK-wide agency. That is fine. But part of devolution means that—as I am sure the Minister will accept—they could decide to change their mind at some stage. When they took those decisions recently, were they told what the cost to them would be? If they were, why is not the House being told? Will we be told tonight?

If the Scots and the Welsh change their mind, what will happen about the money? If Scotland, for example, decides to take back all the devolved powers relating to

food safety and food standards, will it automatically be reimbursed the money that it would have paid? If it is not being charged on a per capita basis, does that mean that England will be left carrying a bigger share, or perhaps a lesser share?

The Minister has so far avoided answering a series of questions, partly by trying to get the motion through on the nod. These are important questions to which the House deserves answers. I hope that this evening the Minister will take the opportunity to give us accurate answers to all the points that I have raised. We shall feel able to support the Government only if that is what happens.

10.10 pm

Mr. James Gray (North Wiltshire): Like my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice), I have real concerns about the Bill's financial implications. It is right that we should have the opportunity this evening of scrutinising what the Government have done.

We join the Government in welcoming both the Food Standards Agency in itself and the principle that lies behind it. We believe that it is right that its main objective should be protecting the public from food risks. However, the initial decision to impose a flat-rate charge to fund the agency was ridiculous. It is only right that it should have been dropped, thanks, to a large degree, to pressure from the Opposition. The thought that small shops should be penalised for the hefty annual levy was unsustainable. I am amazed that the Government came up with the notion in the first place, and I am delighted that they have been persuaded to drop it.

We were to have an agency that would be part funded by the very people on whom the agency might later pass judgment. That would have undermined its integrity. I congratulate my Front-Bench colleagues on having pointed out the difficulties. They initiated a petition, raised a popular move against that way of funding the agency, and persuaded the Government to fund it out of taxation.

Despite the removal of the fundamental problem with the way the agency was to be funded, I have three fundamental concerns about the financial aspects of the agency. There may be—I use "may" carefully—a worrying conflict when it comes to the funding of the Labour party by sectors within the food and drink industry. After all, the agency will regulate those very sectors, and the people within them may be making substantial contributions to the Government party.

When the Minister replies, I hope that she will tell us whether some sort of register of interests will be set up for the FSA, declaring who is making contributions to the Labour party among those whom it is attempting to regulate—

Madam Speaker: Order. The hon. Gentleman is straying a long way from the motion. His remarks are interesting, but I would be grateful if he would confine himself to the motion.

Mr. Gray: I shall do so, Madam Speaker.

Madam Speaker: I am sure that the hon. Gentleman will. I am following his remarks very carefully. I have allowed him a great deal of latitude but he must now contain himself.

Mr. Gray: I am grateful to you, Madam Speaker, for your latitude. There were important points to make, but I accept what you have said.

The most fundamental and central worry about the financial aspects of the Bill concerns devolution. If the Scots want to run their own food policy, fine. It is up to them. However, surely it is only right that they should pay for it. Why should English taxpayers subsidise a Scottish Parliament that is able to alter the advice of the Food Standards Agency? Visitors to Scotland will potentially be eating food that has not been prepared in the same way or to the same high standard as food that they would expect to eat south of the border—I am not referring only to haggis.

We are all well aware of the Scottish Parliament's tax-raising powers. If the Government are to insist on devolution when it comes to FSA advice, and if it is right that the Scottish Parliament should be given the right to ignore and breach the principle of the agency's being a UK body, let the Scottish Parliament raise its own funds to pay for that Scottish advice.

As so often when it comes to devolution, the Government's approach is entirely inconsistent. It is extraordinary that they are proposing to set up advisory committees for Wales, for Scotland and for Northern Ireland, but not for England. That is odd. The Linlithgow question raises its ugly head time and time again when it comes to devolution. Here we have it with the Food Standards Agency. Why should there be advisory committees for the three other nations but not one for England? If the Food Standards Agency is to be set up simply as an advisory committee for England, the Minister must say so tonight and end the pretence that there is to be a single UK body.

Why should the English taxpayer be expected to foot the bill for setting up all those committees, when none of them will be accountable to this Parliament? Why should my constituents in North Wiltshire pay for the Scottish advisory committee, when that committee will not be accountable to them through me, their representative in Parliament, or my fellow English Members of Parliament?

If we are to have an annual debate in Parliament on the annual report of the Food Standards Agency, who will answer for the Government and who will be responsible for the agency as a nationwide body? No one. The Minister will be able to answer only for the agency and its work in England. There is a substantial anomaly which I hope that the Minister will deal with when he winds up the debate.

My third concern about the agency serves as a word of warning for business in a wider sense. The Institute of Directors reported today that the Government have already cost British businesses at least £5 billion. Although I welcome the fact that the agency will be funded out of general taxation, I hope that the Chancellor will not be able to change his mind about that in future. It is important that the Minister should confirm that the method of funding the agency is now set in stone, and that at no stage in the future may the Chancellor once again introduce a levy on business. Furthermore, I hope that the Food Standards Agency will not go on to increase costs unreasonably for those involved in food production, on whom there is already a heavy burden.

The Government's natural inclination seems to be to introduce taxes by stealth. I am glad that we persuaded them to drop the stealth tax on corner shops and food retailers. None the less, the Bill has many financial implications that worry the Opposition considerably.

10.17 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): I support the questions posed by my hon. Friends the Members for South–East Cambridgeshire (Mr. Paice) and for North Wiltshire (Mr. Gray).

The resolution before the House is somewhat unexpected. On 21 June, the House passed a money resolution couched in the ordinary terms, which provided the necessary parliamentary cover for the expenditure incurred by the agency under the Bill, should it be enacted, and also provided cover for expenditure incurred by Ministers under the Bill, should it be enacted. Now we face a Ways and Means resolution which provides for the cover necessary to pay money into the Consolidated Fund.

Therefore, my first question to the Minister is why, at this late stage of the Bill's passage through the House, it is necessary for the House to be asked to pass a Ways and Means resolution, when apparently it was not necessary to pass a Ways and Means resolution at the time of or before the money resolution. The relationship between the money resolution and the Ways and Means resolution needs to be clarified. Why are we being asked to pass a Ways and Means resolution tonight?

I understand, because of course I had consultations before the debate, that this has something to do with new clause 8. All right. I have read new clause 8. The House will expect the Minister to tell us why new clause 8 is triggering a Ways and Means resolution. What is it about new clause 8 that triggers a Ways and Means resolution? I do not understand.

I shall be interested to know, too, why late in the day and in Committee, new clause 8 was tabled when, so far as I can see, there was a perfectly serviceable clause 39. One of the questions that we expect the Minister to answer is why new clause 8 has been tabled now, when we had a perfectly serviceable clause 39, which has been taken out of the Bill. Why?

That leads us to the question set out by my hon. Friend the Member for South–East Cambridgeshire regarding money. We have asked why; now I want to ask where the money is coming from and how much.

Where is the money coming from? I expect the Minister to tell the House in detail and in respect of each head of expenditure—to which, Madam Speaker, I shall come in a moment—whether it is additional money or existing money within programmes that is being transferred over. If the latter, am I right in supposing that there will be a public expenditure survey transfer? The House is entitled to an answer on that matter.

Critical to all that—a point that was made by my hon. Friends the Members for South–East Cambridgeshire and for North Wiltshire—is how much money is involved. A useful guide to that difficult calculation is to be found in the speech made by the Minister of Agriculture, Fisheries and Food on 21 June. At that stage, he itemised the agency's functions and I have nothing against them. I would have skinned the cat in a slightly different way, but I am perfectly willing to accept that he has a perfectly good case in favour of the Food Standards Agency.

I have nothing against the agency, but I should like to know how much each of its functions will cost. That is pure curiosity—parliamentary control, it is called—but when I read *Hansard* I find no estimate of any kind of how much it will cost. That is lamentable. Indeed, the money resolution was taken on the nod, without Ministers vouchsafing an assessment of cost, so this is the opportunity for those on the Treasury Bench to tell us how much. I recommend the Minister to follow me as we go through the functions, because each head of expenditure deserves to be separately costed.

In the third paragraph of column 787, we find the Minister setting out the appointments, the creation of the board, the payment of board members and the necessary infrastructure. How much will that cost, pray? Is new money involved or will the money come from an existing programme? Will there be a PES transfer? At the bottom of column 787 one finds the bald statement:

"The agency's functions lie at the core of the Bill."

Indeed they do. We find that those

"functions will include drafting and making recommendations on legislation, negotiating in the European Union and internationally on behalf of Ministers"

and so forth. How much will that cost, please? Will the money come from the existing programme or not?

At the bottom of column 788, the Minister said:

"The agency will provide effective advice to those who prepare and sell food."

I am jolly glad that the advice will be effective rather than ineffective, but we are entitled to know how much that will cost and whether the money will come from the existing programme spend or not. In column 789, he said:

"The FSA is an enforcing agency".

That is normally a fairly expensive business and we want to know how much that enforcement will cost. I imagine that the cost will be fairly considerable, or the thing is not worth doing in the first place. How much money is involved and where will it come from? The House is entitled to know.

Half way down column 790, I find that the

"entire Meat Hygiene Service is being transferred to the agency."

That will be a whacking great cost—how much? Where will the money come from? Will there be a PES transfer? At the top of column 791, I find that the Minister said that he wanted to

"draw attention to the significant budget that the agency will have for commissioning and carrying out its own research and surveillance."

That was very good of him, but he did not quantify the budget or tell us how much it was. He merely said that the agency will have a budget. I should like to know how much it will be. I find in column 792 that the Bill

"provides for the agency to operate throughout the food chain"

and that it will

"have an input into other farm-related decisions that affect food safety."—[*Official Report*, 21 June 1999; Vol. 333, c. 787-92.]

That sounds pretty expensive to me. Again, we are entitled to know how much.

I am pleased to let the Minister off the hook at this point. I understand that the Bill provides the basis for the agency to publish its advice and information to Ministers, and so forth.

Mr. Christopher Gill (Ludlow): Given my right hon. and learned Friend's experience of procedure in the House, will he tell the House whether it is normal to table a Ways and Means motion in respect of a new clause that has not even been put to the relevant Committee?

I understand that the new clause was tabled on Friday and the Committee will have its first opportunity to debate it tomorrow.

Mr. Hogg: To be fair to the Government, if it were necessary for them to table new clause 8, and if it is fundamentally different from clause 39, in all probability it is necessary, in procedural terms, to come forward with a Ways and Means motion—otherwise, to be honest, they would not be doing so.

The central question is, why have the Government got themselves into such a mess in the first place? What is it about new clause 8 that is so successful and attractive that clause 39 becomes irrelevant and should be disposed of? That is the key question, which we want the Minister to answer.

I am conscious that you, Madam Speaker, would not want me to rabbit on at this late hour and that many other hon. Members want to speak. It is very important that the Minister gives us a comprehensive answer and we look forward to hearing what he has to say.

10.27 pm

Dr. Peter Brand (Isle of Wight): I do not want to prolong this debate, because it is getting late.

Dr. Julian Lewis (New Forest, East): We have all night.

Dr. Brand: The hon. Gentleman may have all night.

It is important to put on record that the Liberal Democrats support the Food Standards Agency, which is being set up to protect the public. The public have the right to have the agency funded out of public funds rather than, as has been suggested, by a levy. I am pleased that the Government have got into a bit of a muddle and that this has not all been pre-scripted, because it shows that there has been some flexibility on their part and that they have listened to some of the points that have been made, not only in the Chamber, but in Committee.

If we want the agency to be successful—if anything, I am worried that it is underfunded, rather than overfunded—we must vote the means for it. We shall therefore support the ways and means motion.

10.28 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): In the time available, I shall do my best to answer some of the questions that have been asked. However, virtually all the questions asked by the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) are, as he well knows, answered by documents available from the Vote Office and have been no secret whatever. To take his point about research, the figure has not changed since we published the White Paper in January 1998. It is approximately £25 million. It is not new money, it is the existing spend transferred to the agency. Indeed, that is the case with most of the money involved.

I want to put on the record, for hon. Members who are naturally suspicious of the Government, that this is not a back-door method of raising new money. It is not even a front-door method, because it is not new money. Neither is it in any way, shape or form a system for raising a new charge or a levy in disguise. The Ways and Means motion is purely a technical requirement, arising out of the amendment to the Bill. I shall explain why the amendment is required.

We must ensure that the financial provisions in the Bill correctly reflect the post-devolution position, which was not possible to plan and forecast. Thus the amendment does nothing new to the Bill. It does not change the policy, which we set out after several rounds of consultation. It introduces no new charges or new powers to charge. That is clearly and specifically spelt out. It puts right some technicalities, which were not quite right in the Bill simply because of the new devolution arrangements.

We made it clear in the White Paper from the outset that we wanted the Food Standards Agency to be a United Kingdom body in a devolved context. That makes sense, because it is clearly better, more efficient and in the interests of consumers and business to have consistent advice on food safety and standards across the UK. Food safety is a devolved matter: the House decided that when it agreed to devolution last year. We built into the Bill the necessary arrangements for ensuring that the agency will be accountable to the devolved authorities in Scotland, Wales and Northern Ireland, and to the UK Government and this Parliament, while remaining a UK body.

We have made no secret of the fact that the devolved authorities will retain their freedom to legislate differently if they wish. It is ultimately for them to decide, according to local circumstances. They will all obtain advice from a common source: the agency. The agency will be the shared responsibility of the four devolved authorities and the House. That policy was endorsed by the new Scottish Parliament, to the best of my knowledge with the votes and support of its Conservative Members.

Mr. Eric Forth (Bromley and Chislehurst): So what?

Mr. Rooker: I am merely making the point. It was also endorsed by the National Assembly for Wales.

Mr. Paice: Will the hon. Gentleman give way?

Mr. Rooker: No, I shall not give way because I want to get this on the record.

Members of the Scottish Parliament and the National Assembly for Wales recognise the advantages of proceeding on a common basis. It is ironic that the first decision of the Welsh Assembly and the Scottish Parliament was to create a UK body. They did so freely, knowing the circumstances and recognising the positive advantages. However, we do not take their continued participation for granted, so there are provisions in the Bill to deal with the consequences should either Scotland or Northern Ireland decide in future to exercise their legal right to withdraw and have separate arrangements. I do not think that that is likely. We have established excellent working relations, and they are a model of how we should continue with our common interests under devolution.

[Mr. Rooker]

We must recognise the fact that we have a devolved system of government. We need to ensure that the financial arrangements for a UK body in a devolved area work properly. That is the reason for the amendment, which is the subject of the motion.

Mr. Paice *rose—*

Mr. Hogg *rose—*

Mr. Rooker: I shall give way to the hon. Member for South–East Cambridgeshire (Mr. Paice) in a moment.

It is proposed that the agency will be funded not only by moneys voted by Parliament, but by moneys provided by the Scottish Parliament and the Northern Ireland Assembly, when or if it takes its powers, and granted by the National Assembly for Wales. That is only right and proper, as this is a devolved matter and there must be local accountability. In practice, the costs of the agency's main headquarters in London and its activities in England will be met by money provided by Parliament, and the cost of its executive bodies in Scotland, Wales and Northern Ireland and of activities carried out on the ground in those parts of the UK will, generally speaking, be funded by those devolved authorities.

There will be separate votes before the Scottish Parliament and the Northern Ireland Assembly, and grant aid from the National Assembly for Wales. There will be a separate vote in this Parliament, because as a non-ministerial Department it will have its own vote. No one will be able to claim to have been short-changed by any present or future Secretary of State for Health: everyone will know exactly what the vote is.

The agency must be able to account separately to those bodies. This is a new and unusual arrangement. We are in the early days of devolution, and this is the first time that a UK body has been set up to deal with a devolved matter. The traditional financial provisions that we are used to seeing in Bills do not deal with the interests of other legislatures when Parliament legislates on an area for which policy responsibility is devolved. We have had to be careful to ensure that all the elements of the picture fit together. It has taken a certain amount of head scratching. The Bill has been examined to see whether we need a Ways and Means motion and whether payments should go into the Consolidated Fund.

Parliamentary draftsmen and others, along with various bodies, have tried to produce legislation that is workable and practical, while also drawing clear lines of accountability in regard to the flow of money. That is why we wish to remove clause 39, and have tabled an amendment.

The amendment to the financial provisions includes the traditional provision to authorise payments by Parliament, but also expressly provides for sums to be paid by the National Assembly for Wales, from the Scottish Consolidated Fund, or by the Northern Ireland Assembly. That was implicit in our original proposal; it is now explicit, and it could be said that it is because of the explicit nature of the reference to the Consolidated Fund that this motion is required.

Mr. Paice: I thank the Minister for his helpful explanation. It is a pity that the Government have sought to avoid giving such explanations.

If I understood him rightly, the Minister said that the headquarters would be paid for from the vote in this Parliament. The headquarters, however, will affect the whole agency, not just the bit in England. Am I right in concluding that the other authorities will not bear their share of the cost?

The Minister has explained that there will be separate votes by different authorities. Can he put some figures on that, and tell us how much is likely to be voted for the first year by the House of Commons, the Scottish Parliament, the Welsh Assembly and the Northern Ireland Assembly? The Minister referred to the decision to make the agency a UK body. Did the votes in those authorities take place in the absence of any knowledge of what the costs would be?

Mr. Rooker: We do not have the agency now. It will effectively be operated by two Departments—mainly by the Ministry of Agriculture, Fisheries and Food, but with a substantial input from the Department of Health.

When MAFF is in the lead on a GB-wide issue—at present, I say GB rather than UK—MAFF will pay. There will be no flow of money across the borders. In other cases, decisions will be taken separately in Scotland. It is a question of splitting up some of the areas of responsibility and policy initiative that are currently on a GB basis, so that they can be put together on a UK basis in a devolved area, and, when the appropriate time comes, Scotland, Wales and Northern Ireland can see what is happening to the money.

The hon. Member for South–East Cambridgeshire asked about the headquarters. The money for the UK headquarters, and for activities in England, will come from the vote in the House of Commons. That does not mean that—in the rather juvenile words of an Opposition Member—the English are paying for the Scots' work. Let us raise the debate to a more adult level. There must be practical considerations, because there is only one central headquarters. That is stated in the White Paper. The Philip James report, on which the whole edifice is constructed, suggested that the national headquarters should be here in central London so that the agency was not marginalised from the rest of Whitehall. Moreover, agency staff will be responsible for negotiations in Brussels, drafting legislation and other such matters.

The vote will be split up, but it will be done in the way that I have described. The work in England, in the national headquarters, will be paid for from the vote in this Parliament, while the work in other areas will be paid for from the votes of the bodies involved. It is important for there to be a degree of accountability.

The arrangement must deal with the receipts of the agency, which is why the motion is required. The agency is likely to have two types of receipt. It will have the statutory receipts from any charges made under existing legislation—no new charges—of which receipts from the Meat Hygiene Service will be the major component, because it will be a sub-agency of the Food Standards Agency. However, the agency may have other minor receipts from fees for its services—the copying of documents and, occasionally, consultancy fees for giving information to certain bodies, as arranged in one of the clauses. Those minor receipts could be other income that it receives as a result of exploiting intellectual property rights.

Under existing legislation, those receipts would normally be paid into the Consolidated Fund. There is no need for the Bill to say that explicitly, but, as some of the agency's expenditure is to be met by the devolved authorities in the way that I have explained, there has to be provision for receipts to be paid to them as appropriate.

In the case of the non-statutory receipts—intellectual property rights, fees for consultancy or copying of documents—the Bill will provide a mechanism for the Treasury, acting jointly with the devolved authorities, to determine whether sums should be paid into the Consolidated Fund, the Scottish Consolidated Fund, the Consolidated Fund of Northern Ireland or, indeed, to the National Assembly for Wales.

For the avoidance of doubt, before anyone says, "Where is the English Consolidated Fund?", I specifically listed the Consolidated Fund, which we all know and love so well—that is, this one—the Scottish Consolidated Fund, the Consolidated Fund of Northern Ireland and the National Assembly for Wales. The statement in the amendment that sums are to be paid into the Consolidated Fund means that the motion is necessary, even though, in practice, it does not alter what would happen under the Bill as presently drafted. The same arrangements will take place. It is simply because of the declaration and the reference to the Consolidated Fund that we need the motion.

Mr. Gill: What we have just heard amounts to a reason why the Ways and Means motion has been introduced, but it does not amount to an excuse for the Government having failed to anticipate that complications would arise from devolution, which they might have thought about.

The Minister has been keen that the Bill should reach the statute book. It has been his baby. I am amazed—I think that the whole House is—that he has not delayed a little longer to get it right, rather than come back in the middle of the Committee stage with such a motion for the reason that he has given, which, I repeat, is not an excuse for the Government having got themselves into such a mess. Before he responds to that question, may I remind him that he has not yet answered the questions from several of my colleagues about the actual costs of the Bill?

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. With so little time left, that was far too long an intervention.

Mr. Rooker: We made it clear in the White Paper published in January 1998, in the draft Bill and in notes on clauses in January 1999—it was explicitly pointed out in the draft Bill and notes on clauses, which were scrutinised by a Special Select Committee—that the arrangements for devolution were not clear and could not be clear until much later, because the timetable had changed.

When the White Paper was drafted and published in January 1998, there was an expectation that we would be able to introduce the Bill for draft consideration last summer. That did not prove possible. In the meantime, the elections to the Scottish Parliament and Welsh Assembly came and went and the bodies have been legitimately set up, so the action is right. We knew that there would be changes.

If hon. Members think that it is the last time that a Bill will come to the House that needs tweaking in Committee—which is what I thought the Committee stage was all about—to get it right and to take account of the new arrangements for devolution, they are living in cloud cuckoo land. It was the first occasion. There are bound to be many others, but that is the whole point of the exercise: to get it right in Committee and on Report, so that we do not give all the barristers and slick lawyers, who occasionally parade as hon. Members, the chance to earn a shilling or two.

I emphasise again that the amendment does not change anything in practice. There is no question of it providing any new way of raising any new money. I have said that several times, so it cannot be misrepeated or misquoted either in Committee in the morning or in any of the Sunday journals that follow our proceedings so closely. The amendment will simply make technical changes that are necessary not only to uphold in legislation the traditions of the House, but—although some hon. Members may not like it—to adapt to the new requirements of operating in a devolved context, which is what we must do.

As for demands for information on costs, charges and new money, with all due respect I say that the debate on this motion is not the appropriate time to debate those issues. All the figures were given in the consultation paper on the levy proposal—which we have dropped. Although there is still a need for new money, it will come from the Government. We shall not rob the Ministry of Agriculture, Fisheries and Food for the money—it does not have any money anyway. The decision was taken that central Government would provide the extra money.

All the moneys, other than that extra money, will be provided for in current central Government public expenditure. However, as I have tried to explain, in relation to MAFF and the Department of Health that money is sometimes expressed as Great Britain money, which—in the context of devolution, as a national United Kingdom agency will be working in a devolved sphere—must be identified.

In the morning, I shall do my best to explain to Committee members the amendment that has given rise to the motion. I invite hon. Members who are not Committee members to come to tomorrow's sitting and sit in the Public so that they might be better educated on the matter.

Question put:—

The House divided: Ayes 223, Noes 2.

Division No. 232] **[10.46 pm**

AYES

Ainger, Nick	Benn, Rt Hon Tony *(Chesterfield)*
Alexander, Douglas	Bennett, Andrew F
Allen, Graham	Benton, Joe
Atkins, Charlotte	Bermingham, Gerald
Austin, John	Best, Harold
Barnes, Harry	Blackman, Liz
Barron, Kevin	Blizzard, Bob
Battle, John	Boateng, Paul
Bayley, Hugh	Bradley, Keith *(Withington)*
Beckett, Rt Hon Mrs Margaret	Bradley, Peter *(The Wrekin)*
Begg, Miss Anne	Brand, Dr Peter
Benn, Hilary *(Leeds C)*	Brinton, Mrs Helen

Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Davey, Valerie *(Bristol W)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Eliman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Flint, Caroline
Flynn, Paul
Foulkes, George
Fyfe, Maria
Gardiner, Barry
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Godman, Dr Norman A
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Liddell, Rt Hon Mrs Helen
Llwyd, Elfyn
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
McWalter, Tony
McWilliam, John
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
Olner, Bill
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Jeff
Roy, Frank
Ruane, Chris
Ruddock, Joan
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stevenson, George
Stewart, David *(Inverness E)*
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Walley, Ms Joan
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Robert Ainsworth.

NOES

Swayne, Desmond
Winterton, Nicholas *(Macclesfield)*

Tellers for the Noes:
Mr. Douglas Hogg and
Mr. Christopher Gill.

Question accordingly agreed to.

Resolved,

That, for the purposes of any Act resulting from the Food Standards Bill, it is expedient to authorise the payment of sums into the Consolidated Fund

NORTHERN IRELAND BILL

Ordered,

That, in respect of the Northern Ireland Bill, notices of Amendments, new Clauses and new Schedules to be moved in Committee may be accepted by the Clerks at the Table before the Bill has been read a second time.—*[Mr. Mike Hall.]*

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Thursday 15th July,

(1) any Message received from the Lords relating to the Northern Ireland Bill may be considered, though opposed, at any hour; and

(2) the House shall not adjourn until the Speaker shall have reported the Royal Assent to any Act agreed upon by both Houses.—*[Mr. Mike Hall.]*

Ordered,

That, at the sitting on Friday 16th July, proceedings on the Motion for the adjournment of the House in the name of the Prime Minister may continue for up to five hours and may be proceeded with, though opposed, after half-past Two o'clock, and in calculating that period of five hours, the time taken by any interruption of the proceedings under paragraph 4 of Standing Order No. 11 (Friday sittings) shall be disregarded.—*[Mr. Mike Hall.]*

DELEGATED LEGISLATION

Motion made, and Question proposed,

FOOD SAFETY

That the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Amendment (No. 2) Regulations 1999 (S.I., 1999, No. 1585) be referred to a Standing Committee on Delegated Legislation.

Hon. Members: Object.

Motion made, and Question proposed,

NATIONAL HEALTH SERVICE

That the National Health Service (General Medical Services) Amendment (No. 2) Regulations 1999 (S.I., 1999, No. 1627) be referred to a Standing Committee on Delegated Legislation.

Hon. Members: Object.

Motion made, and Question proposed,

That the National Health Service (General Medical Services) (Scotland) Amendment (No. 3) Regulations 1999 (S.I., 1999, No. 1620) be referred to a Standing Committee on Delegated Legislation.

Hon. Members: Object.

PETITION

Medicines Control Agency

10.57 pm

Mr. Eric Illsley (Barnsley, Central): It is my pleasure to present a petition organised by Consumers for Health Choice, the Health Food Manufacturers Association, the National Association of Health Stores and others. The petitioners are constituents of mine who attended Holland and Barrett health food shops.

The petition declares:

Government proposals would give the Medicines Control Agency virtually unlimited powers to classify safe products as medicines. This would mean that the Medicines Control Agency could remove at a stroke products that are vital to the good health of many consumers and are currently sold under food law. This is an abuse of the democratic process and a denial of freedom of choice.

The petitioners therefore request that the House of Commons urge the Department of Health to reconsider its proposals and to introduce an immediate moratorium preventing the Medicines Control Agency from declaring these safe products to be medicines except on the grounds of illegal claims or safety, and, further, to introduce new legislation appropriate to the special needs of safe, natural health products.

And the Petitioners remain, etc.

To lie upon the Table.

Student Unions

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

10.59 pm

Dr. Julian Lewis (New Forest, East): I am grateful for the support of my honourable—my very honourable—Friends the Members for Ludlow (Mr. Gill), for Buckingham (Mr. Bercow), for New Forest, West (Mr. Swayne) and for South Cambridgeshire (Mr. Lansley). I am delighted to see that this important debate has attracted the attendance of some Government Back Benchers, too.

As I have already advised the Minister's office, I want to talk about three topics. The first is the way in which student union officers should be democratically elected and, if appropriate, removed from office. The second is the way in which independent assessors should be appointed to investigate grievances against student unions by their members and should conduct themselves with regard to the complainant, the union and the university. The third is the method by which failures by student unions to observe the law, or by the university to see to it that they do, can be challenged successfully by students themselves.

In that connection, I thank the Clerks of the Table Office, who have guided me through a difficult constitutional problem in bringing this debate before the House. I fully acknowledge—as they have pointed out—that the Minister does not have responsibility for the way in which individual universities have chosen to apply or failed to apply the legislation. I shall look to him tonight merely to comment on the lessons that are illustrated by the case that I propose to examine, rather than the merits of that case itself.

It would be helpful to the House if I briefly select from the Education Act 1994 the most relevant provisions dealing with democracy in student unions. Section 22(1) states:

"The governing body of every establishment to which this Part applies shall take such steps as are reasonably practicable to secure that any students' union for students at the establishment operates in a fair and democratic manner".

Section 22(2)(d) states:

"appointment to major union offices should be by election in a secret ballot in which all members are entitled to vote".

The section obviously refers to the concept of a cross-campus ballot, as opposed to the open meeting with votes taken on a show of hands.

Section 22(2)(e) states that

"the governing body should satisfy themselves that the elections are fairly and properly conducted".

Section 22(2)(m) states:

"there should be a complaints procedure available to all students or groups of students who . . . are dissatisfied in their dealings with the union . . . which should include provision for an independent person appointed by the governing body to investigate and report on complaints".

Section 22(2)(n) states:

"complaints should be dealt with promptly and fairly and where a complaint is upheld there should be an effective remedy."

That legislation, introduced after much nagging of the previous Government, is good legislation as far as it goes, but the case I am about to outline of the experiences of Miss Margaret Whelan—who became for a brief period president of the student union at Oxford Brookes university, which is the former Oxford polytechnic—may bring to the Minister's attention doubts that I have about whether it is adequate.

When I have finished recounting Miss Whelan's experience to the House, I shall look to the Minister for answers to five points. First, do the Government support, and intend to retain, the legislation relating to democracy in student unions? Secondly, if so, do they agree that the existing legislation rules out the removal of a student union president who has been elected by a full cross-campus ballot by means of overturning the result on a show of hands at an open meeting? That is what happened in Miss Whelan's case. Thirdly, if the Government feel that the existing legislation does not rule that out, do they agree that that loophole should be closed by amending the Education Act 1994? Fourthly, do the Government agree that the findings of the so-called independent person—the external person to whom, in the final analysis, the student can appeal, as laid down in the Act—should be subject to rejection by the university if it does not like the findings, or is the Government's understanding that the Act means that the verdict of the independent person should be final?

Finally, and perhaps most importantly, what suggestions can the Government make for sanctions to be taken against a university that has failed to ensure that the student union has conducted itself in accordance with the provisions of the Act, or for sanctions that the aggrieved student can take against the union if it is in breach of the provisions of the Act? I am conscious that we are talking about young people with few resources, if any, who seldom are able to go to law but who have to take on large, entrenched interests. In contrast, the student unions have significant sums of public money at their disposal with which to fight their battles.

I believe that the provisions of the 1994 Act will remain a dead letter unless students are empowered to enforce them. That might be accomplished by means of a special legal aid provision, where a prima facie case of abuse can be shown to exist. Those are the points to which I look to the Minister to reply.

I turn now to the events at Oxford Brookes university, starting in 1994 when the Act was published. Things began rather well, in fact. The university's deputy vice-chancellor in charge of corporate services, Mr. Brian Summers, prepared a memorandum for the university's board of governors. The memorandum is entitled "Education Act 1994—Students' Unions". It was dated 22 November 1994, and given the reference BG94/101.

The memorandum showed that the board of governors was fully aware—right from the start—of the new obligations in respect of student unions placed upon it by the Act. In particular, paragraph 2 noted:

"The first part of the Act requires the Governing Body to take such steps as are reasonably practicable to secure that the Students' Union operates in a fair and democratic manner."

With regard to the 1994 Act's requirement that the governing body should satisfy itself that the elections are "fairly and properly conducted", the memorandum made the following crucial admission:

"The rules for the elections, which are a schedule to the existing constitution, are comprehensive and fair. However, the results of an election can be overturned by a general meeting of the Students' Union (which might only involve 200 members) and from the point of view of the Board's duties and responsibilities"—

that means, under the new Act—

"this may not be satisfactory."

That is precisely what happened in the case of Margaret Whelan. As for the requirement for a prompt and fair complaints procedure leading to an effective remedy, paragraph 3 of the memorandum, in sub-paragraphs (m) and (n), recommended that complaints should first be made by reference to the president of the student union. The complainant, if dissatisfied, would then be referred to a panel of three staff members appointed by the university's vice-chancellor. Finally, the chairman of the board of governors would, if requested by the complainant, appoint an

"independent person . . . to conduct an inquiry. The person will not be a current student or member of staff with the University, a Governor or other office holder or agent of the University and will be appropriately skilled to deal with complex complaints."

The provisions made it clear that Oxford Brookes university was aware of the need to ensure that any independent person appointed to hold an inquiry into the way in which the university had dealt with a complaint must be untainted by any special motivation to assist the university to avoid the embarrassment of having its handling of that complaint criticised. In other words, the complainant should be able to have confidence that, if the independent person found that the complainant had been denied justice by the university's complaints procedure, that would be fully revealed in the independent person's adjudication.

I now turn to the constitution of the Oxford Brookes student union—OBSU. As has been seen, memorandum BG94/101 admitted that

"from the point of view of the Board's duties and responsibilities,"

it

"may not be satisfactory . . . that the results of an election can be overturned by a General Meeting of the Student's Union".

Nevertheless, that is precisely what the constitution of the student union continued to permit.

Section 8 of that constitution was divided into clauses dealing with motions of censure and with motions of no confidence. A motion of no confidence was defined as

"a detailed motion stating that any [Union Executive Council member or Committee] cannot be relied upon to perform his/her/its duties competently".

If passed, such a motion would "effect immediate dismissal".

As the deputy vice-chancellor's memorandum had recognised, that meant that the outcome of a democratic election, required by section 22 of the 1994 Act to be held

"in a secret ballot in which all members are entitled to vote",

could be immediately overturned by a simple majority at a general meeting with a quorum of only 200 students. That made a mockery of the provisions of the Act, which laid statutory duties on the board of governors to ensure that the university student union

"operates in a fair and democratic manner".

Five times as many students participated in the ballot that elected Miss Whelan as president of the OBSU as participated shortly afterwards in the meeting that ousted her. Indeed, the general manager of the OBSU and an employee of the union, Miss Catherine Lord, in a letter published in *The Oxford Independent* in March 1996 commented:

"The Student's Union Executive are aware of some anomalies in the Constitution, including parts of it which were outlawed by the 1994 Education Act which took effect in April 1995"—

let us remember that that letter was published in March 1996—

"It is not a quick task to re-write a constitution but a Constitution Working Party has been set up to address the issue with a deadline for a final draft to be produced by August 1996."

A memorandum had been produced in autumn 1994, which had been approved by the board of governors. All that was required was the approval and agreement of the student union and it would have been enacted at once in the internal legislation of the university. However, two years later, no move had been made to regularise the constitution, nor was any such move made the following year. In fact, even though the university could have put the constitution of the student union into line with the provisions of the new Act in 1994, it did not happen then and it did not happen in 1995, 1996 or in 1997. Eventually it happened in October 1998. Whether it was pure coincidence that it finally happened at a time when it was becoming apparent to the university that Miss Margaret Whelan was not going to let the matter drop, and that it might be aired in a more public place, is obviously a question of conjecture.

Despite some extremely unpleasant incidents of intimidation, on 4 March 1995, Margaret Whelan won the election in a cross-campus ballot in which more than 1,000 students participated. No sooner had she become president elect—she was not due to take up office until 31 July—than a move was made by a caucus of students to overturn the result of the election by calling an open meeting. Acting alone, she managed to obtain an injunction to stop that disgraceful procedure from taking place. She received practically no support from the university and the student union wasted nearly £800 of public money vainly trying to resist the granting of the injunction.

Margaret took up office as president on 31 July, when most students were away from the college. A new motion of no confidence was therefore tabled for 5 October, which was the earliest practical date at which students might be available on the college campus to come to a meeting and kick her out.

I shall give only one fleeting example of an unpleasant incident, although I have a raft of more horrible examples with which I shall not burden the House. On the morning of the 5 October meeting, Margaret Whelan discovered a message on her ansaphone informing her that the venue for the crucial lunchtime meeting had been changed, allegedly because of the sudden discovery that the advertised room for the open meeting had been double booked. Almost all her supporters thus found themselves in the wrong place because of a failure properly to direct them to the new location. Nevertheless, strangely enough, some 180 of her opponents—just over half the total number that had voted for the candidate whom she had defeated in the cross-campus ballot for the union presidency in March—had somehow managed to come to the new venue for the meeting.

There followed procedural moves to bring the motion of no confidence against Margaret Whelan to the top of the agenda. The proposer and seconder of the motion were allowed to speak for two minutes each; she was allowed a similar period amid constant heckling and the interjection of two purported points of information that

[Dr. Julian Lewis]

were actually further speeches against her. That 4:1 imbalance was then reinforced by a procedural motion to move straight to a vote, which was of course carried by a large majority.

Mr. Nicholas Winterton (Macclesfield): Disgraceful.

Dr. Lewis: I apologise to my hon. Friend for not having noticed his presence and support until his timely intervention. As he rightly said, the proceedings were indeed disgraceful. By those means, Miss Whelan was ousted from the presidency of the Oxford Brookes student union.

In the few moments remaining to me, I shall state what happened when I became involved in the matter. After Margaret Whelan had been through the complaints procedure, a report eventually came from the independent person who had been appointed to consider the case. That gentleman was Mr. Guy Whalley, who is a retired lawyer, a former senior partner in the London law firm of Freshfields, chair of the governing body of the Royal Academy of Music and chair of the medical services committee of a local health authority. When Mr. Whalley provided his report, it was covered by a letter marked "in strictest confidence". The letter said:

"The Report is submitted on the basis that it is strictly confidential to the members of the Board and will not be shown to any other party (including the Complainant). My reason for requesting confidentiality in this way is that the Report does contain sensitive material which, if vouchsafed to a wider audience, could create difficulty, particularly if you and your colleagues decided not to accept any of the Report's recommendations. At some point, however, a summary of the conclusions accepted by the Board will have to be given to the Union and the Complainant."

I have spoken to Mr. Whalley about that, and in his defence he points out that his terms of reference did not mention the 1994 Act. He was asked to report to the university, and only the university, and rightly or wrongly he decided that that was where his obligation lay. It must be said that in none of the internal inquiries into the complaints or the terms of reference as stated to the external independent person was any reference made to the existence of the 1994 Act and its provisions for a complaints procedure.

Finally, I sent a series of 25 questions to Mr. Summers at Oxford Brookes university, having had a long telephone conversation with him, to give him an opportunity to respond, just as Mr. Whalley was given an opportunity to respond. I hope that I have done justice to Mr. Whalley's response in the very brief time available to me. The university's response was, to put it mildly, disappointing. For example, it said:

"Your point is that the Board reviewed the Students' Union Constitution in 1994 and identified some elements which might benefit from review, however, it was some time before any changes took place."

Well, one could call four years' continuation of an illegal constitution—four years following the union's identification of what needed to be done to its constitution to make it legal—some time. The letter continued:

"While it is difficult to accurately account"—

that is a nice split infinitive—

"for delays so many years on, these were in part occasioned by a genuine desire on the part of the Union to be thorough in redrafting and the need to secure the support of a quorate general meeting for any changes . . . The Board had noted that the power of the general meeting to overturn the decisions of a Returning Officer in an election might not be satisfactory, but it had not considered that the removal of an officer by a general meeting required amendment."

The truth of the matter was, as Mr. Summers had revealed to me in his telephone conversation, that the board had actually approved the recommendations of his own memorandum—BG94/101—but the union had refused to go along with it and left the whole process in suspension for four years.

In this little David-and-Goliath battle, we have had arrayed on one side a caucus of student hacks, a distinguished board of university governors and an eminent independent person. Ranged against all of them was a 20-year-old recently orphaned undergraduate whose sole offence was fairly and squarely to win an election in a campus-wide democratic ballot. All of those whom I have mentioned succeeded between them in depriving her of her presidency; but, in my opinion, she succeeded in putting all of them to shame.

Mr. Winterton: They ought to be ashamed of themselves.

Dr. Lewis: Indeed they ought.

I end on a more positive note: although those gentlemen remain in their eminent positions, I will be happy to be witnessing next Friday the wedding of Miss Margaret Whelan to her fiancé. I am sure that the whole House, in recognition of Miss Whelan's courage, if for no other reason, wishes her and Mr. Mark Harper every future happiness.

11.21 pm

The Parliamentary Under-Secretary of State for Education and Employment (Mr. George Mudie): I join the hon. Member for New Forest, East (Dr. Lewis) in wishing the young lady a very long and happy wedding.

Dr. Lewis: Marriage.

Mr. Mudie: Wedding is the same as marriage.

I am grateful to the hon. Gentleman for giving me a brief opportunity to reply to a debate on the importance of student unions, their conduct and accountability, and the mechanism for independent consideration and complaints against them. I am also pleased to place on record the courtesy with which he approached my office to inform me of the basis of the debate.

I expect the hon. Gentleman to accept that there is no way that I would intervene in a specific case. Although he feels very strongly about an individual case, which may be appropriate, it has been dealt with through agreed procedures under an Act that was passed by the previous Government. What matters is not the individual case but the questions of principle that it raises. I am sure that the hon. Gentleman will understand that, given the time, I shall attempt to answer the five general questions that he raised concerning the young lady. I have a long spiel, but very little time to give it, so I shall go straight to the reforms introduced by the Education Act 1994, which govern the election of officers to student unions.

Student reforms passed under the 1994 Act had the support of the House. Their stated aims were to secure choice, fairness and accountability in student unions.

As the hon. Gentleman knows, one of the key reforms of the 1994 Act was to give students the right to opt out of student union membership if they so wished. As he will know, very few students take up that option. Student unions are also required to hold referendums to decide whether to continue to be affiliated to the National Union of Students. Again, the Act does not seem to be persuading student unions not to become affiliated to the NUS. Time after time, students vote overwhelmingly to remain affiliated.

The 1994 Act introduced other reforms that specifically govern some of the matters touched on by the hon. Gentleman—elections to the offices of student unions, their conduct and the procedure for dealing with complaints against them. First, each student union must have a written constitution, which must be agreed by the university's governing body, and it must act in accordance with it. All elections to a major student union office must be carried out by secret ballot, in which all union members are allowed to vote. Each institution where there is a student union covered by the 1994 Act must have a framework, governed by a code of practice, for considering promptly and fairly any complaint about the conduct of the student union. That includes the right to have a complaint investigated by an "independent person".

It is now nearly five years since the 1994 Act came into force, and we are not aware of any significant problems in its operation. The provisions that became the 1994 Act were, of course, fully debated in both Houses. During the Bill's passage, several amendments were made by the then Government. For example, a proposal in the Bill that governing bodies must have regard to written guidance from the Secretary of State for Education when preparing their codes of practice—something that the hon. Gentleman might find attractive now—was specifically dropped by the then Government. That would have allowed the Secretary of State to intervene or give guidance on the preparation of codes of practice for the conduct of student unions.

The proposal that complaints about the actions of a student union should be considered by an independent person—rather than the institution's own governing body—was introduced by a Government amendment. The Government spokesman in the other place added the provision of an "independent person" to the Bill during the House of Lords Committee debate, to give students the confidence that they would be dealt with fairly. It is clear that the provisions of the 1994 Act were carefully considered by both Houses during debate and tightened up, to avoid any potential loopholes, by amendments by the then Government.

The current framework is designed to ensure fairness, transparency and an independent mechanism by which a student can seek redress. First, all elections to major student union offices must be carried out by secret ballot. The student union must have and follow a written constitution, and follow the institution's governing body's code of practice on its conduct. That must be regularly revised. After a suitable period had passed, the 1994 Act was revised. As a result of that revision, students must be informed about the requirements of the code of practice at least once a year.

Individual students or groups of students who opt out of the union—as is their right—are protected from discrimination by the unions.

An aggrieved student has the right to complain to an independent person, who reports to the governing body on the complaint. The 1994 Act requires the governing body to deal with complaints promptly and fairly, and to provide an effective remedy where a complaint is upheld.

In the one remaining minute, I shall try to answer the five questions that the hon. Gentleman asked. Do the Government support the retention of the legislation? Yes; we do. Is it true that existing legislation rules out the removal, by an open meeting, of officers elected by secret ballot? No; it is for the university code of practice and union procedures to decide. That was allowed for in the Conservative Government's 1994 Act. Is that a loophole? No; it gives student unions freedom, which they are clearly using with good sense. Should the findings of—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-nine minutes past Eleven o'clock.

House of Commons

Tuesday 13 July 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

ENVIRONMENT, TRANSPORT AND THE REGIONS

The Secretary of State was asked—

Leasehold Reform

2. **Jacqui Smith** (Redditch): What progress is being made on leasehold reform legislation. [89476]

The Minister for Local Government and Housing (Ms Hilary Armstrong): We are analysing the many responses to our consultation paper. We are proceeding as swiftly as possible, but, as my hon. Friend will appreciate, I cannot make any commitment on when we will be able to legislate.

Jacqui Smith: My right hon. Friend is aware of the seven-year battle which has been fought by the Redditch Leasehold Action Committee on behalf of several thousand householders in my constituency. Their freeholds were sold from underneath them in bulk to private firms, which then profiteered by offering them back for sale at increased prices—in many cases, at more than 10 times the price. Does she accept that that situation could have been avoided by extending the right of first refusal to householders? Will she assure me that the proposal will be in Government legislation—and that such legislation will be introduced soon?

Ms Armstrong: I pay tribute to my hon. Friend and to her constituents in Redditch, who have fought a long and determined battle, and who, I am pleased to say, have recently had some success in leasehold valuation tribunals. I am conscious of the points that she makes. In our consultation paper, we proposed that the right of first refusal should be extended to houses. We are conscious of the difficulties that some leaseholders have faced because of the lack of such a right. We will consult further on the details of the provisions that would be required, but my hon. Friend has my assurance that, in accordance with the consultation, we intend to move on the issue.

Sir Sydney Chapman (Chipping Barnet): The Minister will know that the Landlord and Tenant Act 1987 first gave leaseholders a right of first refusal when a landlord decided to dispose of his interest in a property. There is evidence that that was widely ignored by landlords. That led to considerable strengthening of the provision in the Housing Act 1996. Is she satisfied that the new measures in that Act are working well?

Ms Armstrong: As I have said, leasehold valuation tribunal rulings have strengthened that part of the Act—the rights of people who live in houses, not simply of those who live in flats. We consulted on the whole subject, and that consultation has now finished. We have had a remarkably high number of responses, and we will reflect on them to see what strengthening is necessary in legislation.

Mr. Barry Gardiner (Brent, North): Will my right hon. Friend assure me that, when there is a response from the Department to the consultation period and when it is preparing the way forward, it will also examine shared ownership schemes and sheltered schemes, where many of the problems about leasehold tenure that my hon. Friend the Member for Redditch (Jacqui Smith) mentioned also arise?

Ms Armstrong: We know that there are particular problems in those areas. As my hon. Friend knows, there are problems all around. Again, he is someone who has consistently made strong representations on behalf of leaseholders. I congratulate him on that and I assure him that we will examine those issues. As I say, we have had a considerable number of responses to the consultation document and we will respond to them as soon as we are able.

Road Hauliers

3. **Mr. David Amess** (Southend, West): What representations he has received from road hauliers on his freight policy; and if he will make a statement. [89477]

12. **Mr. Robert Syms** (Poole): What recent representations he has received from the road haulage industry regarding the Government's transport policies; and if he will make a statement. [89486]

The Minister for Transport (Mrs. Helen Liddell): I have received a number of representations from the Freight Transport Association, from the Road Haulage Association and from individual hauliers, both through the road haulage forum and directly. Prospects for the industry are very good provided that it stays at the leading edge of efficiency, good practice and business professionalism.

Mr. Amess: Given that it takes an hour for Southend hauliers to get out of the town as a result of the Government's incompetence over the M11 link road, which has not opened—it is an absolute shambles—why have three months passed before the second meeting of the road haulage forum? What will the agenda be at that meeting? Who has been invited? Who wanted to be invited and has been refused? Will hauliers be afforded the opportunity of regular meetings?

Mrs. Liddell: The next meeting of the road haulage forum will take place on 19 July. I had hoped to have the meeting in June, but it proved impossible to find a date as the directors general of both the FTA and the RHA took leave, or were out of the country, and I was keen that they should be able to attend the meeting. The forum's membership is well known. Officials have been meeting in the intervening period to agree a number of position papers—their next meeting will be on Friday—to inform the discussions on Monday next week. Both professional

associations have welcomed the forum and made it clear that they view it as the way forward for the industry, working in partnership with Government. It is about coherent pragmatic approaches, not pointless soundbites.

Mr. Syms: Is the Minister aware of predictions that the road haulage industry could lose 50,000 jobs because of the Government's policies? When will the Department of the Environment, Transport and the Regions stand up to the Treasury—which is pummelling the industry into the ground? Is it not time for a fair deal for motorists and a fair deal for the road haulage industry?

Mrs. Liddell: A fair deal for motorists would involve reducing congestion, and the Government have a congestion policy—unlike the Conservative party, which launched its proposals yesterday. The road haulage industry and any other industries that are considering their economic viability have to take into account all sorts of factors, not the least of which is the costs of running a business. Those costs are now lower in the United Kingdom than in other parts of Europe. Road haulage wages, for example, are lower in the United Kingdom than they are in Europe. The costs of establishing a business are lower in the United Kingdom than in Europe. As a direct consequence of the Government's policies, the United Kingdom has the lowest corporation tax levels in Europe.

All those measures will help our road haulage industry, as they will help other United Kingdom industries. They are all designed to make the United Kingdom much more economically viable than it was under the previous Government.

Mr. Bill O'Brien (Normanton): On behalf of Labour Members, I should like to congratulate my right hon. Friend on the freight transport policy being pursued by the Government. That policy is identified with increasingly moving freight transport from road to rail, and with extending rail facilities. Euroports—such as the one in my constituency—could be developed, and could assist in taking United Kingdom freight, on rail, to Europe; they show the best way forward for United Kingdom freight policy. Does my right hon. Friend accept that Labour Members firmly believe that we should continue with the Government's policy of encouraging freight transport to move from road to rail, as that would benefit all our communities and industries?

Mrs. Liddell: My hon. Friend makes a valid point—which is the crux of moving goods in the United Kingdom. We have doubled our spending on freight grants—in the past two years, we have spent £60 million—to support the shift of freight from road to rail or water. We are also committed to making still more funds available for the grant, if there is sufficient demand, in the next three years. Railtrack figures for 1998–99 show an 18 per cent. increase in railway freight volume.

We shall also give to the new Strategic Rail Authority objectives to promote rail freight transport. Meanwhile, the shadow Strategic Rail Authority will be able to make a start on strategic planning for rail freight growth. Rail freight transport is a key factor in reducing traffic on our roads and pollution, and in ensuring that, in future, we have a viable rail network. Our policy is common sense.

Dr. Alan Whitehead (Southampton, Test): Does my right hon. Friend accept that—apparently unlike Conservative Members, as demonstrated in their recent publication—Labour Members believe that a continued free-for-all in road transport could have disastrous long-term consequences for the British distribution system and for freight haulage, particularly for the viability of the just-in-time system which is vital to Britain's distributive economy? What discussions has she had on ensuring the future viability of the British just-in-time system?

Mrs. Liddell: My hon. Friend has raised that issue with me before, and I have been discussing it with officials. The issue is important, particularly in the context of congestion. We must ensure that congestion on our roads does not lead to a reduction in the economic performance of our businesses. We must, therefore, adopt a commonsense and focused attitude in dealing with congestion issues—unlike Conservative Members, who yesterday published a document containing proposals that would lead to increased congestion, cost lives, and adversely affect the United Kingdom's economic performance.

Mr. Bernard Jenkin (North Essex): Is it not interesting that Labour Members want to ask questions about anything but the state of the United Kingdom road haulage industry—for which the right hon. Lady is responsible? I welcome the fact that—at last, and about time, too—there will be another meeting of the road haulage forum. Will she give an assurance that that meeting will not be simply a delaying tactic, to string out the matter until the next Budget, when hauliers may be clobbered again?

How does it feel to be part of a Department that is consenting to the removal of ever more money from the transport industries by the Treasury, while the Treasury gives less and less in return? Is it not time that the right hon. Lady stood up for the industries that she represents, instead of increasing taxes and cutting investment?

Mrs. Liddell: I deplore the slurs on the directors general of the RHA and the FTA, and I am sure that their reasons for being out of the country were perfectly valid. I was anxious to ensure that my Department was able to take fully into account their representations on the road haulage industry. On expenditure on transport by this Government, I ask the hon. Gentleman to reflect on the remarks of the AA yesterday, which pointed out that the previous Government had taken thousands of millions of pounds out of transport, and that this Government were doing something to put those resources back.

Housing (Recycled Land)

9. **Mr. Andrew Reed** (Loughborough): What progress he has made towards meeting his target for housing construction on recycled land in the east midlands. [89478]

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): The latest available regional information from 1994 shows that 37 per cent. of new dwellings in the east midlands were constructed on previously developed land. The urban task force, under Lord Rogers, estimated that 65 per cent. of new dwellings could be accommodated on recycled land over the next 20 years.

Mr. Reed: What reassurances can my right hon. Friend give the House, the local chamber of commerce and the

Loughborough town centre steering group that those targets can be met, in view of the fact that many brown-field sites for housing and employment are under-used and lack investment? Following the Rogers report, what measures is my right hon. Friend likely to take to ensure that public-private partnerships bring some of that land back into use as soon as possible?

Mr. Caborn: We will be responding to Lord Rogers's report, which has 105 recommendations and will form the basis of the forthcoming urban White Paper. The developments in Loughborough town centre are in line with Government policy. It is good that the town centre management scheme is working; the firm partnerships that are developing will start to overcome some of the adversity that the town has suffered. The development of the single regeneration budget schemes there will be of assistance.

Mr. Nigel Evans (Ribble Valley): Does the Minister accept that his answer was very disappointing? Does he accept that the target of 60 per cent. of land is insufficiently high? From statements made over the past few days, we know that the Government understand very little about the countryside. They pretend to the country that they are green, but they must think that we are green if they believe that they can build an enormous number of new houses on green-field sites while pretending that they wish to preserve England's green and pleasant land.

Mr. Caborn: Here is a little bit of maths for the hon. Gentleman—65 per cent. is greater than 60 per cent. I just said that the urban task force has said that it can achieve 65 per cent, which is above the Government's target of 60 per cent. When the Government came to power, there was no land use databank. Despite all the allegations and the targets set by Conservative Members, they did not even know how much brown-field land there was to build on. It took this Administration to find out how much brown-field land there was. Based on that information, Lord Rogers has made some reasonable projections, which are much sounder than anything that came from the previous Administration.

A46

5. **Mr. Edward Leigh** (Gainsborough): If he will make a statement on the widening of the A46 between Newark and Lincoln. [89479]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): The A46 Newark to Lincoln improvement scheme is included in the targeted programme of improvements announced in "A New Deal for Trunk Roads in England", which was published last July. As announced in December last year, the next stage for this scheme would be the making of the necessary compulsory purchase orders. Start of works would commence in 2001-02.

Mr. Leigh: Is that a commitment?

Ms Jackson: Yes.

Shona McIsaac (Cleethorpes): Would my hon. Friend care to comment on the fact that the Tories did nothing to attempt to cut the carnage on the A46 which links my constituents with the A1? Thanks to this Government, and to the work of my hon. Friend the Member for Lincoln (Gillian Merron), we are at last seeing action to cut the high death tolls on that stretch of road. Does that not show that we are fairer to motorists?

Ms Jackson: My hon. Friend is entirely right and I pay tribute to the work that she and my hon. Friend the Member for Lincoln (Gillian Merron) have done to ensure, as she so aptly put it, that the carnage on our roads is reduced. The Conservatives did nothing in that area when they were in power, and their newly published document makes it abundantly clear that they would be at the forefront of reintroducing carnage on our streets.

Regional Planning (East Midlands)

6. **Gillian Merron** (Lincoln): If he will make a statement on progress with the development of regional planning in the east midlands. [89480]

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): Good progress is being made. I expect to receive the draft regional planning guidance for the east midlands from the east midlands region of the Local Government Association towards the end of this year. That draft will then be subject to wide consultations before selected matters are considered at a public examination in front of an independent panel next year. I hope to be able to issue the final guidance early in 2001.

Gillian Merron: I welcome the positive progress that has already been made through partnership working. Can my right hon. Friend tell the House how he will ensure that all factors are fully taken into account in the planning guidance, including economic, environmental and social factors, so that my constituents in Lincoln can look forward to the benefits of greater integration with the rest of the east midlands?

Mr. Caborn: The way in which we are approaching regional guidance is by involving the local government associations, which are taking control of it. They are consulting with the partners and stakeholders in the various regions. In the east midlands, the Local Government Association is consulting the regional development agency, the CBI, the east midlands chambers of commerce, the House-Builders Federation, the Campaign for the Protection of Rural England, Friends of the Earth and a number of other user groups.

Traffic Congestion

7. **Mrs. Eleanor Laing** (Epping Forest): When he last met representatives from the Automobile Association to discuss his proposals to tackle traffic congestion. [89481]

The Minister for Transport (Mrs. Helen Liddell): I met representatives of the AA on Wednesday 7 July.

Mrs. Laing: I thank the Minister for that answer. I am sure that she will not agree with me that it is very sad that she is willing to talk in soundbites about congestion, but not willing to put any investment into road improvements.

Can she tell the House whether the Deputy Prime Minister had an opportunity to discuss congestion problems with the RAC when he visited the British grand prix on Sunday? Was he able to see from his helicopter the people whom his party purports to represent, who were stuck in traffic jams on the motorways below him?

Mrs. Liddell: The hon. Lady's party yesterday published its new deal for motorists, promising investment in vital, undefined road improvements, funded by new innovative schemes—which were also undefined, but likely to cost a minimum of £10 billion. It also proposed that freight should be encouraged on to the railways in some unknown manner. It is not this Government who will do nothing about congestion: it is the Conservatives, whose proposals will lead to congestion. The hon. Lady asked about the RAC, which has been supportive of the Government in the development of the White Paper strategy for integrated transport. I remind her that, if a policy is to be developed by an Opposition, it should be costed. Otherwise, the only conclusion we can come to is that the Conservatives would be prepared to increase taxation, cut public expenditure—or both. If not, perhaps they do not know how to do their sums.

Mr. Clive Efford (Eltham): May I draw my right hon. Friend's attention to the vital role that public transport plays in tackling road congestion? My journey today to Westminster involved catching a train at 8.20 at Eltham station. Connex South Eastern could not get me to Charing Cross until 9.55. Such performance will inevitably have a damaging impact on how much traffic uses the roads in south-east London. The document that is about to be published by the Opposition, with the overt intention of placing them closer to the motorist, will merely lead to jams on our roads—and jam for inefficient, privatised rail services.

Mrs. Liddell: My hon. Friend makes a valid point. The mess on the railways inherited by this Government was very considerable, as a result of the fragmentation of the rail network and the absence of proper accountability for that network. The establishment of the shadow Strategic Rail Authority will provide an opportunity to put a proper rail network back in place, with targets for the rail operators and penalties for poor performance. Adequate public transport is vital if we are to reduce congestion on our roads, and it must be safe, efficient and pleasant to use. There was no chance of that under the previous Government.

Mr. Matthew Taylor (Truro and St. Austell): Under the previous Conservative Government, £25 billion in extra taxes was levied on motorists. The present Chancellor has increased that amount. Given her responsibility for transport, will the Minister press the Chancellor, before the next Budget, to agree to return some of that money to motorists by abolishing the annual car tax on family cars?

Mrs. Liddell: It is interesting that the Liberal Democrats, who purport to be supporters of the environment, are taking that line. However, one of the proposals in yesterday's statement from the Conservative party was to reduce vehicle excise duty on vehicles more than 25 years old, which are the vehicles that pollute the most. That is a charter for the old banger. We want motorists to travel on well-maintained roads, in cost-effective vehicles that make travelling a pleasant experience again. As for fiscal policy, I suggest that people who want a reduction in the tax take should say where the money is to come from to fund public expenditure on health and education.

Housing (Recycled Land)

8. **Ms Margaret Moran** (Luton, South): If he will make a statement on progress towards meeting the 60 per cent. target for housing on recycled land in the south-east. [89482]

The Minister for London and Construction (Mr. Nick Raynsford): During the period 1990–94, an average of 51 per cent. of new dwellings in the south-east were built on previously developed land. Serplan has proposed in the draft regional planning guidance for the south-east to achieve a target of 60 per cent. of new development on previously used urban land, over the period of the plan, which is 1996–2016. The public examinations panel will provide advice to the Secretary of State on this matter in its report, which is due in September this year.

Ms Moran: Does my hon. Friend agree that an important element in the solution to meeting the target is to bring empty and under-utilised homes back into use? For example, there are about 13,000 empty homes in Luton, of which only 150 belong to the public sector. Will my hon. Friend and his colleagues look at financial mechanisms—such as the VAT regime and loans to owner-occupiers—to enable owners to refurbish those empty homes and bring them fully back into use?

Mr. Raynsford: My hon. Friend is right to highlight the problem of empty properties. At present, there are about 753,000 vacant dwellings, across all tenures, in the country. That represents 3.6 per cent. of the housing stock. We aim to reduce that figure to 3 per cent. by 2005, which will then be one of the lowest levels in Europe.

We are taking a number of measures to reduce the total of empty properties. Action is encouraged through PPG3, the relevant planning guidance. Properties empty for more than a year are currently exempt from council tax, but that exemption will be withdrawn from April next year as an incentive for owners to bring properties back into use. These and other measures will be pursued by the Government to make better use of existing resources, and so help to achieve the target of 60 per cent. of housing on brown-field sites or in existing developed areas.

Mr. Nicholas Soames (Mid-Sussex): If, when the examination is complete, the figures show that there is sufficient brown-field land, will the Minister see what he can do to reduce the obligation placed on West Sussex county council by the Deputy Prime Minister? That obligation is to build an extra 15,000 homes over and above the already excessive number that the council is required to build. If some of the extra load is reduced, not only will rural West Sussex be protected, but the awful overstrain on our infrastructure will, to some extent, be mitigated.

Mr. Raynsford: The hon. Gentleman will know that West Sussex has several times challenged my right

hon. Friend the Secretary of State in the courts. He will also know that it lost. The Government have set out new targets to increase the proportion of development on brown-field sites. We await the report on the public examination of the Serplan figures, and I cannot comment further until we receive it. Our keen objective is to maximise development on brown-field sites because that is in everyone's interest.

Mr. Nigel Waterson (Eastbourne): Did not Lord Rogers's task force conclude that there was no prospect of the Government hitting their national target of 60 per cent. under existing policies? Is the position not even worse in the south-east? Is it not likely that many thousands of new developments will occur on green-field and green-belt sites in the south-east? Why have the Government so far accepted only one of the 105 recommendations made by their own task force, and that only as a pilot?

Mr. Raynsford: The hon. Gentleman cannot have read Lord Rogers's report very carefully as it concludes that, under existing policies, the best estimate is that 55 per cent. of development would be achieved on brown-field sites, but that with changes in policy, including many of the new policies that the Government are introducing, it would be possible to achieve a higher percentage, as we intend. Only two weeks after the report's publication, we have already accepted one recommendation. The report contains 105, and we shall give them the consideration that they deserve before we make a judgment on them.

Park-and-ride Schemes

9. **Mr. David Atkinson** (Bournemouth, East): What guidance his Department gives to local authorities on the location of park-and-ride schemes. [89483]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): Our guidance emphasises that schemes must be carefully designed and located to reduce traffic flows. They should be considered on their merits, case by case, and assessments should include consideration of alternative sites and the impact on local amenity.

Mr. Atkinson: What advice can the Minister offer local authorities such as Bournemouth, which face a choice between creating a park-and-ride terminus and protecting what is left of the green belt? Which should be their priority?

Ms Jackson: Existing guidance is clear. The use of green belt for a park-and-ride site should be examined exceedingly closely. Park and ride is not an appropriate use for green-belt land unless the benefits that would accrue are overwhelming.

Mr. Peter L. Pike (Burnley): Is my hon. Friend disappointed by the fact that there are too few park-and-ride schemes, which do a tremendous amount to reduce traffic congestion in our town centres? What steps can the Government take to encourage more local authorities to develop schemes to reduce congestion and improve public transport in town centres?

Ms Jackson: If there is a shortage of park-and-ride sites, it is yet another result of 18 wasted years of Conservative Government. They did nothing to create a properly integrated public transport system but, since coming into office, this Government have asked local authorities to prioritise the needs of pedestrians, cyclists and public transport. Authorities will submit local integrated transport plans this month, and we shall look out for schemes of the kind referred to by my hon. Friend, if they are appropriate to the local area.

Mr. Shaun Woodward (Witney): The Minister has a great deal of enthusiasm for park-and-ride schemes, but park-and-ride transport strategies across the country are bringing cities such as Oxford to a standstill. The Council for the Protection of Rural England has criticised the damage done to green-field sites by park and ride. Transport 2000 has criticised the Government for cooking the books by misusing figures relating to park and ride. A new report from the university of London severely criticises park-and-ride schemes, arguing that traffic in urban areas increases—*[Interruption.]*

Madam Speaker: Order. The House is quite right to become restless as we have not yet heard a question from the hon. Gentleman.

Mr. Woodward: With all that criticism of park and ride, will the Minister now review the policy and apologise to the people of Oxford for the considerable inconvenience that she has caused?

Ms Jackson: What I am aware of, as indeed the entire House and the whole country will be, is that the hon. Gentleman is simply not up to his brief. It is not the case that the park-and-ride scheme in Oxford has been anything other than a success. Not only is the hon. Gentleman not aware of the success of such schemes, but he is equally unaware of the Conservative party's newly announced policy in which it claims that such schemes should be provided free.

Telecommunications Masts

10. **Mr. Harry Barnes** (North-East Derbyshire): What recent representations he has received concerning the siting of telecommunications masts; and if he will make a statement. [89484]

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): My Department received 269 responses to the consultation paper, "Telecommunications Development Control" published in July 1998 and 147 responses to the draft circular, "Land Use Planning and Electromagnetic Fields" published in December 1998. Since then, we have answered 10 parliamentary questions and responded centrally to some 140 letters regarding telecommunications masts.

Mr. Barnes: My right hon. Friend recently made a welcome statement to point out the tightening up of the provisions within those areas. I am concerned about existing telecommunications masts, which may have been placed in areas where they are unacceptable. Many are in school playing fields, right next to schools and to residents. There is one in my constituency on top of a bakery, right next to a residential area, which seems a

dangerous position. Are any moves being made to ensure an exclusion zone around telecommunications masts and will it operate for those already in existence?

Mr. Caborn: I appreciate that there is public concern about this issue and we take that seriously. My right hon. Friend the Minister for Public Health and I will be writing to all hon. Members and to local authorities shortly to set out the Government's position on the issue. As the House is aware, our Departments issued jointly for consultation in December the draft of a circular on land use planning and electromagnetic fields. We are considering the responses.

Government experts tell us that the National Radiological Protection Board advises that the strength of radio waves at ground level and in areas normally accessible to the public is many times below the recommended guideline level and should present no health risk. However, we are aware of the public concern that there might be other risks to health, such as cancer. The Government consider it important that high-quality research continues to be carried out. We are involved in research in the United Kingdom and internationally. I stress that the NRPB advises that there is no firm evidence of a causal link between exposure to electromagnetic fields and cancer.

Mr. David Lidington (Aylesbury): Could the Minister give an assurance that he will pay particular attention in his review to applications for sites within areas of outstanding natural beauty, including the Chiltern hills? Will he take careful account of the reports that pressure is being exerted to overturn the decision of the local planning authority on Chisleys wood in my constituency? That pressure is coming from Government Departments and the current tenant of Chequers. Will he ensure that he takes all steps within his Department to avoid any conflict of interest in determining the outcome?

Mr. Caborn: It would be inappropriate for me to get involved in a site that was the subject of a particular planning application. There was wide consultation, to which the hon. Gentleman may or may not have responded. We got the support of local authorities, planning authorities and, indeed, the industry. I now believe that there is a sensible approach to the issue. Areas of outstanding natural beauty were taken into consideration in the consultation and the Government responded accordingly.

Strategic Rail Authority

11. **Mr. Gerry Sutcliffe** (Bradford, South): What progress he has made in setting up the Strategic Rail Authority. [89485]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): We introduced the Railways Bill to establish a Strategic Rail Authority. It will provide a national vision for developing Britain's rail network and tougher regulation to put the passenger first.

Mr. Sutcliffe: I thank my right hon. Friend for that answer and for the way in which he is dealing with transport issues across the board. Does he agree that the Opposition's privatisation, which has made many profits, has meant that my constituents are still travelling on rolling stock that is 30 years old, and has led to late trains and overcrowding? Does he understand the need for action now rather than merely the theory?

Mr. Prescott: We certainly do. The Railways Bill is designed to achieve that. The shadow Strategic Rail Authority is already working on those matters—monitoring the commitments that we received at the rail summit; identifying where and how the rail network needs to be developed; and beginning the process of franchise renegotiations. That will ensure higher priority for the passenger—rather than what we saw under the previous negotiations, which were more concerned with privatisation and a dash for cash.

Mr. Nick St. Aubyn (Guildford): Last year, I initiated an Adjournment debate on railway noise; since then, other debates have been held on that subject. What will the new authority do to prevent the disruption of the lives of so many people who live near railways and who are not taken into account by Railtrack and others when works are being carried out?

Mr. Prescott: New and quieter trains will be introduced, instead of the old railway stock that we were left with and that was utilised by the privatised system. The purpose of the rail authority is to help with transport policy and to take into account the reduction of congestion. That is an important issue, especially in view of the fact that we have heard that the Opposition's new policy is supposed to help to reduce congestion. The description of that policy in *The Times* today as cheap populism is right. It will do little to reduce congestion; it will increase deaths on our roads and, frankly, will be neither cheap nor popular.

Mr. Lawrie Quinn (Scarborough and Whitby): Will my right hon. Friend join me in congratulating the new integrated transport centre that has recently been opened at Whitby railway station? Is it not the case that, when the Strategic Rail Authority considers the development of integrated transport policy throughout the nation, our railways will need to be closely integrated? The public need more information and better access to public transport. That is what the SRA is about and that is what those policies are about.

Mr. Prescott: The House is aware of my hon. Friend's expert knowledge of transport. We have seen the provision of many more services, and more people are travelling on trains, especially since we were elected two years ago. We can now see the whole integration of our system because of our requirement that trains and buses should connect. There is much more integration of the system than we have ever witnessed before.

Mr. John Redwood (Wokingham): Given the Deputy Prime Minister's strong anti-car policies, his trip in a helicopter to the British grand prix—that mecca of the finest gas-guzzlers in the world—was a thirsty way of travelling and was a mistake. Instead, should he not have

gone to a cycle race by train to show us the new Labour way, and sent an apology to Bernie Ecclestone? Does he accept—*[Interruption.]*

Madam Speaker: Order. I will have order in this House—this is disgraceful behaviour.

Mr. Redwood: Does the Deputy Prime Minister accept that his Railways Bill was cancelled last year by No. 10, delayed this year by No. 10, and may arrive, late and battered, some time? Does he know that the railway industry is fed up with his indecision and the uncertainty that he generates? With him, it is jams today and jams tomorrow, bash the motorist and bash the train companies. When will he listen to the advice of the Prime Minister and change policy to avoid standstill Britain? When will he give railway companies the assurances and certainty that they need to get on with the job?

Mr. Prescott: The question reflected what *The Times* said of the Opposition's policy—cheap and populist. It does not address the substance of the issue, nor does it show any responsibility for those matters. We shall continue to put the serious arguments as to transport; we look forward to the debates that we shall have with the right hon. Gentleman. The Railways Bill is before the House, but the shadow Strategic Rail Authority is already working on the problems; it is beginning the renegotiation of the franchises, and considering the network and improvements to our railway system. The rail summit showed us the positive benefits of the targets that we set.

Sussex Downs Conservation Board

13. **Mr. Tim Loughton** (East Worthing and Shoreham): If he will make a statement on the future status of the Sussex Downs conservation board. [89488]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale): We are still considering the former Countryside Commission's advice on the protection of our finest countryside, including the future status of the south downs and its conservation board. We intend to make an announcement soon.

Mr. Loughton: May I ask the Minister why it has taken so long to make a decision? It has now been 16 months since the lifespan of the Sussex Downs conservation board was extended. Will he or his successor remember, before arriving at a decision, that every local authority in Sussex and every Member of Parliament representing Sussex, with the exception of the Labour-controlled unitary authority of Brighton and Hove and the two Labour Members of Parliament, are in favour of retaining and strengthening the Sussex Downs conservation board, rather than giving away local democracy by opting for national park status?

Mr. Meale: We are aware of the deep feeling about the Sussex downs, and the hon. Gentleman is quite right to point out that there are different opinions on the issue. However, the reason for the Government's delay is that we believe in a working and living countryside, and we want to get the decision right.

Dr. Desmond Turner (Brighton, Kemptown): Does my hon. Friend agree that what is really important is not the future status of the Sussex Downs conservation board, which has not been the most proactive conservation body ever known to man, but the status of the south downs themselves? Popular opinion in Sussex, as opposed to Conservative-controlled local authorities, is overwhelmingly in favour of national park status for the south downs as the only sensible option to protect one of the most sensitive areas of our country.

Mr. Meale: My hon. Friend is quite right that opinion on the south downs is almost equally divided, and strong voices are being heard by the Government. As I said, we are committed to a living and working countryside, and the Government have already given an extra £2.5 million to areas of outstanding natural beauty. We intend to get our decisions right on the matter.

Mr. Damian Green (Ashford): First, I commiserate with the Minister on the fact that, unlike the Minister for the Environment, and despite a lifetime's effort, he does not rate a CIA file on his activities. It must be a blow to him.

Will the Minister explain why he is dithering so much on the question of the south downs? He cannot give a decision today, or even tell us when he plans to make up his mind. Will he at least give an end date by which he will have made up his mind, so as to end the damaging uncertainty that threatens the future of one of Britain's most important areas of natural beauty?

Mr. Meale: I can tell the hon. Gentleman that we treat the matter extremely seriously. We are aware of the end date for the present funding arrangements for the conservation board, which is 2001. There is no way that the Government will put at risk either the work of that body, or the right decision on the future of the south downs and other areas. I can also tell him that we are working feverishly to reach a position from which we can make a long-term decision, and we are determined to get that decision right.

Council House Sales

14. **Mr. Colin Breed** (South-East Cornwall): What is his policy on imposing conditions on the sale of council houses; and if he will make a statement. [89489]

The Minister for Local Government and Housing (Ms Hilary Armstrong): Local authorities can sell houses voluntarily and, in some cases, their tenants have the right to buy. In each case, it is up to councils to include such conditions in the sale as are appropriate and reasonable.

Mr. Breed: I thank the Minister for her reply. Is the Minister aware that Caradon district council in my constituency has recently failed in court to enforce a planning condition in respect of a former council home that is being used for letting, as that was not considered to be a business? Does she agree that that has widespread implications, in that a number of former council houses will be removed from housing stock and that, in future, more and more such properties may be used for businesses, rather than for housing?

Ms Armstrong: I am sure that the House understands that, because the matter is subject to appeal and is likely

to go before the courts again, I am not in a position to comment on it. However, the Housing Act 1985 gives councils and other social landlords freedom to include reasonable terms and conditions when selling a home under the right to buy. For example, in rural areas, councils can prevent buyers from reselling to people who have not lived or worked locally for the past three years. In small communities, that helps to keep a stock of affordable housing available for local people. However, it is a matter for the council to determine.

Mr. John Bercow (Buckingham): What assessment has the Minister made of the effect of the changed rules on the use of capital receipts from the sale of council houses on the level of interest repayments on local authority debt?

Ms Armstrong: This is an issue not of the right to buy, but of how councils use and organise their debt sales. The whole debt portfolio is a matter for councils. I remind the hon. Gentleman that the debt that he so complains about was sanctioned by the previous Government. *[Interruption.]*

Madam Speaker: Order. There was an exchange between the hon. Member for Buckingham (Mr. Bercow) and the Minister for Local Government and Housing that I did not hear.

Mr. Bercow: I sincerely hope that it is not the case, Madam Speaker, but it seems that the Minister accused me of lying.

Ms Armstrong: The hon. Gentleman implied that I had said something in my reply that I had not. I said that I hoped that he was not accusing me of lying and implying that I had said that debt had risen, when I had not said that.

Madam Speaker: Too many remarks are made from sedentary positions. I have said before that hon. Members who have something to say should wait to be called before they say it. If they have asked a question, it is right that they should listen fully to the answer.

Traffic Calming

15. **Mr. Bob Russell** (Colchester): If he will provide additional funds to local authorities for road safety traffic-calming schemes. [89490]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): Over the next three years, we are making an additional £700 million available for the implementation of local transport plans. The quality of local safety strategies will be a key consideration in the allocation of resources.

Mr. Russell: I thank the Minister for her reply and I acknowledge her personal endorsement of road safety schemes throughout the country. However, will she have a word with her colleagues in the Treasury and point out that money that is invested in road safety and, in particular, traffic calming will save money for the public purse, particularly the national health service? The cost of a fatal road accident is now £1 million, which could pay for 10 road safety or traffic calming schemes. Bearing in mind the fact that, in the past year, 1,000 pedestrians and cyclists were killed, does she agree that the money saved could be invested in saving lives and preventing injuries?

Ms Jackson: It is precisely because the Government are so aware of the benefit of traffic-calming schemes that we have not only found additional funding for local authorities, but changed the existing statutory procedures so that local authorities may introduce 20 mph zones or limits. As I am sure the hon. Gentleman is aware, traffic-calming measures have reduced accidents, injuries and deaths among our children by 67 per cent.

I am sure that the hon. Gentleman is equally aware that the Conservative party's policy is to remove such traffic-calming measures, presumably because the right hon. Member for Wokingham (Mr. Redwood) wants to become known as the Herod of the 20th century by introducing another form of the massacre of the innocents on our streets.

Mr. John Cryer (Hornchurch): Does my hon. Friend agree that, when the right hon. Member for Wokingham (Mr. Redwood) describes traffic-calming measures as impediments, that causes great offence, particularly to those people who have lost relatives on the roads? Will my hon. Friend say more about the exact mechanism for distributing resources to local authorities through local transport plans, which is a particularly important issue in my area, where there is a crying need for more traffic-calming measures?

Ms Jackson: My hon. Friend is entirely right. The right hon. Member for Wokingham is guilty of not only insensitivity, but, in my view, the advocacy of criminal policies on road safety. Local transport plans will be received this month, and mean that, for the first time, local authorities will be able to make the integrated, strategic decisions that can ensure that they will play their part in meeting our targets for the reduction in deaths and injuries on our roads.

Mr. Nicholas Winterton (Macclesfield): Does the Minister accept that many Members warmly support the proposals put forward by my right hon. Friend the Member for Wokingham (Mr. Redwood)? In those proposals, he has represented many organisations that have considerable knowledge of motoring, the motorist and roads. Does the Minister agree that if, as she has announced this afternoon, she is prepared to provide over £700 million for local traffic schemes, she might consider increasing the amount of her money that her Department advances for the maintenance of this country's roads, which are deteriorating rapidly under her Government and contributing to the number of accidents and deaths?

Ms Jackson: I am surprised that the hon. Gentleman is unaware of the Government's vast increase in funding road maintenance, in marked contrast to the previous Administration, who slashed such funding year on year. We have increased the funding for the maintenance of local authority roads by 8 per cent. in one year. The right

hon. Member for Wokingham may be an expert on motoring, but he is clearly an ignoramus on any of the measures that protect pedestrians—*[Interruption.]*

Madam Speaker: Order. That was quite unnecessary. I require the hon. Lady to withdraw that remark. *[Interruption.]* Order. I shall deal with this. I require the hon. Lady to withdraw the remark.

Ms Jackson: Of course I abide by your ruling, Madam Speaker, and withdraw the word "ignoramus". In fact, I meant to say "a comprehensive lack of knowledge".

Judy Mallaber (Amber Valley): Figures published this week show that the number of accidents in Derbyshire has fallen by 40 per cent. on roads with speed cameras since their introduction in 1993, preventing injury and saving the lives of 225 people. Labour Members welcome the investment in road transport announced by the Minister, but, in the light of the success of speed cameras, will she consider supporting proposals to allow income from speeding fines as a result of speed cameras to be ploughed directly into traffic-calming measures to save yet more lives?

Ms Jackson: My hon. Friend makes many valid points on the part that speed cameras can play in reducing the numbers of deaths, injuries and accidents on our roads. I am sure that she is aware that the issue of fines is part of on-going discussion between my Department and the Home Office. I am sure that she is equally aware that it is part of the Conservative party's transport policy not to increase the number of speed cameras.

Urban Task Force

16. **Mr. James Gray** (North Wiltshire): If he will make a statement on his plans to implement the urban task force's recommendations. [89491]

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): The final report of the urban task force, "Towards an Urban Renaissance", was published on 29 June. The urban White Paper will provide our main response to the task force's recommendations, and will be published in the next 12 months. In the meantime, we have invited comments on the task force report from interested parties.

Mr. Gray: In answer to an earlier question, the Minister suggested that Lord Rogers's task force had said that the Government would achieve the building of 60 or even 65 per cent. of new housing on brown-field land. The reality is of course quite different. Lord Rogers said that the Government would achieve only 55 per cent. of such building unless they accepted one of the task force's 105 recommendations.

May I help the Minister by suggesting that he might consider just one recommendation: the strengthening of the green belt in areas that are not technically green belt, such as the rural buffer zone that protects my constituency from the ever-westward expansion of Swindon? Will he protect Wootton Bassett from Swindon, or will he allow my constituency to be buried under concrete, as he is the rest of England?

Mr. Caborn: The reference to 65 per cent. concerned the east midlands, in response to the specific question asked. The green belt would be subject to public examination, to which everyone could contribute. It is absolutely clear from Government guidance that the green belt is there and that we will protect it. Indeed, a Labour Government introduced it, as they did national parks and the Town and Country Planning Act 1947. We are very proud of what previous Labour Governments have done in land-use planning over the past half century.

Mr. Vernon Coaker (Gedling): Will my hon. Friend do as much as he can to encourage as wide a public debate as possible on Lord Rogers's report, since it is a most important document? If we do not get some of the things in it right, we will find the implementation of many policies, such as those protecting the green belt and others that we want, difficult to achieve. It is essential that we include the public in the debate about how to implement Lord Rogers's report.

Mr. Caborn: I could not agree more with my hon. Friend. There will be a wide-ranging debate on the Lord Rogers task force and the report that it has produced. However, we shall be going wider than that as we produce the urban White Paper, which will be the first such document for more than 20 years. It will be taking on issues such as education, crime and a reasonable environment in our major urban areas where people will want to live, work and play, contrary to what the Conservative Administration left us to deal with when they left office.

Personal Statement (Mr. Donald Anderson)

3.30 pm

Mr. Donald Anderson (Swansea, East): With your leave, Madam Speaker, I wish to make a brief personal statement.

Since yesterday's debate on the eighth report of the Standards and Privileges Committee, I have seen a copy of the minute of the conversation between myself and Mr. Andy Henderson of the Foreign and Commonwealth Office, which took place on 8 February and which was referred to in yesterday's debate. I did not take a note of the meeting and, so far as I can recall, nor did Mr. Henderson. However, Mr. Henderson's minute goes beyond what I told the House about our conversation.

I have no reason to doubt that Mr. Henderson's minute is an accurate report. It must, therefore, qualify what I wrote to the Clerk of the Foreign Affairs Select Committee about my knowledge of the premature disclosure of the Committee's report on Sierra Leone, as recorded in the Committee's second special report. Mr. Henderson's minute also qualifies the statement that I made to the House yesterday.

I emphasise that, when I replied to the Clerk and when I spoke yesterday, I spoke in good faith. In yesterday's debate, I relied on the letter that the Clerk had received from Mr. Henderson, which I assumed to be the totality of the disclosure. I supported the release of Mr. Henderson's minute. However, I now understand that my letter to the Clerk and my statement to the House were not accurate. In the circumstances, I apologise to the House. I wish also to apologise to the House for my discourtesy in revealing to the Foreign and Commonwealth Office certain aspects of the report and of the Committee's deliberations prior to the report's publication.

Madam Speaker: I am grateful, Mr. Anderson. Thank you.

Mr. Gordon Prentice (Pendle): On a point of order, Madam Speaker. You will recall that I was in the Chamber at 2.30 this afternoon. I was hoping to catch your eye to come in on the back of Question 1 in the name of the hon. Member for South-East Cambridgeshire (Mr. Paice), who was not in his place. I am told that he was in his office throughout Transport questions. Is it not a grotesque discourtesy to the House that a Member should not be in the Chamber after he has tabled a question—

Madam Speaker: Order. It is not a matter for me whether Members are in the Chamber. I call their names if they are on the Order Paper, and that is the end of it.

Broadcasting (Religious Programming)

3.32 pm

Mr. Edward Leigh (Gainsborough): I beg to move,

That leave be given to bring in a Bill to remove restrictions on the ownership by religious bodies of broadcasting licences and to clarify the role of the Radio Authority and the Independent Television Commission in relation to the religious content of programmes.

I suppose that the first issue that must be addressed in such a debate is whether we are still a Christian society. Much has been made in recent years of the decline of religious faith and of attendance, and it is true that that has happened to some extent. However, if we stop people in the street, seven out of 10 will say that they consider themselves to be Christians. If we conduct a similar survey—this would be a national survey—we will find that only 22 per cent. of people say that they have no religious belief. About 4 per cent. will say that they have a religious belief apart from that of Christianity. I contend that we are a Christian society to that extent.

The Christianity of our society is embedded in our traditions, our history and, of course, our laws. We still have a law that requests and requires schools to have a daily act of religious worship. That Act may not be carried out in every instance in secondary schools, but our laws state that that is required. To that extent, we are a Christian society.

One would expect that to be reflected in our laws relating to broadcasting, but in fact religious broadcasters are put in a uniquely disadvantageous position. As more and more franchises become available, as more and more people are given the freedom to broadcast on cooking, travel or any other subject, and as the digital revolution progresses, one aspect of our society—religious broadcasting—is uniquely discriminated against and constrained.

The relevant statute that my Bill would amend is the Broadcasting Act 1990, which states in schedule 2 that no religious broadcaster may own a national radio licence or an ITV franchise, and, more importantly as the digital revolution unfolds, that no religious broadcaster may own a digital franchise. That places religious broadcasters in a uniquely disadvantaged position.

One can promote anything one likes. One can get a national radio licence to promote atheism, but one is prevented by law from promoting Christianity. The law is so draconian that, if a local vicar were asked to join the board of a television franchisee, that company would immediately lose its franchise. My Bill would repeal paragraph 2 of schedule 2 to the 1990 Act.

Under the law, United Christian Broadcasters, a small broadcaster in the constituency of the hon. Member for Stoke-on-Trent, Central (Mr. Fisher), can broadcast gospel music, which is hardly alarming and is unlikely to undermine society, only to people who have a special decoder on their television set, which receives only the music, with no picture.

The situation is absurd and anomalous. That view is shared by 170 hon. Members from all parties who have signed a motion tabled by the hon. Member for Stoke-on-Trent, Central to try to put matters right.

There is only one Christian local radio station in London, Premier Radio. Why are there 50 religious radio stations in France, but only one in the United Kingdom? The reason is that the codes are so tight that, whereas politicians or anyone else can go on television or the radio to raise funds for charity, to make exclusive claims or to recruit, religious broadcasters are not allowed to do so. If a religious broadcaster manages to get round all the difficulties of the law, the codes are so tight that it is virtually impossible to produce an interesting programme.

What happens abroad? I have already described France. In no other country in the western world is religious broadcasting as tightly constrained as in this country. In America, there are 1,600 Christian radio stations. People say that we need stringent laws because of all the abuses that have occurred in America. However, in recent years, there have been only two cases of fraud by Christian broadcasters, who were rightly convicted of misleading the public. In any system, there will be a couple of bad apples. Why should all religious broadcasting—Christian, Jewish or Muslim—be banned, because of the fear that religious broadcasters, uniquely, will somehow bamboozle the public?

It could be argued that religious broadcasting is available on BBC 1 and other existing channels, but that is true only to a limited extent. For instance, people who are elderly or disabled or who live in remote part of the countryside may want a Sunday morning act of worship on television, but it is not available except on high days and holy days. It was not available even on Christmas day. The service is very limited. People must tune in to radio at 8.7 am; there is no televised morning service. Out of all the countless hours of game shows, chat shows, trivia, consumerism, violence and materialism, surely 40 minutes on Sundays for morning worship is not too much to ask of the BBC. It simply does not provide that.

Those people say, "We simply cannot rely on the existing channels. Give us the right to broadcast on our own." The 22 per cent. of people who have no religious faith will not be forced to listen to United Christian Broadcasters or watch Christian television, but surely those people have rights, as does anybody else, and they should be allowed to exercise them. I believe that we are still a Christian society. Many people are denied any kind of effective religious broadcasting and they look to the House for a simple change of the law to allow them to have the same rights as everybody else.

3.40 pm

Mr. Desmond Swayne (New Forest, West): The existing law is anomalous, but we must address the question whether that anomaly gives rise to a particular benefit. There are Members present who would argue from different ends of the spectrum that there is a benefit—because Britain is either a secular or a multi-faith society—and that religious broadcasting is inappropriate. It is right, therefore, that those Members should express that view by voting to deny my hon. Friend the Member for Gainsborough (Mr. Leigh) leave to bring in his Bill.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 138, Noes 9.

Division No. 233] **[3.41 pm**

AYES

Anderson, Donald *(Swansea E)*
Arbuthnot, Rt Hon James
Atkins, Charlotte
Baldry, Tony
Beggs, Roy
Benn, Hilary *(Leeds C)*
Body, Sir Richard
Boswell, Tim
Brake, Tom
Breed, Colin
Brown, Russell *(Dumfries)*
Burstow, Paul
Campbell, Alan *(Tynemouth)*
Campbell, Rt Hon Menzies *(NE Fife)*
Casale, Roger
Cawsey, Ian
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clifton–Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cook, Frank *(Stockton N)*
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Crausby, David
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Day, Stephen
Donaldson, Jeffrey
Donohoe, Brian H
Evans, Nigel
Faber, David
Field, Rt Hon Frank
Fisher, Mark
Flight, Howard
Flynn, Paul
Forsythe, Clifford
Foster, Don *(Bath)*
Fraser, Christopher
George, Andrew *(St Ives)*
Gibson, Dr Ian
Gill, Christopher
Gorrie, Donald
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Horne Robertson, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hume, John
Hunter, Andrew
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Kemp, Fraser
King, Andy *(Rugby & Kenilworth)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Laxton, Bob
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
McCabe, Steve
McCafferty, Ms Chris
McCartney, Robert *(N Down)*
McGrady, Eddie
MacKay, Rt Hon Andrew
Mackinlay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNamara, Kevin
McNulty, Tony
Madel, Sir David
Malins, Humfrey
Mallon, Seamus
Morgan, Alasdair *(Galloway)*
Oaten, Mark
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Paisley, Rev Ian
Plaskitt, James
Rapson, Syd
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Ross, William *(E Lond'y)*
Rowlands, Ted
Russell, Bob *(Colchester)*
St Aubyn, Nick
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sayeed, Jonathan
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Streeter, Gary
Syms, Robert
Tapsell, Sir Peter
Taylor, David *(NW Leics)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Trimble, Rt Hon David
Turner, Dr George *(NW Norfolk)*
Tyler, Paul
Tyrie, Andrew
Waterson, Nigel
Webb, Steve

Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wilshire, David
Winterton, Nicholas *(Macclesfield)*

Tellers for the Ayes:
Mr. James Gray and
Mr. John Bercow.

NOES

Ashton, Joe
Barnes, Harry
Bell, Martin *(Tatton)*
Eagle, Maria *(L'pool Garston)*
Harris, Dr Evan
Illsley, Eric
Levitt, Tom
Maxton, John
Whitehead, Dr Alan

Tellers for the Noes:
Mr. Desmond Swayne and
Mr. Tim Loughton.

Question accordingly agreed to.

Bill ordered to be brought in by Mr. Edward Leigh, Mr. Mark Fisher, Mr. Donald Anderson, Mr. Frank Cook, Mr. Steve Webb, Mr. Colin Breed, Mr. Jeffrey Donaldson, Rev. Martin Smyth, Mr. Gary Streeter, Mr. Laurence Robertson, Mr. Gerald Howarth and Mr. Christopher Chope.

BROADCASTING (RELIGIOUS PROGRAMMING)

Mr. Edward Leigh accordingly presented a Bill to remove restrictions on the ownership by religious bodies of broadcasting licences and to clarify the role of the Radio Authority and the Independent Television Commission in relation to the religious content of programmes: And the same was read the First time; and ordered to be read a Second time on Friday 23 July, and to be printed [Bill 138].

Mr. James Paice (South-East Cambridgeshire): On a point of order, Madam Speaker. I apologise to you, and to the House, for not being in my place when I was called to ask a question at Question Time. It was nothing more than an oversight.

However, I was present to hear the hon. Member for Pendle (Mr. Prentice) raise the matter on a point of order. He said that I had apparently been in my office at the time when I should have been asking the question. That is true—as I have said, it was due to an oversight—but, while I was in my office, my secretary took a telephone call from a gentleman purporting to be from the Opposition Whips Office, and wanting to speak to me. As soon as he was put through to me, he put down the receiver.

It seems to me, Madam Speaker, that the information was obtained by subterfuge. I am sure that that is not an acceptable way for the hon. Member for Pendle to find out whether I was in the House.

Madam Speaker: I thank the hon. Gentleman. I wish that we could stop playing tit for tat through points of order that are disingenuous in the first place.

Orders of the Day

CONSOLIDATED FUND (APPROPRIATION) BILL

Order for Second Reading read.

Question, That the Bill be now read a Second time, *put forthwith, pursuant to Standing Order No. 56 (Consolidated Fund Bills), and agreed to.*

Question, That the Bill be now read the Third time, *put forthwith, and agreed to.*

Bill accordingly read the Third time, and passed.

Northern Ireland Bill (Programme)

Madam Speaker: Those Members who are concerned with proceedings on the Northern Ireland Bill will wish to know that a new version of the amendment paper, incorporating amendments tabled up to 2.30 today, is now available for them in the Vote Office.

3.55 pm

The Minister of State, Northern Ireland Office (Mr. Paul Murphy): I beg to move,

That the following provisions shall apply to proceedings on the Northern Ireland Bill:—

Timing of proceedings

1.—(1) Proceedings on the Bill shall be completed at today's sitting.

(2) Proceedings on Second Reading shall, if not previously concluded, be brought to a conclusion four hours after the commencement of proceedings on this Motion.

(3) In Committee—

(a) proceedings on any new clause which may be selected relating to the operation of the Northern Ireland (Sentences) Act 1998 shall be taken first and shall, if not previously concluded, be brought to a conclusion five hours after the commencement of proceedings on this Motion; and

(b) remaining proceedings shall, if not previously concluded, be brought to a conclusion seven and a half hours after that commencement.

(4) Remaining proceedings on the Bill shall, if not previously concluded, be brought to a conclusion eight hours after the commencement of proceedings on this Motion.

2.—(1) When the Bill has been read a second time—

(a) it shall, notwithstanding Standing Order No. 63 (Committal of bills), stand committed to a Committee of the whole House without any Question being put,

(b) proceedings on the Bill shall stand postponed while the Question is put, in accordance with Standing Order No. 52(1) (Money resolutions and ways and means resolutions in connection with bills), on any financial resolution relating to the Bill,

(c) on the conclusion of proceedings on any financial resolution relating to the Bill, proceedings on the Bill shall be resumed and the Speaker shall leave the Chair whether or not notice of an instruction has been given.

(2) On the conclusion of proceedings in Committee the Chairman shall report the Bill to the House without putting any Question; and if he reports the Bill with Amendments, the House shall proceed to consider the Bill as amended without any Question being put.

Questions to be put

3.—(1) For the purpose of bringing any proceedings to a conclusion in accordance with paragraph 1 the Chairman or Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded; and on a Motion for a new Clause or Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(2) If two or more Questions would fall to be put by the Chairman under sub-paragraph (1)(d) in relation to successive provisions of the Bill, the Chairman shall instead put a single Question in relation to those provisions.

Lords Amendments

4. At the sitting on Thursday 15 July—

(a) any message received from the Lords relating to the Bill shall be considered forthwith without any Question being put; and

(b) proceedings on any message shall be brought to a conclusion, if not previously concluded, one hour after commencement.

5.—(1) This paragraph applies for the purpose of concluding in accordance with paragraph 4 any proceedings on any message received from the Lords relating to the Bill.

(2) The Speaker shall first put forthwith any Question already proposed from the Chair and not yet decided.

(3) If that Question is for the amendment of a Lords Amendment the Speaker shall then put forthwith—

(a) the Question on any further amendment of the Lords Amendment moved by a Minister of the Crown, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(4) The Speaker shall then put forthwith—

(a) the Question on any Amendment moved by a Minister of the Crown to a Lords Amendment, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(5) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown, That this House disagrees to a Lords Amendment.

(6) The Speaker shall then put forthwith the Question, That this House agrees to all the remaining Lords Amendments.

(7) As soon as the House has agreed or disagreed to a Lords Amendment, or disposed of an Amendment relevant to a Lords Amendment which has been disagreed to, the Speaker shall put forthwith a separate Question on any other Amendment which is moved by a Minister of the Crown and relevant to the Lords Amendment.

(8) The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the appointment, nomination and quorum of a Committee to draw up Reasons and the appointment of its Chairman.

(9) A Committee appointed to draw up Reasons shall report before the conclusion of that day's sitting.

Miscellaneous

6. If at the sitting today or on Thursday 15 July—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) stands over to Seven o'clock, and

(b) proceedings on the Bill have begun before that time,

the bringing to a conclusion of any proceedings in accordance with paragraph 1 or 4 shall be postponed for a period equal to the duration of the proceedings on that Motion.

7.—(1) No Motion shall be made to alter the order in which any proceedings on the Bill are taken.

(2) No dilatory Motion with respect to, or in the course of, proceedings on the Bill shall be made except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

(3) No debate shall be permitted on any Motion to recommit the Bill (whether as a whole or otherwise), and the Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any amendment.

8. Standing Order No. 82 (Business Committee) shall not apply to this Order.

9.—(1) The Question on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall be put forthwith; and Standing Order No. 15(1) (Exempted business) shall apply to the proceedings on the Bill at the sittings today and on Thursday 15 July.

(2) If at the sitting today or on Thursday 15 July the House is adjourned, or the sitting is suspended, before the time at which any proceedings are to be brought to a conclusion under paragraph 1 or 4, no notice shall be required of a Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order.

10. Proceedings on the Bill shall not be interrupted under any Standing Order relating to the sittings of the House.

I am aware that we are asking the House to consider the Bill in a very tight time scale. From our point of view, it would be much more preferable if we had longer to scrutinise the Bill before debates began and intervals between stages, but the whole House realises why we have such a time scale.

I apologise to the House for the lateness of the delivery of the Bill last night. I believe that it arrived in the Table Office at about 6.15. I am conscious that Members on both sides of the House wish to contribute, so I end my comments.

3.56 pm

Mr. Eric Forth (Bromley and Chislehurst): The House surely cannot let the occasion pass without at least recording considerable disquiet at the way in which the Government propose to deal with the legislation. It surely must be the case that any legislation should be given proper scrutiny by the House, and that there should be a proper opportunity for Members to consider it, time in which Members can consult those who they think have an interest, time to consider amendments and time for a due process.

That would be the case in any circumstance, but, in this of all circumstances, on this subject and at this time, all those matters become yet more important. However, we are faced with what I can describe only as a completely arbitrary and artificial deadline—one of many.

We have had a number of deadlines on the matter. Who knows—there may even be more, but, because of the artificial deadline that is being imposed on us, on the House of Commons and on the parliamentary process by the Government, we are being forced to consider vital legislation, on which so much rests, in the most indecent haste.

That would be bad enough in itself, but there is a risk in forcing to us consider the legislation in such undue haste. Hon. Members did not know even what was in the Bill until yesterday evening. You have just announced, Madam Speaker, that the latest set of amendments was available in a revised amendment paper at 2.30. What kind of way is that to make law? What kind of way is that to ask the House of Commons to make decisions?

The risks that we run now are considerable. I find it shocking that we are apparently being forced to consider the legislation at the timetable in the motion. I hope just that we are able to do a proper job of scrutiny—although, for the life of me, I cannot see how—that we do not make some dreadful mistake by processing the legislation at the speed with which we are obliged to do it, and that it will not be seen as a precedent. It is bad enough doing that where there is a real requirement for speed. Where the deadline is totally arbitrary and artificial, the whole process is unacceptable.

I want to record my disquiet and my opposition to this method of legislating. I hope that we never do it again.

Mr. William Cash (Stone): On a point of order, Madam Speaker. I, too, wish to protest at the manner in which the legislation is being dealt with, not least because it is basically an unconstitutional Bill, based on a hypothesis.

Madam Speaker: If the hon. Gentleman wishes to make a speech, I shall be happy to call him. We have three hours to go.

3.59 pm

Rev. Ian Paisley (North Antrim): On behalf of the people whom I represent in the House, I should like to make my protest about the way in which the matter has been conducted. According to some press reports, when the draft Bill was tabled, it was not even written out or complete. The Government very kindly faxed us all in Northern Ireland a copy of the Bill, but the fax was so abominable that we could not read it. In fact, I offered the fax to an hon. Gentleman and asked whether he could interpret it for me, but he said, "No, I couldn't interpret that." How can we adequately represent the people of Northern Ireland when we have not before us what we have to discuss in this very important debate?

I do not want to prolong my speech now, because it is more important that what time we have is used effectively and effectually. However, this is no way of dealing with a matter of such seriousness. We are supposed to be debating a failsafe Bill, but, in previous weeks, I have heard nothing but people conjecturing about the possibility of a failsafe situation.

The right hon. Member for Upper Bann (Mr. Trimble), the leader of the Ulster Unionist party, told us that he needed an assurance from the hon. Member for Foyle (Mr. Hume) that he would see to it that IRA-Sinn Fein would be expelled from any Executive unless it had decommissioned by a certain date. Then, I read about the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) talking about a mythical Mr. P. O'Neill, and the fact that the hon. Gentleman would be quite satisfied that we could move forward if that mythical Mr. P. O'Neill would only just write to him. Today, we come to this Bill.

There is nothing in the legislation that really deals with the issue before us—one has only to read it to see that that is so. I suppose that the reason for that is that the Government are hooked to their own petard, because they cannot change the agreement. If they put anything into the legislation that will change the agreement, the parties to the agreement—especially Sinn Fein itself, and the Dublin Government—will of course have something to say. Those are the facts of the matter.

Today, we are being pushed to deal with legislation that is different from anything that has ever been produced in the House of Commons on the standing of terrorists in a part of the Government and a part of Her Majesty's United Kingdom. Surely such a matter deserves time to discuss and debate properly.

Question put and agreed to.

Northern Ireland Bill

Order for Second Reading read.—[Queen's consent, on behalf of the Crown, signified.]

4.3 pm

The Secretary of State for Northern Ireland (Marjorie Mowlam): I beg to move, That the Bill be now read a Second time.

I am very grateful to colleagues for attending to this urgent business, and apologise for the speed with which it is being done. I know that hon. Members will appreciate the circumstances in which the Bill has been introduced and be anxious for the Good Friday agreement to be implemented in full.

In the past 10 months, progress has been held up by the dispute over the formation of an inclusive Executive and the decommissioning of paramilitary weapons. There have been months of discussions, hundreds of meetings and hour upon hour of debate and negotiation, the sole purpose of which has been to find a way through the impasse which both sides of the community in Northern Ireland are able to support.

As we are debating progress in Northern Ireland, I should like to register in the House the progress that has been made on marches in the past week. I think that everyone will be pleased with the progress that was made, on 12 July and in the preceding weeks, and will hope that that progress continues. I pay tribute to the Orange Order, which worked hard—as did the residents, but the Orange Order worked particularly hard—to ensure that this time of year was not violent.

I say at the outset that I know that a number of issues and concerns have been raised about this Bill by the parties in Northern Ireland and people in the House—in particular, suspension versus exclusion, prisoner releases and the timetable for decommissioning. My intention is to cover the detailed points in the Bill, and then to address these concerns more fully.

My right hon. Friend the Prime Minister, Taoiseach Bertie Ahern and US President Clinton have all been actively involved in trying to help the parties to overcome their differences and, as almost anybody engaged in the process will acknowledge, they have worked very hard.

The latest discussions began in Belfast on 25 June, when three important principles were agreed: that an inclusive Executive should be formed, exercising devolved powers; that all paramilitary arms should be decommissioned by May 2000; and that decommissioning should be carried out in a manner determined by the Independent Commission on Decommissioning, under General John de Chastelain.

On 2 July, the two Governments put forward new proposals, based on those agreed principles. As the Prime Minister said in the House at the beginning of last week, the two Governments are proposing the following: the d'Hondt process to nominate Ministers in a new Northern Ireland Executive, to be run this Thursday; following that, devolution of powers will take effect from Sunday; and General John de Chastelain's commission will then set out the steps required for, and the modalities for achieving, total decommissioning by all paramilitary groups by May next year. Literally within days of devolution, the process of decommissioning is to begin, as specified by the commission, and there is to be a start to actual decommissioning within a few weeks.

The Commission will report progress in September, December and May, but can do so at any other time if it considers that commitments are not being fulfilled.

That, Madam Speaker, is the sequence. In my view, it represents the best way forward. However, I recognise clearly that what really matters to people on both sides of the community in Northern Ireland is certainty. Nationalists and republicans require certainty that they will be welcomed alongside the Unionists. Unionists need certainty that they will not have to sit in an Executive with others if commitments on decommissioning are not met.

The Bill provides that certainty. It contains a failsafe clause—an insurance policy, or guarantee—which says that, if commitments are breached, either on decommissioning or on devolving the institutions set up by the agreement, the agreement will be suspended. In effect, that will rewind the process to where it is today—exactly as the Prime Minister said. We will be back to direct rule, with the Executive brought to an end.

Mr. Andrew Robathan (Blaby): Will the Secretary of State give way?

Marjorie Mowlam: May I make a little more progress, and then I will? The Bill sets out how this failsafe would work. Let me go into some of the detail, and I will then take an intervention from the hon. Gentleman.

Clause 1 provides for the automatic and immediate suspension of the operation of the institutions established under the Agreement. This will bite if either decommissioning or devolution commitments are not met; in the case of decommissioning, for example, when the Decommissioning Commission reports that there has been a failure to meet a commitment or to take a step that it has laid down. The effect of suspension is that the Assembly will no longer be able to legislate, or to meet, apart from specific circumstances for which the Bill provides.

Mr. Kevin McNamara (Hull, North): Will my right hon. Friend give way?

Marjorie Mowlam: In two seconds. Ministers will cease to hold office. The North-South Ministerial Council and the British-Irish Council will cease to function under the terms of a supplementary treaty between the two Governments. The draft treaty is available in the Library of the House.

Mr. Robathan: The Secretary of State referred to a few days and a few weeks. Can she tell us exactly how many days and how many weeks?

Marjorie Mowlam: I am sorry to say that it is not my decision. General de Chastelain, who is well respected on both sides of the community in Northern Ireland, chairs an independent body and it is his decision as to the time scale. However, he made the position clear in his report on 2 July in which he said that the process would start in a number of days, and actual decommissioning would follow in a number of weeks. He made it clear in the report that he will put down a timetable as to amounts, and it will be clearly laid out. The independent

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commission making that decision was agreed by all the parties, earlier in June, as the best mechanism to move forward.

Mr. McNamara: My right hon. Friend said that there would be a wind-back to the position that we have now, but that is not quite accurate. In fact, articles 2 and 3 of the Irish constitution would have been amended and the Anglo-Irish agreement ended.

Marjorie Mowlam: My hon. Friend makes a fair point, but, as those points were agreed so long ago, I assumed that they were taken for granted. He is right to say that that will happen, and that the changes to the constitution of the Irish Republic will continue regardless.

Mr. Tom King (Bridgwater): The Secretary of State and the Prime Minister have rightly emphasised that the essential safeguard in this whole exercise of trust—because a certain amount has to be taken on trust—is the failsafe mechanism, which is the ultimate protection. I understand the difficulties and the independence of Sir John de Chastelain, but the House is being asked to assess the quality of that failsafe mechanism without, at the moment, being absolutely sure of the benchmarks against which it is to work.

I told the Prime Minister, in a question on the statement he made, that it seemed to me that the only certain benchmark on which anybody could rely was May 2000. Could the Secretary of State arrange, either in her speech or before the end of the debate, for the House to be given the clearest possible guidance as to the thinking of Sir John de Chastelain? Without that, it will be extremely difficult to assess the quality of the failsafe mechanism.

Marjorie Mowlam: The right hon. Gentleman knows that General de Chastelain is independent. One of the difficulties of independent bodies is that one cannot tell them what to do, but I assure the right hon. Gentleman that the report that General de Chastelain gave at the beginning of July outlines clearly the stages that will be taken. As I have mentioned already, he has said that, after devolution, it will be a number of days before the process begins and at most a number of weeks before the actual process starts. In that report, he says that there will be a timetable with modalities, and outlines the amounts and the time scale that he thinks suitable. That will be there for everybody to see.

General de Chastelain is strongly committed to making progress, and what he has said is there for everyone to read. He has also made it clear that additional reports will be published in September, December and May, and additional ones to those if he feels that commitments are not being made. For those eight months, there is a clear programme already in the statements that he has made.

Mr. Frank Field (Birkenhead): I wish to pick up the point about rewinding that my hon. Friend the Member for Hull, North (Mr. McNamara) touched on. It is possible to look over past events and to see how brilliantly the IRA has conducted negotiations. The communities on both sides have made major concessions to get to this position, but the IRA has not made any major concessions. The communities made those concessions in the hope that the weapons would be decommissioned.

When there is rewinding, does my right hon. Friend agree that it would give rise to instability to rewind to the position today? Should we not also consider going back on the prisoner release system, so that, if the arms are not delivered, the IRA will lose some of the advantages they have gained in the past year?

Marjorie Mowlam: All sides have made progress and shown a determination to move forward. For example, the republicans and the nationalists have accepted the principle of consent and the changes to the Republic's constitution, both of which are big steps forward. Moreover, the Assembly, perceived as a partitionist body, has been accepted, even though it is not high on the nationalist agenda. It has not been easy for either side, but both have made progress.

As for the point about prisoners, I hope that my right hon. Friend will allow me to make a little progress, as I shall address that matter in some detail in a minute.

Rev. Ian Paisley (North Antrim): Will the Secretary of State give way?

Marjorie Mowlam: If the hon. Gentleman will give me a chance to make some progress and finish describing the content of the Bill, I shall surely take an intervention from him.

All legislative and executive functions during the suspension period will revert to us here in Westminster. A review, under the terms of the Belfast agreement, will begin as soon as is practicable after the suspension.

Clause 2 deals with the period of the suspension and the procedure for bringing it to an end. Clause 3 requires two meetings of the Assembly to be called during the suspension period—the first within seven days of suspension, without taking a vote; the second within seven days of the end of the review, when the Assembly will debate the outcome of the review and vote on any proposed action. Clause 4 lays down what would happen when devolved government was restored once the suspension was lifted.

Clause 5 deals with the six north-south implementation bodies that will come into being at the point of devolution. As those bodies will have continuing administrative functions, it would not be practicable to suspend them immediately. However, there are two important safeguards.

First, during the suspension, the Governments will not confer any new functions or policy directions on those bodies, nor will they establish any new bodies. Secondly, the draft treaty makes it clear that if, within four months, the suspension has not been ended, the two Governments will agree new arrangements to transfer the bodies' functions to the relevant Departments in Northern Ireland and in the Irish Republic. That is another example of rewinding to the status quo, as my right hon. Friend the Prime Minister has said.

As I mentioned at the beginning, a number of specific concerns have been raised with the Government, and particularly with the Minister of State, Northern Ireland Office, my right hon. Friend the Member for Torfaen (Mr. Murphy), during his consultations with parties, both here and in Northern Ireland.

I shall deal first with the issue of exclusion, which is one of the matters that has been raised. The Bill means that, if anyone fails to meet commitments on either

decommissioning or devolution, the Executive will not continue. This we can guarantee absolutely. The Executive will come to an end. That is clear, automatic and irreversible, unless the parties decide differently.

What we cannot do is decide to form a new Executive ourselves. That can be done only by agreement between the parties. Even if we could provide for the automatic exclusion of a party, the same thing would happen. The others would still need to decide whether they wanted to go ahead on their own. There would be no basis under the Good Friday agreement for continuing unless an Executive, with representatives of both communities, could be formed.

Rev. Ian Paisley: When the Secretary of State replied to the hon. Member for Hull, North (Mr. McNamara), I took it that she said that changes to the constitution of the Irish Republic would still go ahead. However, I am sure that she is aware that the Government in the south of Ireland have made a statement that the matter will be postponed for two years. I want to ask about something that is more important to me—the Government of Ireland Act 1920. What will happen to that? Will it be repealed, or retained?

Marjorie Mowlam: The Government of Ireland Act 1920 will be kept. I do not have the information that the hon. Gentleman says he possesses about the Irish Government changing the date of their constitutional amendment, which I am convinced will still happen according to the given timetable.

Mr. Jeffrey Donaldson (Lagan Valley): The Secretary of State has spoken about exclusion. Will she confirm that a Minister can be excluded from a future Executive only if there is a cross-community vote in the Assembly under the Northern Ireland (Elections) Act 1998? The Executive can be suspended, but no one can be excluded unless there is a vote to exclude that individual, or an individual party, from holding office.

Marjorie Mowlam: That has always been the case. The new Bill focuses on the situation in which someone in the Executive fails to make the required commitment in line with the de Chastelain timetable, providing an automatic mechanism to mean that that person is out, the Executive stopped and the process suspended.

Mr. Donaldson: Everyone is out.

Marjorie Mowlam: The process means that the Executive is stopped, as a result of which people will not have to share a position on it with those who are not willing to decommission. Matters can proceed in Northern Ireland only when there is a collective Executive. If one party changes, whether it is loyalist or republican, there will be a knock-on effect. We cannot treat parties in isolation, because of the collective impact exclusion would have. That is why the entire Executive would be disbanded. The hon. Gentleman knows that matters would rewind to where we are now. No one would be worse off than they are at present.

Several hon. Members have mentioned prisoners, and I understand the concerns that have been raised on both sides. Prisoner releases are difficult. We all find it hard to deal with them, but it is least easy for those families who have been victims of the troubles. Under the Good Friday agreement, the release of prisoners is linked to the maintenance of paramilitary ceasefires. That is reflected in the terms of the Northern Ireland (Sentences) Act 1998, which makes it clear that one of the factors that I should take into account in judging whether ceasefires have been maintained is whether organisations benefiting are co-operating fully with the Decommissioning Commission.

I can assure the House that, in the overall judgments that I have to make about whether ceasefires are holding, I shall pay increasingly close attention to the extent to which an organisation is co-operating with the commission. That test will become tougher as time goes on.

Mr. David Trimble (Upper Bann): The Secretary of State correctly says that one of the criteria that she must consider under the 1998 Act is whether an organisation is co-operating with the de Chastelain commission. May I direct her attention to clause 1(1)(a)(ii) of the new Bill, which makes one of the bases for a report a failure to take any step required by the commission? Anyone failing to co-operate with the commission would fall within the terms of the Bill, which provides for automatic suspension. Cannot the Secretary of State say that the remedy with regard to prisoners will be just as swift and certain as that provided by the Bill?

Marjorie Mowlam: I cannot rewrite the agreement, as the right hon. Gentleman knows. There is a clear relationship between prisoner releases and ceasefire; there is not that relationship between the accelerated release of prisoners and decommissioning. That is what the Bill states and that is my understanding of it.

Those are matters of judgment; but the judgment as to whether a group is on ceasefire is part of the process of whether it is decommissioning in line with the Independent Commission on Decommissioning. If the group is said not to be following the directions of the decommissioning body, of course I will take it into account, but it is one of a number of factors. As I said, that factor will become more testing as time goes by.

Mr. Roy Beggs (East Antrim): Will the Secretary of State give way?

Marjorie Mowlam: No, I want to make a little more progress.

Finally, on a timetable for decommissioning, the agreement provides for the independent commission to have a key role. In its report of 2 July, it said that it is

"prepared to define a timetable for decommissioning of arms by the main paramilitary groups",

and that such groups

"will be expected to adhere to it to ensure completion by . . . May 2000."

If we want to go outside the de Chastelain process, one thing is clear: decommissioning will not happen. A process for decommissioning to take place alongside de Chastelain is outlined in the agreement.

In articles in the papers and elsewhere, hon. Members have expressed the view that the process should happen more quickly. Unless it is in line with the Good Friday

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agreement, there is not a chance of decommissioning happening. That is what the parties have signed up to and that is our best bet for making progress.

Mr. David Wilshire (Spelthorne): I am anxious to be clear before I vote on the timetable. Earlier, the right hon. Lady said that the Government cannot dictate the timetable. Now she has said that the Decommissioning Commission will produce one, but it has not already done so. Will it be possible by the time we vote tonight to know exactly we are being asked to vote for—exactly when these things will happen? If not, there surely cannot be any guarantee.

Marjorie Mowlam: I make two points to the hon. Gentleman. First, General de Chastelain has made it very clear that he will put in place a full timetable after devolution is in place and when he is talking to all the groups. However, in his statement of the 2nd, he made it patently clear that a decommissioning process will start within days of devolution and that the first act of decommissioning will be within weeks—*[Interruption.]* Hon. Gentlemen keep shouting, "How many days? How many weeks?" What we have here is the best chance—the best option—for getting not merely a token gesture of decommissioning but a process that will start now and will be completed by May 2000.

Any past suggestion has been a token gesture. Why this is the best option that we have had to make real peace in Northern Ireland derives from the fact that it will be a timetable for complete decommissioning by May 2000. That is worth taking a risk for. It is a risk, I accept that. It is partially a risk—

Several hon. Members *rose—*

Marjorie Mowlam: Let me finish. It is partially a risk because it is saying that, after d'Hondt on Thursday and devolution on Saturday, it will be a matter of days before the process starts and a matter of weeks before actual decommissioning starts. Is that too long to wait to find out whether this process can work? We will know who is serious—we will know which side is not going to fulfil its agreement—within weeks. That is worth doing to find out whether we can get real decommissioning.

Several hon. Members *rose—*

Marjorie Mowlam: I will make a little more progress.

As many people have said, the present difficulties in Northern Ireland are about confidence—about offering guarantees to both sides that devolution and decommissioning will happen. What this process offers is a legal guarantee to both sides. We have said before that the process needs more confidence and more trust. Over the next couple of weeks, with the legal guarantee that whoever does not fulfil either decommissioning under the timetable set by de Chastelain or the devolution commitment to put in place the institutions, we have a chance to see who is serious, who will honour their commitment and who will not. This is a chance and a test—

Mr. Beggs: Will the right hon. Lady give way?

Marjorie Mowlam: This will be the last time.

Mr. Beggs: I thank the Secretary of State for giving way. Does she realise that the impression that has been given over the past 12 months is that she, as Secretary of State, and others have been prepared to turn a completely blind eye to murder, beating and mutilation, and to the number of families who have been intimidated and driven out of the country? What does she say to those who formed that impression? How can she give us confidence that serious activity by terrorist organisations will not be ignored in the future?

Marjorie Mowlam: For the past couple of months, I have been implementing the Good Friday agreement, for which the people of Northern Ireland voted. In addition, the Bill gives guarantees to both sides that, if decommissioning is not honoured and if devolution is not honoured, they do not have to sit in the Executive with people who have not decommissioned. That is a worthwhile guarantee; within weeks, we shall know if that is serious.

As for the hon. Gentleman's remarks about allowing murders to continue, I find that slightly offensive. I guarantee to him that, week after week, I ensure that I talk to the security forces and to the police. Ten days ago, the Chief Constable said that he thought that he disagreed with nothing that I have said or done. I have listened carefully to advice; I do not listen to gossip, rumour or unfounded allegations. However, I assure the hon. Gentleman that, if I receive evidence that people are murdering or beating, and if it is evidence that I can act on, I shall do so. I will not shirk that responsibility.

I believe that the end is potentially in sight. At present, we have an historic choice before us. It will give us the chance to move forward in a way that has not been possible before. I commend the Bill to the House.

4.32 pm

Mr. Andrew MacKay (Bracknell): I start on a personal note by thanking the Secretary of State, the Minister of State, Northern Ireland Office, the right hon. Member for Torfaen (Mr. Murphy), and the Prime Minister for the consideration that they have shown my right hon. Friend the Leader of the Opposition and myself in taking us, step by step, through the latest developments. As I shall point out later, there are matters of doubt and disagreement, but we appreciate the courtesy that has been shown to us.

The measure inevitably goes back to the Belfast agreement. I emphasise again that the Opposition wholeheartedly support the agreement; we supported it when it was brokered a year ago last Easter, and we do so unreservedly today. However, we have always maintained—as has the Prime Minister—that we cannot dine à la carte on that agreement. It only works if it all hangs together; it was a huge compromise and everybody has to play their part.

We strongly endorsed elements of the agreement: the constitutional change in the Republic, which meant that it no longer had a legal claim over the north and that

it allowed the people of Northern Ireland to decide their own future; and the setting up of a devolved Administration so that, after so many years of direct rule, the people of Northern Ireland—or, more significantly, their elected politicians—were able to have a considerable say in running their part of the United Kingdom. We were especially anxious to ensure that there would be decommissioning of all weapons illegally held by paramilitaries, whether republican or loyalist, and that there would be a total end to violence.

What we did not like, but reluctantly swallowed because it was part of the total package, was the early release of terrorist prisoners back on to the streets. We fully understood when the Secretary of State and the Prime Minister started to release those prisoners back on to the streets after the House passed the Northern Ireland (Sentences) Act 1998: it was clear that the Government had to show their good will and their commitment to the men of violence before they would start to decommission.

However, by the end of September, a significant number of terrorists had been released early and there was no sign of any decommissioning of illegally held arms and explosives by any of the paramilitaries whose political associates had signed up to the agreement. Since the end of September onwards, the Leader of the Opposition and I have continually called on the Prime Minister and the Secretary of State to halt the early release of terrorist prisoners until there is decommissioning of illegally held arms and explosives.

A bargain was struck in Belfast last Good Friday, and both sides have to keep to that bargain for it to work—it has to be balanced. The Secretary of State says that decommissioning only had to take place over a two-year period ending May 2000. I put it to her that any reasonable observer would say that, if people are supposed to decommission all their illegally held arms and explosives over a two-year period, the fact that not one gun or one ounce of Semtex has been decommissioned after 14 months of that two-year period, which is the stage we are at now, indicates that the paramilitary parties have failed to fulfil their part of the bargain, so it would be right and proper for a halt to take place in the Government's early release of terrorist prisoners.

Marjorie Mowlam: The Good Friday agreement says that decommissioning is an obligation, not a precondition. We all want decommissioning to happen as quickly as possible, but there was no timetable in the Good Friday agreement. What the deal gives us is a timetable from next week for full decommissioning. That is the difference and why this is a good Bill to have.

Mr. MacKay: I put it to the Secretary of State that I wish that that were so, but there is no specific timetable in the legislation. If I catch your eye, Mr. Deputy Speaker, I shall move amendments to the Bill—

Mr. Donaldson: Will the right hon. Gentleman give way?

Mr. Robert McCartney (North Down): Will the right hon. Gentleman give way?

Mr. MacKay: I shall respond to the Secretary of State first and then give way. There is no specific timetable in the Bill, and we want to ensure that there is. I shall elaborate on that later in my speech. Meanwhile, I give way to the hon. Member for Lagan Valley (Mr. Donaldson).

Mr. Donaldson: On the question of what is meant by decommissioning and when it should happen, may I quote from a letter from the Prime Minister to my right hon. Friend the Member for Upper Bann (Mr. Trimble), the leader of my party? It is dated 10 April—Good Friday—last year and is signed in the Prime Minister's own handwriting. It states:

"Furthermore, I confirm that in our view the effect of the decommissioning section of the agreement, with decommissioning schemes coming into effect in June, is that the process of decommissioning should begin straight away."

Mr. MacKay: I entirely accept what the hon. Gentleman says: that the Prime Minister, who obviously and genuinely wants decommissioning to take place as soon as possible, just as I do, has made commitments—including the commitment in that letter to the First Minister designate—which, to be frank, have not been fulfilled.

Mr. McCartney *rose—*

Mr. MacKay: I shall give way once more but, because we are time limited, it must be the last time.

Mr. McCartney: I am grateful to the right hon. Gentleman for giving way. Does he agree that one of the most telling factors in the referendum campaign were the public pledges given in the Prime Minister's own handwriting that there would be a direct nexus between decommissioning and the release of prisoners; and that those pledges remain dishonoured and unfulfilled?

Mr. MacKay: The hon. and learned Gentleman might recall that the Leader of the Opposition and I were campaigning for a yes vote in the Province on the same day as the Prime Minister made his handwritten pledges. I welcomed those pledges, and I think that they made a significant difference in ensuring a yes vote in both communities. Since then, many people in Northern Ireland who voted yes have felt badly let down. Today, we have an opportunity to put that right, if our amendments are passed.

If we had been listened to, and if decommissioning had started because of the halt to terrorist prisoner releases, we would have no need for this debate and legislation today. We all want a devolved Administration in Northern Ireland, and we want it to include the maximum number of people of the widest diversity. We want it to be inclusive. We certainly want it to include all those who were elected to the Assembly and have sufficient seats to become Ministers under the d'Hondt formula.

To ask the people of Northern Ireland and my Unionist friends to sit in a devolved Executive with Ministers who represent paramilitaries who have not begun to decommission is a very tall order, as I am sure that the Secretary of State will agree. That is why the Leader of the Opposition and I have continually said that everyone must jump together. In other words, Ministers should be appointed only when decommissioning has started. That is why I so strongly commended the Prime Minister's Hillsborough declaration, in which he and the Taoiseach

[Mr. MacKay]

said categorically, after lengthy negotiations with all the parties in Northern Ireland last Easter, that, if decommissioning started, ministerial appointments would be made.

Sadly, through no fault of the Prime Minister, the Hillsborough declaration was not implemented. It is worth noting why. It was because the paramilitaries and their political friends, both republican and loyalist, refused point blank to decommission. The Prime Minister had, therefore, to go back to the drawing board and had extensive, and no doubt exhaustive, discussions with all the political parties in the Province.

Mr. Seamus Mallon (Newry and Armagh): Will the right hon. Gentleman give way?

Mr. MacKay: I should like to finish this point, and then I shall certainly give way.

The Prime Minister had exhaustive discussions with all the political parties only a few weeks ago. At the end of those discussions, he came up with a blueprint that invited the House and Unionists to set up an Executive in which Unionists and others would sit as Ministers with Sinn Fein representatives, without any decommissioning. I found that unacceptable. However, the Prime Minister then said, "There will be failsafes. I am inviting you to set up the Executive and, within a few days, there will certainly be penalties for any of the paramilitaries who do not decommission." That, I reluctantly concluded, was the only way forward.

We therefore supported the Government because, as the Prime Minister eloquently said on the steps of Stormont, in an article in *The Sunday Times* and at the Dispatch Box a week last Monday, that would put whoever was not prepared to move forward completely on the spot. Under those circumstances, providing that the agreement was legally binding, the Prime Minister and the Secretary of State would have had our wholehearted support and we would have advised Unionists and others to agree to be Ministers in that Executive.

I shall quote from the significant article by the Prime Minister in *The Sunday Times* of 5 July. He said:

"Within days of devolution, the paramilitary organisations, including the IRA, must notify intention to decommission. If they don't there's a failsafe that unwinds devolution.

Within weeks they must decommission. The process is then verified by an independent commission, headed by the highly respected General de Chastelain."

I agree wholeheartedly with all that. The Prime Minister continued:

"This failsafe will be put in legislation and made automatic".

One can imagine our disappointment, then, when the failsafes were not included in the legislation that we finally saw early yesterday evening.

Mr. Mallon: Will the right hon. Gentleman give way?

Mr. MacKay: I shall specify which failsafes are missing, and then I shall give way to the hon. Gentleman. I want to make it very clear why we believe that the failsafes promised by the Prime Minister are not in the proposed legislation, and why we shall be seeking to amend the Bill to ensure that they are. When the Bill is amended, we will vote enthusiastically for its Third Reading.

Three failsafes are missing. First, there is no tight, transparent timetable in the Bill. We are being asked to rely on various remarks of the respected independent General de Chastelain, and hope that he will produce a timetable. That could lead to a fudge, and the Prime Minister knows that. We want a timetable in the legislation. Then we can judge whether any paramilitaries are failing to decommission in time. We must have a tight, verifiable timetable.

Secondly, if the IRA fails to decommission on time—I sincerely hope that it decommissions so that Sinn Fein can play its full role in the Executive—it should be automatically excluded from the Executive. As the Bill is drafted, the whole Executive and the whole Assembly would be closed down and suspended. I have never known of a situation in which everybody is punished equally. Those who have done no wrong and who have fulfilled their obligations would be punished in exactly the same way as those who failed to fulfil their obligations by not decommissioning. That cannot be fair and equitable.

We require a third and final failsafe. I hope that the Secretary of State and the Prime Minister will agree that only some of the paramilitary parties are the slightest bit interested in the Assembly or the Executive. Only the Provisional IRA, through Sinn Fein, is interested in the Assembly and the Executive, and only the Ulster Volunteer Force and the Progressive Unionist party are interested in the Assembly. None of the others has any political representation in the Assembly, so there is no punishment for them. As the Bill is drafted, the Loyalist Volunteer Force could fail to decommission on time and bring the whole pack of cards tumbling down. That cannot be right.

It is not reasonable to ask the Provisional IRA to decommission, if we cannot be certain that the loyalist paramilitaries will also decommission. We would be asking republicans to disarm when their own people, as they would put it, would be fearful of attack from loyalist thugs, terrorists and paramilitaries but have no means of defending themselves.

So, it is absolutely essential that, if any paramilitary group fails to decommission on time, its terrorist prisoner release is immediately halted by the Government. That is the only sanction that we have against them, and we need it not just to protect the democrats and the democratic process, but to assure the republicans that there will be loyalist decommissioning as well and that their own people will not be unduly exposed.

The hon. Member for Newry and Armagh (Mr. Mallon) has been very patient, and I shall now give way to him.

Mr. Mallon: I thank the right hon. Gentleman for giving way; I indeed have grown patient. Will he explain his espousal of the Hillsborough declaration, which was also espoused by the Unionist parties, with only a little token decommissioning, no de Chastelain report and a commitment to run the d'Hondt system on that Maundy Thursday and for an Executive to be up and running by the end of Easter, but his refusal to accept this proposal, which contains not only the de Chastelain report but the

commitment of de Chastelain reports on four different occasions, a beginning, a middle and an end to decommissioning and a failsafe device if that is not met?

Mr. MacKay: I can straightforwardly explain that. In a perfect world all of us, including the hon. Gentleman, would prefer decommissioning to be going ahead at the same time as ministerial appointments, and that is why we supported the Hillsborough declaration.

We are now being offered that Ministers be appointed to the Executive with no certainty that there will be decommissioning in future, and the possibility of a fudge. That fudge will be removed if our amendments are passed. It will then be legally binding that there will be a timetable, the exclusion of Sinn Fein if the IRA does not decommission, and the halting of terrorist prisoner releases for any paramilitary group, loyalist or republican, that does not decommission on time. These are true failsafes that would avoid a fudge and ensure that the proposed legislation moves forward.

The Secretary of State and the Prime Minister are absolutely right when they say that there is a lack of trust. We know after nearly 30 years of troubles in the Province that trust is in desperately short supply. To paraphrase, Unionists do not trust the IRA to decommission at all, and republicans, and quite probably some constitutional nationalists, do not believe in their heart of hearts that the Unionists will ever agree to share power or to be Ministers in an Executive with nationalists or republicans, and certainly with Sinn Fein.

The Secretary of State and I will never be able to persuade those people, because the trust is not there. The only way forward is to have legislation of the sort that is being introduced today, where there are copper-bottomed guarantees and failsafes in law so that those concerned are not taking my word for it, nor the right hon. Lady's, nor even the Prime Minister's or General de Chastelain's. They will have it in law, in statute and in an Act of Parliament that has been passed by the House of Commons that, if anyone reneges on his obligations, he will be fully penalised.

It is a crying shame that that is not the position at present because there is a real possibility of moving forward in a way that we have been unable to do before, and having proper, inclusive, devolved government in Northern Ireland combined with the decommissioning of illegally held weapons and an end to violence. It is so close; it is a pity that the Bill is flawed and will not allow that to happen.

4.52 pm

Mr. David Trimble (Upper Bann): As the Secretary of State said in her introductory remarks, the Bill is to give effect to the declaration made on 2 July by the Prime Minister in association with the Irish Prime Minister. In that declaration, the Prime Minister is asking us to take part in an Executive with Sinn Fein in advance of decommissioning. The right hon. Gentleman knows that we are reluctant to do so. Our reluctance will be portrayed by some as an unwillingness to share in an Administration with Catholics or nationalists. That is untrue.

The d'Hondt formula, which will produce an inclusive Executive, was the proposal of the Ulster Unionist party. The concept of proportionality goes back to the proposals made by Jim Molyneaux, as he then was, and the hon. Member for North Antrim (Rev. Ian Paisley) to the then Secretary of State for Northern Ireland in 1987. The administration of the shadow Assembly, over the course of the past year, has been conducted jointly by myself and the hon. Member for Newry and Armagh (Mr. Mallon). Last Friday, our Ulster Unionist executive explicitly endorsed the concept of an inclusive Administration. I mention this so that no one should be taken in by the Sinn Fein lie on this point.

Nor do we have an absolute objection to those with a terrorist past. We know that people can change and that having a past does not disentitle one from a future, but it places an onus on those concerned to show that the past has been left behind. I recall that, a few days after becoming leader of my party, I was happy to welcome into our headquarters a politician who was once a republican activist. I had good reason to know that he had left that past behind him. He is not the only former republican activist with whom I have been willing to work. Our problem is not with former terrorists; it is about taking an existing and active terrorist organisation into government, for that is what Her Majesty's Government now propose.

To meet that concern, the Government offer what they call a failsafe mechanism. As I said on 2 July, that mechanism is flawed and unfair—unfair because, if Sinn Fein breaks its obligations, everyone in the Executive is ejected from office. As the right hon. Member for Bracknell (Mr. MacKay) said, the innocent are punished along with the guilty, and the democrats are treated as though they were indistinguishable from the terrorists.

The fair response is obvious and has been mentioned. The offending party should be removed. If that were in the Bill, it would go a long way to making it acceptable, but it is not. Why not? The answer given by the Prime Minister in his newspaper article, to which we have heard reference, is that he cannot compel any party to remain in the Executive. In the circumstances, the implication is obvious. The implication is that the SDLP does not want to sit with us, if it means being apart from Sinn Fein.

Why arrange matters in the legislation so that that position is concealed, while we are forced to a public choice? The answer to the second question comes from a study of clauses 3 and 4 of the Bill. They provide for a review, which is arranged and carefully structured to be equally open to two different outcomes. One is that Sinn Fein is excluded, and the other is that the default is waived and the original Executive is reconstituted.

We are left with the suspicion that this arrangement has been made to hold out the prospect that we can be pressured into waiving the failure to decommission—that decommissioning can, as it has been throughout this process, simply be moved into the next phase. We are left with the suspicion that that is the Government's intention. I have tabled amendments that would cure that flaw, and I invite the Government to accept them.

The mechanism itself is flawed. There is no certainty about it. Yes, the Secretary of State is made subject to a duty, and rightly so, because the Government know that after the way in which she has disregarded those matters which, under the Northern Ireland (Sentences) Act 1998, she should have taken into account, no Unionist would have any faith in her judgment.

However, decommissioning itself is not subject to any precise duty. Clause 1(1) refers to commitments. Those are defined as commitments under the agreement or the

[Mr. David Trimble]

joint statement, but does that involve any clear commitment, short of completing decommissioning by May 2000?

The Secretary of State has attached weight to statements given by General de Chastelain who said that, in his view, the procedures should begin within a few days, and actual decommissioning should begin within a few weeks; but can it be said that there are commitments to that, and that those constitute commitments under the statement, for the purposes of the Bill? In any event, we know only too well how republicans can spin out procedures.

It would be beneficial if people looked carefully at the decommissioning scheme. It does not refer to timetables. Timetables have been mentioned, but there is no explicit reference in the decommissioning scheme to a timetable. The nearest that we come to it is in paragraph 12 of the decommissioning scheme, which states:

"The Commission may make such arrangements as it considers appropriate to facilitate the decommissioning of arms."

I repeat:

"such arrangements as it considers appropriate to facilitate"

decommissioning.

It may be possible to stretch that language to include a timetable, but can it then be said that there is a commitment to that timetable for the purposes of the Bill? The arrangements will have to be proof against legal challenge. A further flaw is that they depend on the judgment of the commission. Although I have every faith in John de Chastelain as a person, I am well aware of how procedures can be exploited and how timetables can be stretched. Again, I have tabled amendments on that which will cure that flaw. Again, we invite the Government to consider them.

That is not the only flaw in the arrangement. As the right hon. Member for Bracknell has said, decommissioning must be mutual. We expect republicans to decommission. Equally, loyalists must decommission. It would be difficult to expect republicans to go through with decommissioning if loyalists refused to reciprocate. Although one has to say that republicans have a bigger arsenal and they could start, there must still be that mutuality. The Bill has a sanction for republican default—specifically Sinn Fein-IRA default—but there is no sanction for loyalist default or, indeed, default by the Irish National Liberation Army. It and the loyalists are not likely to be in the Executive and one loyalist party—and, indeed, the INLA's party, if it still exists—is not even in the Assembly. The only sanction there can be for other paramilitary groups is in respect of prisoners' release.

The Secretary of State has hinted that that sanction would be applied in the exercise of her discretion under the existing legislation, but, as I pointed out to her, the sanction in the Bill against republicans is automatic. In my view, the sanction against other paramilitaries ought to be equally automatic and it is of course open to the Government to amend the Northern Ireland (Sentences) Act 1998 to do that. Again, amendments have been tabled which would have that effect.

There are other flaws—many others—but I do not want to go through them all in detail; I shall pick out just a few. The statement made by the Prime Minister referred to suspending

"the operation of the institutions"

of the agreement, but the legislation leaves out many of those institutions. It leaves out the civic forum, the Human Rights Commission, the Equality Commission, the commission on policing and the revue of criminal justice. They are also institutions of the agreement. There is a simple message here, which I hope will have some appeal to Labour Members—one out, all out.

Much worse than those omissions is what appeared on reading the Bill to be the deliberate continuation of the north-south implementation arrangements in direct defiance of the agreement. The Secretary of State has referred to a draft treaty lodged in the Library. That is the first bit of information that we have had about that. I shall endeavour, when I can, to look at that document to see whether it is effective. I am sorry that she did not see fit to inform us about that important matter on which we had already made representations to the Northern Ireland Office and the Government.

Despite the flaws in this option, there are those who would say to us that we should put the matters to the test anyway. It has been said that we have nothing to lose and would gain by exposing republicans. I can see two ways in which it is possible that we could gain. First, if it were clear that actual decommissioning would occur—and did in fact occur within a few weeks, as I would define "few"—then not only us but society as a whole in Northern Ireland would gain, because we could then say that the situation had clearly turned the corner and we would be able to proceed in Northern Ireland in a wholly peaceful and wholly inclusive manner. That is a prize worth obtaining and there would be advantage—not only to us, but to republicans and nationalists as well. Indeed, I have not been able to understand why republicans have not been prepared to move on that matter with us, as we have repeatedly offered to do.

I suspect that the explanation for republicans' failure to move with us on that matter is that they still have hopes of being able to bring the entire republican movement—their so-called army as well as their party, inextricably linked as they are—together into the heart of government. That would carry with it the danger of creating a Mafia state and it would also retain, if only for a future generation, the option of using violence to finish the job. That explanation, to our way of thinking, is reinforced by the complete absence of any evidence of what the Prime Minister called a seismic shift in republicanism. We have looked, and we will continue to look with an open mind, for signs of such a move. We would like it to happen, but we will guard against the wish being father to the thought.

The second way in which it is possible that we would gain would be if, in the event of a failure to decommission, the SDLP decided to form an Administration without Sinn Fein, but in view of the structure of clauses 3 and 4 of the Bill, and the constant equivocation about that by nationalism generally, the prospect is not inviting. I do not want to go into too much detail on this issue, but I have to say that it is sad that a party that asks us to gamble cannot tell us what its position will be in certain clearly defined circumstances that are perhaps only a few weeks away. It is not a matter

of prejudging something in unknown circumstances or writing a blank cheque, although we were offered one a few months ago. It would be easier for us all if the SDLP could muster a fraction of the courage that it attributes to us.

Those two ways in which it is possible that we could gain from this measure now seem unlikely. In all other ways we would lose. Undertaking such a gamble would mean putting an enormous strain on society as a whole, and on Unionism in particular. In undertaking such a gamble, one would sacrifice an important principle involving the integrity of the democratic process. It is stated several times in the Belfast agreement that only those who are committed to peaceful, democratic means should hold office. It would clearly be wrong to place in government those with a private army.

I can illustrate the problem that would arise quite simply. Under the Government's proposals, we could easily have in Belfast a Sinn Fein Minister of Health in charge of, among other things, an anti-drugs policy, while his colleagues in the IRA continued to use the threat of armed force—and, who knows, perhaps even the Minister's advice—to enable them to control and exploit the supply of illegal drugs.

We summed up this whole issue in the phrase: "no guns handed in, no hand in government." We know that matters are not always as clear cut as we would like. That is why, on 10 April last year, we accepted an agreement that has unsatisfactory aspects, as the right hon. Member for Bracknell said. Moreover, the agreement's provisions on decommissioning contained ambiguities. I considered that there was enough time for republicans to establish their intentions, and I was fortified by the fact that the Prime Minister publicly shared my construction of those provisions as requiring a beginning of decommissioning in June 1998.

The agreement divided Unionism. I thought that, as the benefits of the agreement came through, support for it would grow. Instead, over the past 15 months, the perception of Unionism has been that matters have not improved. None the less, I consider that what I did then was right. I still want the agreement to succeed, but I remain to be convinced that the right way to do it is through this hastily concocted scheme, which clearly has not been thought through.

We must take account of the possibility that individuals or a movement are in the process of evolution, and that, given time and space, could change. We know that our objectives can be achieved in a variety of ways. If there was a clear, watertight scheme, in which there was at the outset an unequivocal commitment to change and a process that genuinely guaranteed to deliver that change, we would have to consider whether a scruple over a period of days could be justified. We do not have that option before us today.

The House should seriously consider whether the haste with which this measure has been presented is really needed, or whether it would be better to have more time and to proceed on a sounder basis. I have no doubt that that would be a better way to proceed, just as I have no doubt that we should all tell the paramilitaries that the right way forward is not for democrats constantly to have to bend to the requirements of paramilitaries, but for paramilitaries to accept the opportunity this process offers them of becoming fully and genuinely partners in the democratic process.

5.9 pm

Mr. John Hume (Foyle): I should like to begin by expressing our deep appreciation and gratitude to the Prime Minister, the Secretary of State and Ministers for the enormously detailed work that they have put into this matter—the most serious human problem facing this Government, as it was for previous Governments. We are deeply grateful to them for the efforts that they are making, particularly to break the present impasse. I regret that the debate is taking place, because if one were watching these proceedings and did not know Northern Ireland, one would get the impression that no progress had been made at all, whereas in fact there has been enormous progress in the past few years and the atmosphere on our streets has been transformed. I pay tribute to the right hon. Member for Huntingdon (Mr. Major), who laid the foundations for this approach, and made an enormous contribution.

In recent weeks, we have heard major statements from the business community, the trade union movement, community groups and the youth movement, calling on the political leadership to keep working to build on the progress already made rather than arguing and quarrelling all the time. I hope that we shall be doing that soon.

As well as the transformation of the atmosphere on our streets, where there is now peace, what is interesting is the strength of the call from young people for a continuation of the process. Most people under the age of 30 have never known anything other than the troubles on our streets, and no one knows better than they how much progress has been made. The youth movement is sending strong messages to us.

The most important aspect of what has happened is that, in the case of the Good Friday agreement, the final word was not with the politicians but with the people. That was an historic development: for the first time in our history, the people of Ireland—north and south—with a vote spoke on how they wished to share that piece of earth.

Listening to some people, one would think that the agreement constituted the appeasement of certain extremists. Central to it, however, was a transformation of nationalist thinking right across Ireland, north and south—and that included Sinn Fein. It is totally accepted that it is the people of the island who are divided, and that agreement is the only way in which to solve the problem. That agreement must involve the allegiance and loyalty of both sections of our people.

As the Secretary of State pointed out, what is central is the complete acceptance of the principle of consent by all the parties from the nationalist tradition. That is a major step forward. What has not gone, however—this is obvious from the debate, and has been mentioned by several speakers on both sides of the House—is the distrust that exists between both sections of our community. Given the centuries of quarrelling, it is natural enough, in a sense, for such distrust to exist; but part of our task for the future is to erode it.

The people voted overwhelmingly for the agreement. We hear a good deal of talk about democracy here. If we are true democrats, what is our duty? It is to implement the will of the people in all its aspects and, therefore,

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to implement all aspects of the agreement. The two Governments have been dealing with the current impasse preventing such implementation.

Mr. Stephen Day (Cheadle): Is the hon. Gentleman telling us that, when the majority of people of Northern Ireland voted in favour of the Good Friday agreement, they were, in effect, voting for terrorists in government? Surely they were not; they were voting to remove terror from their community through decommissioning.

Mr. Hume: To be honest, I do not need a lesson from you about such matters. I do not know how you interpreted my remarks in that way. What I am saying is—

Mr. Deputy Speaker: Order. I must remind the hon. Gentleman that if he says "you" he is addressing the Chair.

Mr. Hume: I am sorry about that, Mr. Deputy Speaker, but, as I said, I do not understand why I was interpreted in that way. I was saying, and saying very clearly, that it was our duty to implement the will of the people, which means implementing the Good Friday agreement in all its aspects. The basis of the agreement is the provision of lasting peace and stability on our streets, and the removal of violence from our streets for keeps. That is what it is about.

Mr. Robert McCartney: Does the hon. Gentleman agree that part of the difficulty that we face today is that the agreement that was endorsed in the referendum meant very different things to very different sections of the community, and the absence of clarity on what it actually meant means that all the chickens are coming home to roost today?

Mr. Hume: I do not think that there are two meanings of the word "peace". The agreement meant peace and stability to the people and they came out in strength. Let me put it like this. Who could have thought five years ago that the people of Ireland as a whole—71 per cent. of the people of the north and 93 per cent. of the people of the south—would agree on how we live together in that island, and what democratic institutions should be there to represent them? That is the powerful progress that has been made. It is our duty not to let the impasse erode it.

Of course, part of the task of moving forward, as I have already said, is eroding the distrust. There is one solid way in which to do that. When the impasse occurred, the two Governments met and set out three principles which all parties agreed to—the Unionists, Sinn Fein and ourselves agreed to those three principles. The first principle was moving into setting up the inclusive Executive. Of course, let us not forget that that is a very important factor in our future, because, for the first time in our history, all sections of our people will work together. It is by working together that we will start to see the real solution.

The institutions that we are setting up are a framework. The first principle of our peace process is respect for our differences—no victory for either side. The second is the creation of institutions that can achieve that. That creates a framework, but it does not remove the distrust of centuries. That distrust will be removed only when both sections of our people start working together—as I often put it, spilling their sweat and not their blood. By doing that, we will break down the barrier. That is the first principle set out to us by the two Prime Ministers—to get inclusivity, because inclusivity is, indeed, important.

Let me make it clear: there is no circumstance in which either my party or I would sit in government with any other party that is either engaged in violence or threatening violence. That has been our consistent position since we were founded as a party. As everyone knows, we have been in the front line against violence throughout our existence.

The second principle that was agreed was that the decommissioning would take place by May next year, according to a timetable laid out in the agreement. The third principle was that it would be carried out by an independent commission of experts. The arguments about decommissioning that have gone on here today and in the past months were going on earlier, too. Remember that the talks process lasted two years. Going through all that, it was very obvious that we could not reach agreement on how to handle the decommissioning thing, and that the best way of dealing with it was to bring in an independent commission of experts.

We have that commission of experts. Let those experts do the work and report. When they report, let us consider their report and let us take decisions based on the realities that they tell us, not on the distrust of both sections of our community.

Mr. Donaldson *rose—*

Mr. Peter Robinson (Belfast, East) *rose—*

Mr. William Cash (Stone) *rose—*

Mr. Hume: I give way.

Mr. Deputy Speaker: May I ask the hon. Member for Hume to whom he is giving way? *[Interruption.]* I apologise; I mean the hon. Member for Foyle (Mr. Hume).

Mr. Hume: I will not make the remark that I was thinking of about all of them, Mr. Deputy Speaker, but let one of them go ahead.

Mr. Peter Robinson: The hon. Gentleman says that his party would not sit in government with those who use or threaten violence. Would he, for the sake of clarity, interpret to the House whether he considers holding on to an arsenal of weapons to be the threat of violence?

Mr. Hume: We are totally committed to the Good Friday agreement, which contains a total commitment to total demilitarisation, total disarmament and total decommissioning. We want to see that done, now. As we know, however, given our history, it is not an easy thing to do.

Decommissioning is not the most important factor in ending violence, as one could decommission on Monday but secretly buy more guns on Tuesday—*[Interruption.]*

That is true. What is very important is that those who say that they have ended violence mean it and are practising it. We want the gun to be taken completely out of our society, and, within the established time frame, we want there to be total demilitarisation, disarmament and decommissioning. We want that to be done to the satisfaction of a commission of experts. That is how we have approached the matter, and that is how we should approach it.

Ultimately, we have to deal with the distrust. Therefore, the sooner we resolve this impasse, have an inclusive Executive, and start working together, the better.

I also hope that the House—I am now appealing to Opposition Members—will keep bipartisanship strong. The issue that we are debating should never be a source of party politics. We want bipartisanship to be maintained, and I should hope that the issue—given the role of human nature in our terrible problem—rises above party politics.

I should give some advice—

Mr. Donaldson: Will you listen to some advice?

Mr. Hume: The advice that I should like to give to both the Leader of the Opposition and his spokesman, the right hon. Member for Bracknell (Mr. MacKay), is that you might occasionally check the opinions of other sections of Northern Ireland. The Leader of the Opposition should take a lesson from his predecessor, who not only laid the foundations for our peace process, but, throughout, kept himself fully informed of the opinions of different parties. Never yet has the Social Democratic and Labour party had a meeting with the new leadership of the Conservative party. What does that say about their real interest in our situation?

I appeal to the Conservative leadership: get yourselves informed. If you were fully informed on the different shades of opinion, you might take a more sensitive approach to the problem.

I hope that all of us will now take it as our duty to implement the will of our people and use all of our energies in doing so—to resolve the impasses to the satisfaction of all sides. The sooner that we do that, and the sooner we start working together, the sooner we will start really solving the problem.

Mr. Deputy Speaker: I should say that I hope that I shall listen to the words and advice of all hon. Members.

5.23 pm

Mr. John Major (Huntingdon): If today passes with some well-meaning platitudes from all of us but without some hard questions, I think that we shall have lost a very precious opportunity. Today is a day to say what hitherto has not been said, and for more than one party present today to do what hitherto has not been done. For generations, men and women of both traditions have been murdered in Northern Ireland by paramilitaries. After years of work, with many of the people who have worked on both sides of the divide in Northern Ireland, we are on the verge of a settlement.

Is it not perverse that, at the very last hurdle, it is one of the democratic political parties—the Ulster Unionists—that is being urged, quite predominantly, to take one more risk on the good faith of a paramilitary group, the IRA? We should not be surprised that that is so. It shows that democrats demand more of one another than they do of those to whom democracy has long been an alien concept.

In our history, however, the House has often had to deal with unsavoury groups in a good cause. Making peace is a messy business, and no one should doubt that for a second. The trick is to bring the anti-democrats within the democratic embrace. That is why the right hon. Member for Upper Bann (Mr. Trimble) and his party are today facing so much pressure. Before this day is out, other parties, such as the Social Democratic and Labour party, will face pressure as well on their views on the matter. But as that happens, let us not turn logic on its head. The democratic political parties do not have Semtex. They do not murder. They are part of the solution; they are not part of the problem.

If we are to pressurise the democrats—and there is pressure on democrats—there must be safeguards for democracy. That is what the Bill is about. Essentially, the Bill is asking the democratic political parties to sit in government in Northern Ireland with Sinn Fein before the IRA has disarmed or destroyed a single weapon. It does so for this reason—explicitly to create the circumstances in which it is believed the IRA may disarm, or so we hope.

When Mr. Adams and Mr. McGuinness say that they will use their influence on the IRA, why do we take them seriously? Who do we think they are? Why do we think that they have influence? To whom do we think they talk? It is said that Sinn Fein is no part of the IRA—although, in the parts of Northern Ireland that I have visited, there are many dogs on the street who would not accept that.

If Sinn Fein had no influence with the IRA, it would be but a tiny political group, of much less importance than those represented in this House. If Sinn Fein does have influence with the IRA, however, let us realise with whom democracy will be sitting down in the power-sharing Executive. That is why Sinn Fein must be expelled if there is no disarmament by the IRA. I wish the Executive to succeed, but I wish it to succeed not for a day or for a month, but for good. In my judgment, it will never be secure if it is dependent on paramilitary organisations not returning to violence if they fail to get their way in the power-sharing Executive.

The question before us today is straightforward. Should the risk be taken to go ahead? Let me pose four questions upon which the judgment on the Bill must be made. First, if the IRA does not disarm, is Sinn Fein automatically expelled from the Executive? The answer to that question is no. An expulsion mechanism is automatic, but expulsion is not. Expulsion ultimately depends on the Northern Ireland Assembly.

General de Chastelain reports that the disarmament pledge has been broken. All institutions are suspended from Executive action. The Assembly, in a non-Executive role, can meet and debate this. The Governments review it and report. The Assembly then considers that review and decides. However, even then, the expulsion of Sinn Fein would need cross-party support, with 60 per cent. of both main traditions voting to expel—as would be the case, of course, with any Protestant paramilitary group as well.

On this point, the leader of the SDLP, the hon. Member for Foyle (Mr. Hume), has been crystal clear all along, and he was equally clear again this afternoon—the SDLP

[Mr. John Major]

will not sit down with terrorists. We can assume, therefore, that, in such circumstances, the SDLP would vote to expel. I accept unequivocally that that would be the position of the hon. Gentleman and his party.

However, I hope that the SDLP will make a further contribution, which I believe would be of reassurance to this House and to other democratic parties—that, if those circumstances unfortunately arise and it passes a vote, with others, to expel Sinn Fein from the Executive, the SDLP will commit itself to stay in the Executive and the Assembly. If it does not, all of us in the House know that both those bodies will be unsustainable and will collapse.

If we are to move forward, everyone in the House will have to take risks—there is no one for whom there is no risk. I hope that the risk that the hon. Member for Foyle will take on behalf of his party is to commit himself to keeping the Executive and the Assembly in being if it proves necessary to expel any paramilitary group—specifically Sinn Fein, because the IRA has not disarmed. If the hon. Gentleman does not do that, the danger is that the failure of a paramilitary group—the IRA—to disarm will bring down the democratic Northern Ireland Executive and Assembly, and democracy, this House, the process, Northern Ireland and the future will all be the losers. That is a crucial point.

The second point concerns General de Chastelain. On behalf of this House, he will talk directly to the IRA and to the Protestant paramilitary groups. He will agree what we call the modalities of disarmament. I expect that he will agree that the paramilitaries can destroy their own weapons, provided that there is independent verification. That would be sensible and I would support it. We are not looking for artificial surrenders: we want the verified destruction of the weapons. It is clear from what has been said by the Prime Minister and the Secretary of State that the paramilitaries are expected to notify an intention to disarm within days—but will not actually be expected to do so until some time next month. But what will be decommissioned and when will it be decommissioned? We need to know the answers.

I have two questions directly for the Prime Minister and the Secretary of State. General de Chastelain has not yet made the agreement—I appreciate that point—but, when he does, will they encourage him to publish the full schedules of disarmament that he agrees, so that pressure for progress can be publicly seen to be put at all points in the future? That is critical. It is, of course, the general's decision. I appointed him, and I know the independence and the quality of the man. It is his decision, but I have no doubt that he will listen to the views of this House and to any views put to him by the Prime Minister or the Secretary of State. I hope that they will put to him the view of this House, which I hope will be their view, that publication of detailed schedules would add to the confidence in Northern Ireland and elsewhere that this process is going ahead properly.

We need to know how many arms there are as far as the general can judge. The pike in the hedge point is a real one, because no one will ever know precisely what arms are held in Northern Ireland and in the Republic. However, a judgment can be made and we need to know what that judgment is, when the general expects the arms to be destroyed and how it will be done.

Can the Government confirm—this is the second question specifically for them—that any breach in the disarmament schedule, at any time—not just at the outset—will lead to the expulsion mechanism being activated? I believe that the answer to that is yes, but I would welcome an assurance on that point.

The third point is the contentious issue of prisoners. I believe that, thus far, nearly half the paramilitary prisoners have now been released, and nearly half the remainder still in prison may be released within the next year. I shall be specific: under what circumstances will the prisoner release stop? As I understand it, under the prisoner release legislation, it does not stop if Sinn Fein or any other group is expelled from the Executive. It stops only when the Secretary of State decides that a paramilitary group is no longer on ceasefire.

Here is a real dilemma. The IRA might not disarm, but equally violence might not resume. In those circumstances, the ceasefire has not been broken and, in that scenario and under the present prisoner release legislation, prisoners could still be released. That is the position and it will not do. It cannot be acceptable. I ask the Government to make it clear today that, if any party is expelled from the Executive, the Secretary of State will make the presumption that the ceasefire is at risk and halt the releases immediately.

That assurance needs to be bankable. There must be no ifs, buts or uncertainties. There must be no pleas for fresh negotiation, and no more time. I say that as much in the interests of democracy and of the Government as for any partisan reason. It would be indefensible if releases continued and the ceasefire was broken when the prisoners were out of prison. The Government must not put themselves in that position, as it would cause them to lose all credibility.

In political terms, that is the Government's worry, not mine. However, in terms of the Government's capacity to move forward the process in Northern Ireland about which I care so much, I do not wish them to lose credibility with either side of opinion, in Northern Ireland or in the United Kingdom. I wish to continue to support the efforts that the Government are making to end the nightmare through which Northern Ireland has lived for so long.

My fourth question is simple and straightforward, and it, too, is directed to the Government. Can they confirm later this evening that the British and the Irish Governments are wholly agreed about the legislation and about how it will work? There must be no dispute in the future if any of the mechanisms in the Bill come to be triggered.

The Bill asks us to take on trust the actions of people whom we do not trust. However, if the assurances that I seek are given—if the disarmament schedule is published; if the Government make the cast-iron presumption that prisoner releases will stop if any party is expelled from the Executive; if all the political parties agree to sustain the Executive and the Assembly in being even after such an expulsion—I believe that a more balanced position will have been achieved. I believe there is a risk then to be taken that would be a reasonable risk.

We are asked to put the paramilitaries to the test. To do so, we must first put ourselves to the test.

5.37 pm

Mr. Kevin McNamara (Hull, North): I listened with interest to what the former Prime Minister, the right hon. Member for Huntingdon (Mr. Major), had to say. I recall that, after the Canary wharf bomb, IRA prisoners were still released under his early release scheme, even though the ceasefire was over. The right hon. Gentleman advocates a most dangerous course when he suggests that prisoners should be used as tokens in the bargaining process. That was not part and parcel of the Good Friday agreement.

What we are witnessing is a complete change of position by the Opposition, and the ending of bipartisanship. I am one of the few hon. Members who can recall the negotiations that started from the Sunningdale agreement and later under Humphrey Atkins and James Prior. I also recall the arrangements that were undertaken then to try to achieve a settlement, a peace, an agreement. Throughout that time, the Labour Opposition supported every effort that was made. We did not attempt to rewrite the agreements that were reached, but that is what the amendments tabled by the Opposition would do. We did not act in the thoroughly irresponsible manner adopted by the Opposition as they attempt to rewrite the Good Friday agreement.

My second point turns on what my right hon. Friend the Secretary of State said in response to my intervention earlier. She spoke about what would happen if the Executive were to fail after the Unionists had made the leap of faith and accepted its establishment. She said that the position would be rewound to the status quo, but that is not the case. In fact, what will have happened in those circumstances is that two of the most contentious points in the bargaining will no longer apply. The nationalists will have sacrificed their claims on behalf of articles 2 and 3 of the Irish constitution, as well as the protections that they felt that they had under the Anglo-Irish agreement. The arrangement is that, once the Executive is formed, the new clauses will come into operation in the Irish constitution and the Anglo-Irish Agreement will fall. If the Assembly were then to fail, all the cross-border, north-south and east-west arrangements would disappear.

The people who would benefit from that would be the Unionists. They would have achieved all of their bargaining positions, leaving the nationalists with nothing. It is not Unionist politicians who are making the leap in the dark. It is the nationalist politicians. We should recognise who is making the sacrifice. Demands have been made of my hon. Friend the Member for Foyle (Mr. Hume), and he has been asked to give undertakings. That asks far too much of him. The nationalists have put far more at risk than the Unionists. They are taking a far more deliberate gamble.

Our focus on decommissioning seems to me to be a ghost come back to haunt us from the Washington talks and from the arrangements first made by the right hon. Member for Huntingdon. As my hon. Friend the Member for Foyle has said, decommissioning could happen tomorrow, but anyone with £100 could easily buy all the ingredients for a barrack buster or an agricultural bomb. We need to decommission not weapons but minds, and hearts, and knowledge. Our great reward should simply be that the guns and bombs are by and large silent. The most important thing that we can do is to maintain that degree of decommissioning.

Like everyone else, I do not believe that the IRA should possess weapons. Arms should be given up, and the terrorists should never have had them. But the most important things we can do are to maintain the ceasefire and to build up goodwill on the streets of Northern Ireland.

Mr. Robert McCartney: Will the hon. Gentleman give way?

Mr. McNamara: No.

Maintaining the ceasefire is too important to allow us to make an Aunt Sally of decommissioning. As my right hon. Friend the Prime Minister said in an answer published in today's *Hansard*, we do not know what weapons the terrorists hold. We will never know whether they have disarmed, no matter what they say. We must get away from that mindset.

In passing the Bill—I hope that we do—we must consider the full implications of clause 3. When the Unionists entered into agreements a few years ago, their initial demands were that we get rid of the Anglo-Irish Agreement, which then happened, and that a devolved Assembly in the north of Ireland should be achieved. We must be careful not to fall into the trap of having an Assembly that would remain after all the arrangements had disappeared. If we accept that, the point of all the negotiations will have been lost.

What did the Unionists want? An end to the Anglo-Irish Agreement and their own devolved assembly. Indeed, the House will recall that, before even the right hon. Member for Huntingdon could set about his arrangements, a forum had to be elected. No one had asked for it or wanted it, but again we met a demand made by the Unionists.

We must put those matters on the record because it is important for us to realise that it is not merely one side that has made, or is being asked to make, the leap—there has been a considerable leap from the nationalist side.

I shall make a point that some hon. Members will not particularly like. Again, it concerns the IRA, which is not an organisation for which I have any affection whatsoever. The activities of the Provisional IRA have set back the cause of constitutional nationalism by the length of time that I have been in this House. I have no particular brief for that organisation but, whether we like it or not, according to their own philosophy, members of the IRA regard themselves as an army. They believe that they have made a ceasefire and that they have not surrendered. They believe that they should see something tangible coming out of the Good Friday agreement. They believed that the Assembly was to be set up before decommissioning and that it was not, as my right hon. Friends the Prime Minister and the Secretary of State have said continuously, a precondition.

The arrangements that we are making today accept that belief and start with the Assembly first. Let us bear in mind the fact that, whether we like it or not, there is an organisation out there that has that mindset. That is what my hon. Friend the Member for Foyle has been grappling with for years to bring them into the democratic process. We have almost succeeded in doing so.

In one sense, as has been said, we can push the Unionists too far. However, the people who speak for Sinn Fein or the IRA are also grappling with the problems of their own organisations, and we must understand that

[Mr. McNamara]

too. If we fail to understand the problems of the Unionists and those affecting Sinn Fein and the IRA leadership, we are in equal difficulty and we can equally flounder. That is why it is important that we should push forward with this legislation and say, "It is there. It cannot be altered."

All sides are making a great leap of faith. Everyone has a great deal to lose, but if we go ahead, we all have a great deal to gain.

5.48 pm

Mr. Lembit Öpik (Montgomeryshire): Just before I came into the Chamber, a journalist asked me how many points out of 10 I would give the Secretary of State for her performance. After a moment, I gave her eight. If I had given her 10, there would be little room for improvement and she would become complacent and, also, I suspect that the Prime Minister has been helping her with her project work. Having said that, I am pleased with the work that she has done. In fairness, the Secretary of State and the Prime Minister have shown an unquestionable commitment to carrying on the work that their predecessors in the previous Government did to try to create a lasting peace in Northern Ireland.

This debate is a predictable consequence of the Good Friday agreement. The deadline for decommissioning in the agreement was clearly May 2000, but no timetable was signed up to at that stage. I doubt that Sinn Fein would have signed the Good Friday agreement if there had been a timetable and, although I realise that some hon. Members are cynical about that, I look at the matter differently. A decommissioning timetable has now crept into the process, and has potentially been accepted by those who refused to accept it in the first place. We not only have the copper-bottomed deadline of May 2000, but we are beginning to set up a timetable that increases the chance that it will be met.

As has already been said, it is true that decommissioning is more symbolic than practical. However, that symbolism is most important, and I am concerned that that has been missed by certain hon. Members. During earlier speeches, there were calls of, "How many days before decommissioning?". That ignores the fact that the failsafe mechanism that we are discussing today is itself symbolic of how far we have come overall.

Another problem is that the process for the timetable has become fairly clearly defined; it is called de Chastelain—after the effective arbiter appointed by the previous Government and widely accepted as truly independent. One can disagree with that process, but that is a matter of judgment, not of principle. I disagree profoundly with the official Opposition, who have major concerns because the timetable is not before us. Given the extremely sensitive circumstances in which the matter has been negotiated, I feel that this is the strongest way in which we can realistically proceed at this stage. The timetable has not been specified, but the process through which a specific timetable could be drawn up could not be clearer. It is false to raise major concerns as to the matters that we are discussing based simply on the absence of that timetable.

The right hon. Member for Upper Bann (Mr. Trimble) described the problem; it is not so great for mainland politicians as it is for those who have to sell in Northern Ireland the decisions made in this place. One of the most important points that he made was that having a past does not bar one from having a future. That symbolises the right hon. Gentleman's courage in leading his party towards a recognition of the importance of reconciliation. He also said that the measure before us was flawed and unfair—largely because of the blanket suspension if decommissioning does not occur.

Without labouring the point, let me say that it is fairly easy to understand why the difficult negotiations that have taken place in Northern Ireland have led to exactly that result. One can question the tactics, but it is difficult to question the principle. The final step requires some faith. That step was inevitably going to be difficult, once the Good Friday agreement had excluded a timetable for decommissioning.

It is perfectly valid to hold a different view from the one that I have described; those who are in the best position to hold that view are not mainland politicians, but those who represent Northern Ireland. I have a great deal of sympathy for the right hon. Member for Upper Bann who, every day, has to face up to, and justify, the decisions that he makes on behalf of his party and—in many ways—on behalf of Northern Ireland as a whole. However, the alternative to accepting the measure before us is not decommissioning—it is nothing at all. It is a stalling of the entire process. If the risks—which are small for us, but great for Northern Ireland's politicians—are not taken, the result does not bear thinking about.

Prisoner releases and the decommissioning aspects of the Good Friday agreement can be linked. One can justifiably say that prisoner releases should be linked to decommissioning—but not now. That could have been done only when the original agreement was being negotiated. Although I have sympathy with the comments of the right hon. Member for Bracknell (Mr. MacKay), I have no process to suggest—nor, I think, does the House—that could possibly link decommissioning with prisoner releases at this stage. I remind the House that prisoner releases were linked to ceasefires, not to decommissioning. Any argument that the two should be brought together would be tenuous in the extreme. *[Interruption.]* I hear cries of disagreement from hon. Members, and I shall be interested to hear their arguments. However, like all other hon. Members who are interested in these matters, I have read the Good Friday agreement and I defy anyone to show me any plausible or tangible link between decommissioning—specifically the process of decommissioning—and prisoner releases.

Mr. Peter Robinson: The hon. Gentleman may have read the Belfast agreement, but he has clearly not read the Northern Ireland (Sentences) Act 1998. That says that prisoner releases can be stopped if the Secretary of State recognises that an organisation is no longer on ceasefire. The Act defines how the Secretary of State will arrive at that decision; one of the conditions is that, if an organisation is not

"co-operating fully with any Commission of the kind referred to in section 7 of the Northern Ireland Arms Decommissioning Act 1997".

That is directly linked to decommissioning.

Mr. Öpik: That would be the argument that I would expect to try to create that linkage. The hon. Gentleman

is entitled to hold that view. However, as I said earlier, these are matters of judgment. In my judgment, and that of my party, it is far more important to assess whether the ceasefire is holding in line with all the conditions—for example, whether people are being shot or whether bombs are being planted for political motives—rather than on the narrow constraint of the definition of the decommissioning process. Others are entirely justified in holding different views—that is the purpose of holding a debate. However, I cannot subscribe to the belief that the lack of a timetable and the lack of specific action by the IRA at this stage are sufficient to claim that the ceasefire has been broken, and hence to trigger the necessary consequence of that—the cessation of the Good Friday agreement and the whole peace process.

There has been criticism—which was rather disingenuous—of some of the risks and the decisions taken by the Secretary of State and the Government in relation to decommissioning. Prisoner releases also came into that matter. The irony is that many of the decisions that are now being criticised by the official Opposition are similar to some of those that were made by the right hon. Member for Huntingdon (Mr. Major) when he was Prime Minister, and was beginning the process that has come so far during the past few years. I have often said that one of the right hon. Gentleman's great achievements as Prime Minister was to begin the process that the present Government have continued. No one can take away his achievements; they made possible the measure that we are discussing today. However, let us remember the risks that he took; let us remember how many times things were leaked that could have been enormously compromising to his Government, if the then Opposition had chosen to make political mileage from them.

I am a member of neither the Government nor the official Opposition, and I say in all sincerity—it is not a party political point—that the official Opposition need to think carefully about what they are trying to achieve when they condemn the Secretary of State and the Prime Minister for taking risks that are very much in the spirit of those supported throughout the House only three years ago. It is ironic that representatives of mainland constituencies sometimes feel so justified in challenging the risks that have been taken to try to secure peace in Northern Ireland. Although, on occasion, I may disagree with Unionists and members of the Ulster Democratic Unionist party, I very much respect the position from which they make their points.

In that context, although Northern Ireland Members' judgment may differ from mine, they are entitled to hold their opinions, even if their views are contrary to the Government's position. They have difficult constituencies, and they have clear-cut positions on which they were elected. That is not true of the official Opposition, who repeatedly tell us that they are supportive of the Good Friday agreement, while trying to create artificial linkages, as I have described, in a way that is, to say the least, unhelpful to the process that we are trying to promote.

Mr. Robert McCartney: Will the hon. Gentleman give way?

Mr. Öpik: I have nearly finished my speech, so I shall not give way.

I counsel the right hon. Member for Bracknell to consider the consequences of the views that he expresses. He must recognise that the ripple effect of the official Opposition's statements reaches Northern Ireland.

I hope that I do not sound harsh. I believe that, for all its faults, the Bill is not a matter that we should dismiss lightly, or criticise on the basis of false premises. The failsafe that we are debating and the Bill as a whole are not really about politicians, but about Northern Ireland, the Province, and the safety of its people.

I agree with the right hon. Member for Upper Bann that the Good Friday agreement is flawed, but it is the best Good Friday agreement that we have. We have to recognise that, if we are to have peace, we have only one route. It is possible to argue that, if we are to have peace in the near future, we have only three days. If hon. Members' views differ from mine, I can respect that, but their views have to be based on judgment and, more to the point, they have to come up with a proposal that is likely to be more successful than the measure before us. Although we often hear criticism of the proposals, we rarely hear suggestions as to how they can be improved.

I hope that hon. Members will think hard about the proposals and the views that they express. In addition, I sincerely hope that mainland politicians take care to ensure that all of Northern Ireland's politicians are given the room that they need to manœuvre and to make the compromises necessary to make the Good Friday agreement work.

Mr. Deputy Speaker: I call Mr. Temple-Morris.

6.3 pm

Mr. Peter Temple-Morris (Leominster) *rose—*

Mr. Donaldson: On a point of order, Mr. Deputy Speaker. In her speech, the Secretary of State referred to a draft treaty between the British and Irish Governments and said that it had been placed in the Library of the House of Commons. I have just been to the Library to obtain a copy of that important document, but it is not available. We as a party were not informed that that document was going to be made available; then the Secretary of State informed the House that it was available in the Library, but it is not. Will the Secretary of State, as a matter of urgency, provide clarification as to when we can obtain a copy of that document?

Mr. Deputy Speaker: The hon. Gentleman has answered his own point of order. It is not a point of order, but a question to the Secretary of State, which she will have heard. I call Mr. Peter Temple-Morris to speak.

Mr. Temple-Morris: To return to the debate after that interesting intervention, which I am sure will have prompt effect, let me say that it is a pleasure to follow the hon. Member for Montgomeryshire (Mr. Öpik).

I strongly agreed with the hon. Gentleman on one point, which reinforces a comment that I meant to make. Ever since crossing the Floor of the House, I have never tried overtly to attack my former party, for obvious reasons, not least the fact that I was so connected, albeit as a Back Bencher, with so many of the things that the Conservatives have done. However, as one who has sat on both sides of the House, I agree with the

[Mr. Temple-Morris]

hon. Gentleman that the present actions of the Secretary of State and the Government are an ever more efficient execution of that which was so well started by my former right hon. Friend the Member for Huntingdon (Mr. Major). There was an element of political semi-tragedy in the fact that, having started the process and having pushed it on its way, he lacked the political necessities to carry the policy through. The current Government have them, however, and are doing a good job.

I do not want to pursue the matter in great detail, point for point, but I should make one generalised point about the rationale for the amendments offered by the right hon. Member for Bracknell (Mr. MacKay). All I have to say is that I regret the amendments en bloc, because I do not think that they are practical or realistic at this stage. I would add one general plea for the record, which might be read at some time: if the major parties in House were to combine together on one of the most difficult political exercises undertaken within my political life—and, I dare say, that of others—the chances of success would be greatly improved.

I well appreciate the history of the Conservative and Unionist party. However, the practical effect of that party's actions is that tonight, at a crucial stage, it has joined forces on the amendments with one particular element in an extremely difficult question. I well respect that element, but it would be far better to acknowledge that there are two sides to the process. If the amendments were agreed to, it would be an end to the process—it is as simple as that. Today, we should be trying to preserve the process and make it work.

The right hon. Member for Huntingdon made one very interesting remark, which has relevance today. He said that the political trick in government is to bring the anti-democrats within the democratic embrace. I have already described how, for reasons that were not entirely his fault, to put it mildly, it was difficult for him to do that. However, now, through the Bill and through previous legislation and negotiations, the anti-democrats are coming within the political embrace, and they are doing so far more effectively than they ever have before; so the trick to which he referred is now being fulfilled. The right hon. Gentleman stated more eloquently than I could his views on the amendments. If, in their naked expression, they were ever passed, that would be the end of the game and of the trick.

Let me comment briefly on the speech of the right hon. Member for Upper Bann (Mr. Trimble). Our feelings about the deal have swung from pessimism to optimism, so, when I came into the Chamber tonight, I hoped that we would see the spirit, or the glimmer of the spirit, of peacekeeping emanating from somewhere on the Unionist Benches. Instead, we heard the expression of a hardline approach that cannot make me other than pessimistic about the rest of the week.

When the right hon. Gentleman says that the proposals are all about taking an active terrorist organisation into government, one wonders what on earth he has been doing signing the Belfast agreement and negotiating in some detail with that same organisation over weeks and months—and, incidentally, receiving a great deal of credit for doing so in both national and international press. Now that the crunch is here—now that, as the right hon. Member for Huntingdon said, the parties are so close together that it is almost agonising to wait for them to take the final leap—we see the all too familiar retreat.

The right hon. Member for Upper Bann speaks of descending into "a Mafia state" and of using violence to finish the job. When he uses such emotive language, he appears to forget that the whole beauty of the agreement is that Ulster remains part of the United Kingdom, as the Ulster Unionist party wants. Hearing the right hon. Gentleman speak, one would have thought that he had forgotten that, if there was any question of a Mafia state arising, the British state would be all too ready to step in.

Let me make a couple of substantive points. I actually came here intending to be nice to the Ulster Unionist party.

Mr. William Thompson (West Tyrone): Will the hon. Gentleman give way?

Mr. Temple-Morris: No, I shall not give way for the moment—although I asked for that. Let me say something nice, and then I shall take an intervention from the hon. Gentleman. We debated matters together in great detail last summer, and I usually gave way when it was appropriate to do so.

I agree with the Ulster Unionists' concerns that the process is aspirational, whether one is referring to the Sinn Fein declaration of 12 days ago or to General de Chastelain's report, as demonstrated by the use of phrases such as

"offers promise that decommissioning will take place or can now begin".

I agree also that a direct statement of any kind by the IRA would be of enormous assistance to the process. The right hon. Member for Upper Bann and his party are right to ask for such a statement, but it will not be made. We must realise, because of circumstances, that there are two sides involved and that the Ulster Unionist position stems from strength, not weakness.

Under the process, the Ulster Unionists have secured the most enormous advances. Peace in Northern Ireland, too, has made an enormous advance. An example of that is the concession of the principle of consent, which my hon. Friend the Member for Hull, North (Mr. McNamara) mentioned. The Irish constitution—

Mr. Robert McCartney: Will the hon. Gentleman give way?

Mr. Temple-Morris: I shall finish my point. The hon. and learned Gentleman will have to contain himself for a little longer, although that is something that he does not often do.

We have had—no one has underlined this point—a prolonged ceasefire by the mainline IRA, which is still continuing. With all due credit to the IRA, that ceasefire was maintained in the most strained circumstances for 16 months during the first phase of the process under the previous Government. The Unionists become the legitimate part of all this. On that point, I will give way if the hon. and learned Gentleman still wants to intervene.

Mr. McCartney: I am grateful to the hon. Gentleman for giving way. Does he appreciate that the consent of the

majority of the people of Northern Ireland is required only for the transfer of legal sovereignty, not for the creation of institutions that will create a functionally and economically united Ireland, in which their consent to a transfer of legal sovereignty will be either inevitable or unnecessary?

Mr. Temple-Morris: That is really a distraction that would lead to the debate that we had, ad infinitum, with the hon. and learned Gentleman last summer. The whole point of the Bill is to devolve the democratic process to Northern Ireland with the consent of the House and, indeed, that of a considerable majority of the people in Northern Ireland. From what I have seen of recent polls, that process would also have considerable approval from those of the Unionist persuasion.

I turn now to the republican position. I shall not refer to the nationalist position, which is so well represented in the House. The SDLP has played an outstanding role in starting the peace process and carrying it through. I do not want to place further burdens on the party, but I think that its important role is far from over. It will have to do serious work before we eventually reach a successful conclusion.

On the republican position, I simply say that republicans have delivered two ceasefires. They have agreed to participate in the constitutional Government of part of the United Kingdom, which of course goes directly against their traditional attitude towards partition. That is a formidable concession by any standards.

Bearing in mind who represents strength and who represents weakness in the process, at what price have the republicans made concessions? There is serious division in the republican movement when demands are made of it. That division is so serious that outbreaks of violence have already taken place. The co-operation of the security forces has been absolutely magnificent in keeping that violence down to a level that means, perhaps, that we are not aware of how bad it is.

There is a possible split in the republican ranks. Anyone associated with the process will confirm that the split could occur at any time, while some would argue that the ranks have already split. Such splits have been envisaged from the very beginning of the process. The question as we come into the last lap of this stage—if I may put it like that—is what sort of split we are dealing with. The whole trick—to use the right hon. Member for Huntingdon's word again—is to get the majority to take the constitutional side. Bearing in mind the history that is involved, if that happened, the "war" would be over and a minority of a terrorist or, as I prefer to call it, criminal persuasion may increasingly become a law and order problem.

If, however, as a result of the amendments that we shall consider tonight, the majority breaks away from the process prematurely, Mr. Adams and Mr. McGuinness will be neutralised. They would be so far neutralised that they might not even be leaders of a minority. The "war" would then begin again, and would continue to have serious political and criminal overtones. The House is, therefore, dealing with serious business tonight.

I want briefly to describe the present position. The IRA can at no time be seen to surrender. That has been patently clear, and the IRA faces demands, if not for a pound of flesh, then for something that would resemble the surrender that the Unionists so frequently resisted some years ago. In that context, the amendments are fatal.

After devolution, the situation will change dramatically. There will be visible signs of success. Sinn Fein will be in the system and the pressure will be on it. If anything goes wrong with decommissioning, aided and abetted by the failsafe mechanism that is so well placed within the Bill, the IRA will become discredited and, potentially, isolated and separated from the political process and its political allies and wing. If that happens and there is a split, the process will be able to work and Sinn Fein can be kept within the system or expelled, or it can withdraw, as it decides. The essential point is that, depending on what happens at the time, that should be a matter for the Assembly, and we should realise that any breach of the agreement will discredit the IRA.

Finally, I turn to what has to happen now. One side must jump. There is no alternative. If Sinn Fein jumps too soon, that will be the end of Sinn Fein and of the peace process. The Unionists would jump from a secure, protected position with an opportunity to call the republicans' bluff. They would even jump with my blessing and my assurance that I shall do my utmost in the House to protect them, should anything go wrong. That is what the Bill is about.

I tell the Unionists that, if they do not jump now, we will slide back into the war and violence that we have, mercifully, got away from in recent times. After a recurrence of that violence, we would return to a solution that would probably be identical to the one that has been before us since the peace process began—no doubt in the form of a Bill similar to the one that is before us today.

Marjorie Mowlam: On a point of order, Mr. Deputy Speaker. It may be for the convenience of the House if I clarify the matter that I referred to earlier in respect of the draft treaty. I said earlier in the debate that copies were available from the Library. I understand, however, that they have been available instead from the Vote Office since 1.40 pm today. I regret any inconvenience.

Mr. Deputy Speaker: I am sure that the House is grateful for that information from the Secretary of State.

6.19 pm

Mr. Michael Howard (Folkestone and Hythe): It is a pleasure to follow the hon. Member for Leominster (Mr. Temple-Morris), who gave me my first job in politics nearly 40 years ago—a fact that no doubt causes him tremendous embarrassment today. It is a matter of great regret to me that he no longer sits on the same side of the Chamber as I do, although I deeply disagree with him on the subject before the House and, indeed, on several other subjects.

This is the first speech that I have ever made in this House on Northern Ireland. My silence does not mean that I have not followed events in the Province very closely over the years. I supported the brave and bold initiatives taken by my right hon. Friend the Member for Huntingdon (Mr. Major) when he was Prime Minister, and though I have considerable reservations about many of the decisions taken on Northern Ireland by the present Prime Minister, I believe that he was right to continue the process started by my right hon. Friend.

[Mr. Michael Howard]

For four years, I had responsibility on the mainland of Great Britain for the protection of our citizens from terrorist attack. It grieves me to say that I did not succeed in providing that protection. I had the dubious privilege of visiting South Quay immediately after it was devastated by an IRA bomb which murdered innocent citizens of our country. I visited the centre of Manchester shortly after it, too, was devastated by an IRA bomb. No one who shouldered those responsibilities or saw that devastation would want us to return to the situation in which those attacks took place. The desire for peace runs deep. We all want it; we should be prepared to take risks for it.

We will never secure the permanent, enduring peace for which we all yearn until the terrorists have genuinely given up violence for good. That phrase has been much used over the years. It is an abstract form of words. If it is to be made meaningful, it must be accompanied by action. The action that can give it meaning is the handing over of the guns and bombs that have been used to perpetuate the violence. I have never heard any answer to the question, "Why, if the terrorists have given up violence for good, do they still need their guns and bombs?". I have never heard an answer to that question because, in truth, there is no answer to it.

That is why I have watched in dismay as, 15 months after the Good Friday agreement, not a single bomb, not a single gun, has been handed over. Meanwhile, hundreds of prisoners have been released. Some of them were responsible for outrages committed while I was Home Secretary. Some of them would have been responsible for outrages against my constituents.

Patrick Magee is widely known as the bomber of the Grand hotel in Brighton. What is not quite so widely known is that when he was arrested he was planning a series of bombing attacks on other south coast towns, including Folkestone. I have no idea whether recent reports of his intentions are true, but what is clear is that he and his murderous colleagues are now free to return to the guns and bombs that they used in the past at any time they choose. That is the background to the proposed legislation.

The Prime Minister explained these latest proposals, which are enshrined in the Bill, when he made a statement to the House on Monday last week. He said:

"I understand perfectly well why people will not accept undertakings, words, statements or any of the rest of it . . . we have learned often enough in Northern Ireland that we cannot pay attention simply to assurances."—[*Official Report*, 5 July 1999; Vol. 334, c. 643-52.]

How right he was, and how apt his words were in relation to his own undertakings, words, statements and assurances.

In his own hand last year, the Prime Minister wrote:

"those who use or threaten violence must be excluded from the Government of Northern Ireland."

But the effect of this Bill would be to include in the Government of Northern Ireland those who use or threaten violence. In his own hand, he also promised:

"prisoners will be kept in unless violence is given up for good."

But the prisoners have not been kept in, despite the fact that violence has not been given up for good. The truth is that the Prime Minister has broken his promises; on this, as on other issues, when he is put under pressure, his promises turn to dust.

The Sunday Telegraph of 27 June carried an article by Jenny McCartney which identified in stark horror the kind of situation that could come about in Northern Ireland if an Executive were set up before terrorists had genuinely given up violence for good. The scenario that she describes is one in which Martin McGuinness, a man widely believed to sit on the IRA's Army Council—and to have sat on it when the bombs went off in South Quay and Manchester—is Northern Ireland's Minister for Education; not by any means a far-fetched scenario, since Sinn Fein is understood to want to hold the education portfolio.

Jenny McCartney asks us to suppose that the IRA, which still holds its guns and bombs, remains active on the streets, as it is now; that its members patrol Belfast housing estates, intimidate families and quell any dissent; that gangs of masked men haul people from their houses in the middle of the night and beat or shoot them for some alleged offence.

"Imagine", Jenny McCartney says, "that you're a teacher in a Belfast school, and one afternoon someone associated with the Minister for Education pays you a visit. He says that the Minister has certain ideas about a poster campaign or about a children's demonstration, and he'd be most grateful for your co-operation. Perhaps you don't like the idea. It might be too political and, in ordinary circumstances, you would politely refuse. But these are not ordinary circumstances. You are acutely aware of the Minister's paramilitary connections, and you're afraid that there could be nasty repercussions for yourself if you don't agree. So you say, 'Yes, of course; I'll see how we can set that up.'" In the course of that tiny, trivial exchange, Jenny McCartney says, and I agree with her, a very big thing has been lost—it is called freedom.

These are not fanciful fears—I wish that they were. They are a realistic assessment of what could happen in a part of the United Kingdom if an Executive is set up before decommissioning takes place. My right hon. Friend the Member for Bracknell (Mr. MacKay) and others of my hon. Friends, and the right hon. Member for Upper Bann (Mr. Trimble), have tabled amendments. They are similar in effect to the assurances that were sought by my right hon. Friehd the Member for Huntingdon. If accepted, the amendments would minimise the harm that the arrangements contemplated in the Bill would cause; they would mitigate the damage; they would minimise the risk. Without those amendments, the Bill does not deserve the support of the House.

6.29 pm

Mr. Seamus Mallon (Newry and Armagh): I hope sincerely that this legislation will never be used. It is a sad commentary on the situation that we are all in—those who live in Northern Ireland and those who legislate for it—that, at a time when people are about to enter a partnership, they want to know how they will deal with its demise. Perhaps it is an Irish thing, or maybe the Irish thing has permeated into British legislation. It is almost as if before the wedding, or before the wedding is consummated, the funeral cortege is arranged for either the bride or the bridegroom. That is what we are dealing with and that is where we are at.

Many serious contributions will be made to the debate, but the nub of the problem is that the Bill is based on suppositions. It is legislation for "What ifs". It is a charter

for the mistrust that is so obvious today. Would it not have been better to introduce legislation when the set of circumstances with which it had to deal had become clear? I believe that that would have been the proper approach. In that event, the right hon. Member for Huntingdon (Mr. Major) would not have been talking about "What ifs", and other hon. Members would not have been basing their valid arguments on suppositions. The problem is that we are faced with legislation that is geared to deal with what may or may not become a fact. Surely it is better to legislate on the basis of fact, once that fact has arisen, than on the basis of suppositions.

I understand why the Bill is before us; let us understand the pressures under which it is being dealt with. The Unionist parties demanded that legislation be presented to deal with the failsafe clause. That is why the Bill is being presented now and not when the situation as to what has or has not happened becomes clear. On Second Reading, and when we deal with the amendments, we shall continue in terms of what may happen in future, what might happen in future and—what none of us has thought of—what may not happen in future.

I support the Bill in so far as it is in accord with the two Prime Ministers' "The Way Forward" and with the Good Friday agreement. I support it when it is in accord with those documents. However, there is one part of the Bill that is not in accord with them, and I shall oppose that part. I have tabled a new clause in my opposition to it.

From all of this we must retain the Good Friday agreement, "The Way Forward" and the means of solving our problems. As I have said, we are seeking to put in place new arrangements for failure before we even begin the journey that might bring us success. We are doing so in the dark, not knowing precisely what we might be dealing with. So be it; that is the decision that has been made. I am not happy that, only days before we may be going into government, we are busy making clear how little trust there is between all of us who will have to serve in government. It is hardly the prelude for which anyone would wish. So be it; this is the situation in which we must make decisions.

I have listened with great interest to the debate, and especially to the contribution of the right hon. Member for Huntingdon who asked four questions. He put three questions to the Government, and I have no doubt that they will answer them. His fourth question was directed to the Social Democratic and Labour party. It was asked also by the Opposition Front-Bench spokesman, the right hon. Member for Bracknell (Mr. MacKay), and by my hon. Friend the Member for Leominster (Mr. Temple-Morris). I shall take up the point. I stand by the Good Friday agreement. It is the agreement to which I owe my allegiance; I do not owe it to the Opposition, to a Unionist party, and not even to a Government with whom I am proud to be associated. I want to preserve the agreement and take every step in accordance with it.

The one way in which we can proceed in accord with the agreement is by means of a review, which is specified within the agreement. That is the only way in which "What ifs" or hypotheses can be dealt with in accordance with the Good Friday agreement. However, what is that review? I should have liked the right hon. Member for Huntingdon to be in his place. It is a collective judgment, but made by whom? Will it be made by the Government, by the Irish Government, by the SDLP, by the Ulster Unionist party, by the Democratic Unionist party, by the UK Unionist party, by Sinn Fein, by the Alliance or by the Northern Ireland women's coalition? A collective judgment must be made by all those parties, not by one or two of them, even if the two are the two Governments. The judgment must be made on the same collective basis that led to the signing of the Good Friday agreement.

As I have said, I stand by the Good Friday agreement. I stand also by the need for a review. However, it is suggested that one of us should pre-determine the collective decision made in the review. That one party—for example, the SDLP—would have the audacity to pre-determine what all the parties and the two Governments might decide in the review and the shape of everything that ensued as a result of it.

It is not merely a matter of pre-determining what the review might arrive at. There is a wish to pre-determine not only the judgment but the penalty. When asked to do that, I say, "Think carefully what you are asking. You are asking one political party to pre-determine the outcome of a review." That includes two sovereign Governments and all the other parties to the agreement.

When are we being asked to make the judgment and decide the penalty? Are we being asked to do that when things happen? No. Are we being asked to do so a month beforehand? Not necessarily. Is it to be two months beforehand? Not necessarily. What about three months beforehand? Maybe. Is it to be by 22 May? Definitely. Is it wise to make a pre-determination of the judgment and the penalty 10 months before events take place in circumstances of which we are not aware? Those circumstances could change not only by the day but by the hour. So I say to those who ask for that, "Think of what you are asking for." It is audacious. It would be arrogance on our part to assume that right, and it is unthinking on the part of others to ask that we do so. It would negate the very essence of the review system in the agreement, it would negate the way forward as determined by the two Prime Ministers, and it would negate the Good Friday agreement.

Penalty and judgment must be left until we know the circumstances. Note that I say "penalty"; I will not shirk that word. If those who make a solemn commitment under the agreement, which we stand by, subsequently renege on it against the wishes of nationalist Ireland or republican Ireland or Unionist Ireland, does anyone imagine that there will not be a penalty? Does anyone imagine that having broken faith and trust with all of us, such people will somehow escape unscathed?

Unionism, too, will not escape unscathed. Throughout the debate, little attention has been paid to the fact that part of the failsafe clause relates to the failure to work devolution. There is some evidence that that is a possibility. We have had empirical evidence for 12 months. It is there to be seen. Have we heard from those on the Opposition Benches calls on the Unionist party not to break its commitment to work the agreement, when month after month that was the case?

Mr. Trimble: Not so.

Mr. Mallon: I say to those in the Ulster Unionist party: apply the same standards to yourselves as you are asking us to apply.

Mr. Donaldson: You do the same.

Mr. Mallon: I can assure you that if any party associated with paramilitarism breaks its word to the

[Mr. Mallon]

people of Ireland in terms of the commitment given in "The Way Forward", we will not ignore it. We will not shirk consideration of penalty, as we will not shirk consideration of penalty if the commitment is broken by any of the Unionist parties.

Has any of the Opposition parties even questioned the situation in which two members of the Democratic Unionist party who could be in the Executive by the end of the week are on record as saying that they will not work parts of the agreement? Have you suggested any sanctions in your amendments to deal with that?

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman is straying in and out of correct parliamentary language. I should be grateful if he would try to use it.

Mr. Mallon: You are correct, Mr. Deputy Speaker. I apologise to you and to the House.

I ask hon. Members to consider that there are more implications to the matter than one. Let us not forget that we are all doing a serious piece of business today.

I do not expect the Ulster Unionist party to renege on its commitment to devolution. I accept what the right hon. Member for Upper Bann (Mr. Trimble) said earlier. I am not one of the people who question whether he will serve in an Executive with members of the nationalist or republican community. However, if there is to be a failsafe clause, let us all understand what it is and the implications of it.

Those implications are far-reaching. We hope to take a step this week. I ask those on the Unionist Benches especially to take that step. I ask them seriously to consider the effects of their not taking it. I understand the difficulties of the Ulster Unionist party.

I understand the difficulties of Sinn Fein as well. Do I take its word on decommissioning? I now have a way of finding out. I have a way of knowing whether it will or will not decommission. I have a way of measuring it, against the report of General de Chastelain. I have a way of measuring it in time, against the reports that General de Chastelain is to make in September, October, December and next May. I now have a way of finding out. It may not be the ideal way, or the way that would have been best suited had the legislation been introduced when problems arose and we knew what we were dealing with, but I have a way of knowing what will happen.

If some of the amendments are carried—I hope they will not be—we will never know whether the IRA will decommission. There are those who want a statement from the IRA saying that it will. Those are the same people who do not take the IRA's word. I am not recommending trust in that or any other organisation. I am simply saying that, for the first time, we have an opportunity to establish whether decommissioning will or will not happen.

For the first time, we have an opportunity to ensure that violent republicanism on the island of Ireland rids itself of illegally held weapons. That has never happened before. If it happens, it will be seismic for all of us. I suggest that, when we consider the implications of the Bill, we measure.

The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) told us of his experiences. They were touching experiences, and many of us have had similar ones. I have lived in South Armagh for 63 years. I know republicanism. I know violent republicanism. I know it well because I came from it. I know the psychology behind it, and I know what can and what cannot work with it.

The agreement can work, despite the fact that the legislation should not have been introduced at this stage. It can work because of the absolute commitment of the Prime Minister and the Taoiseach. Dispute what they say; disagree with their analysis; question tactics and question strategy, but do not ever question the fact that those two men have set out together to put the issue to the test. They have given us all a means of moving forward into something that is absolutely new to all for us. It is so new that it is frightening to many because of its implications.

I have heard two anecdotes today about what might happen if so-and-so from Sinn Fein became Minister for Health and so-and-so from Sinn Fein became Minister for Education. Does that not undermine the good arguments that have been put forward about how we deal with the coming together of Unionism and nationalism in Northern Ireland? That is so close that we are almost in touching range of it, although we could lose because of our own genuine convictions, which may be based on that which is not valid—and it is frightening, so frightening that it has frightened many, especially on the Unionist Benches. *[Interruption.]* I am referring not to the right hon. Member for Upper Bann, the leader of the Ulster Unionist party, but to some in his party who have not yet told the House what they will do if they enter an Executive and how they will work the agreement.

I refer specifically to the Democratic Unionist party. I await its Members taking the opportunity to tell the House that they will work the agreement fully if they take their seats in the Executive and that they will join the right hon. Member for Upper Bann, myself, my hon. Friends the Members for Foyle (Mr. Hume) and for South Down (Mr. McGrady) and others in ensuring that those who break their word, given solemnly in the agreement, will not escape lightly. I address this question to Members across the Floor: is it conceivable to any Member of the House that those who have broken their word and their commitment and reneged on the agreement would be beneficiaries of the review, which is so necessary? I ask every Unionist Member of a political party who is present to think carefully about that.

I ask Members to think carefully about some of the amendments—not those tabled by all the Ulster Unionist Members, but those tabled by the leaders of the Ulster Unionist and Conservative parties—and their implications. Before they vote, they should ask themselves one question: will agreeing to those amendments bring forward the day of which the right hon. and learned Member for Folkestone and Hythe spoke—the day on which he, I or anyone else will never again have to visit a scene of violence or violent death in this country or in Ireland? That is the question, and we have it in our hands to stop that violence now in a way that can be accounted for by all of us. By all of us, I mean Ulster Unionist Members especially. When they make their decisions, they must know that those of us who will be sitting in the Executive and involved in the review with them will not take lightly any breaking of word or commitment.

6.53 pm

Mr. Peter Robinson (Belfast, East): The process of gentrifying members of Sinn Fein and elevating its leaders began many years ago. It started in secret meetings, but its first public manifestation came in 1993 in the joint declaration, which is sometimes referred to as the Downing Street declaration. The then Prime Minister recognised that it would not be palatable simply to bring those who were recognised as active IRA terrorists into the democratic fold as if nothing had happened—that there had to be a cleansing process and that Sinn Fein-IRA had to do something to make people believe that a change had taken place.

The two Prime Ministers set down in paragraph 10 of the joint declaration the criteria that they would apply to bringing Sinn Fein-IRA into the political process. They first required that there had to be a "permanent end" to acts of paramilitary violence. Sinn Fein-IRA balked at the word "permanent". Months of clarification were required, because they were not prepared to sign up to anything that might be deemed to be a permanent end to violence. Automatically, Unionists gauged that their refusal to say that they had permanently ended violence was an indicator that they would turn the violence on again if things did not go their way and they wanted to apply more pressure.

There have been many stages in the process but, to this very moment, the giving up of arms so that they could not be used in the future would have been the one clear indicator that Sinn Fein-IRA were putting violence behind them. Although that would not be a totally safe method of calculation, it would be a clear statement of intent that they were reforming their ways. That has not happened and I do not believe that it will.

During the referendum campaign, when many of us said that the Belfast agreement was silent on those issues and that there was no requirement to decommission before the Sinn Fein-IRA representatives entered government and the prisoners were released, the Prime Minister came out with a lot of promises. As the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) said, the right hon. Gentleman made hand-written pledges that those who used or threatened violence would be excluded from the government of Northern Ireland and that prisoners would be kept inside unless violence was given up for good. In the House, he defined that as meaning decommissioning.

At the Dispatch Box, the Prime Minister was asked by the Leader of the Opposition:

"Will you agree with me that prisoners should not be released early until the organisations they belong to have substantially decommissioned their weapons?"

The Prime Minister replied:

"The answer to your question is, yes, of course it is the case that both in respect of taking seats in the government of Northern Ireland and the early release of prisoners—the only organisations that qualify for that are organisations that have given up violence and given it up for good."

The right hon. Gentleman came to Northern Ireland and pleaded with the people that they should believe him and take his promises and pledges that violence would have to be given up, that decommissioning would take place and that no one would be released from prison or enter government unless that had occurred.

We all know that our position has been vindicated. Although we find ourselves on the verge of government, Sinn Fein-IRA still have not decommissioned one bullet or one ounce of Semtex and they are being allowed into government under the Government's proposal without doing anything in relation to decommissioning. The Bill is therefore being introduced by a Government who once again find themselves toadying to the terrorists.

On a recent visit to No. 10 Downing street, I remember being left open mouthed as I saw two members of the IRA Army Council roaming freely around the corridors in their shirt sleeves. The previous Government knew that those people were responsible for giving the instructions to launch a rocket at No. 10 Downing street, but this Government consistently go along with whatever Sinn Fein-IRA demand because they know that they have the capacity to carry out more violence on the mainland against the citizens of the United Kingdom.

The Bill is unacceptable, and it would remain so even if the best of the amendments were accepted. That might make it less unacceptable, but it still would not be acceptable because it is predicated on the acceptance into government of Sinn Fein-IRA without any decommissioning whatever taking place. It merely—and in my view quite inadequately—purports to provide a failsafe against failure to engage in decommissioning ex post facto. So far from the Bill being a failsafe, it is a risk—as even the Secretary of State said from the Dispatch Box. That statement is a long way from the words spoken by the Prime Minister on the steps of Castle buildings, when he talked of the certainty that these measures would contain.

The Bill suggests that the so-called failsafe is triggered—an unfortunate term—by a failure to keep commitments. The commitments that are expected to be kept are set out in clause 1. What commitments have the IRA or—on the other side of the coin—Sinn Fein made? They are not set down in the joint statement or in the Bill. Who made them? When were they given? The IRA certainly has not made any. In the last IRA statement about decommissioning that is on record, the issue was "firmly ruled out"; it was "a red herring"; and talk of a "gesture" handover of weapons was "fanciful." The statement went on:

"The weapons belong to the revolution, not to any individuals."

It added:

"Nothing would be surrendered until all objectives are achieved."

There is no commitment from the IRA that has to be kept.

I suspect that the commitments referred to are not in the Belfast agreement, because that simply commits people to use any influence that they may have. No sanction is applied if they do not use that influence or if decommissioning does not take place. The provisional movement says that it will keep to the Belfast agreement, because that agreement does not require it to do anything more than to use whatever influence it may have.

The commitment referred to cannot be a commitment contained in the report of General de Chastelain, because there is no such commitment in that report. It cannot be

[Mr. Peter Robinson]

any commitment contained in the declaration of Sinn Fein-IRA during the recent talks process. In that declaration, they referred to decommissioning and said that

"the full implementation of the Agreement would demonstrably facilitate the decommissioning process".

After the agreement has been fully implemented and they have gained all the concessions, decommissioning might be facilitated.

Dr. Norman A. Godman (Greenock and Inverclyde): I thank the hon. Gentleman for his characteristic courtesy in giving way to me. I assure him that I have no wish to disrupt his speech, but I want to ask him a question. Is it his intention to take up a seat on the Executive or to refuse to take up such a position?

Mr. Robinson: It is clear that we are trying to ensure that the Executive will have excluded from it those who are still wedded to violence. In those circumstances, we would be delighted to take up a seat in what would be a more democratic process. I am sure that those are the circumstances that the hon. Gentleman envisages, and I hope that he will vote for that this evening.

The Sinn Fein declaration went on to say that, against the background of the full implementation of the agreement,

"we believe that all of us, as participants acting in good faith, could succeed in persuading those with arms to decommission".

So the Sinn Fein statement contains no commitment to do anything other than say that decommissioning would be facilitated if it were given all the concessions contained in the Belfast agreement. In those circumstances it "could" succeed—not "will" succeed. Sinn Fein will not ensure that it does succeed, even though it has the capacity to do so.

It should be remembered that all the personnel involved in the IRA army council were in Castle buildings and were capable of taking decisions on behalf of the IRA. They could have clearly indicated that they were prepared to decommission.

Mr. Jeremy Corbyn (Islington, North): I have followed the hon. Gentleman's speech closely. Would I be right in thinking that he has a problem with the very idea of sharing any power, authority or responsibility with any representative of the nationalist community? Would that be a fair summation of his views?

Mr. Robinson: No, but I would not expect to hear a fair summation of my views from the person who has just spoken. It has been abundantly clear from the moment that I stood to my feet that it is a requirement that those in government and exercising Executive power should be those who are exclusively committed to peaceful and democratic means. There is no commitment to peaceful and democratic means if one has an armed terrorist organisation at one's beck and call with tonnes of Semtex, thousands of rifles and handguns, and even surface-to-air missiles.

The Bill is imprecise, weak and woolly. It has to be, because all roads lead back to the Belfast agreement, which is flawed. The bad judgment exercised a year ago still corrupts politics today. The agreement did not require decommissioning, so people are at present engaged in an exercise that requires something that they did not negotiate when they signed up to the Belfast agreement. There are no sanctions for those who do not decommission.

Let us turn to the sanctions contained in the Bill. According to the Bill, a number of things automatically happen if the commitments are not kept. It is not those who have defaulted on their commitments but those who support the democratic process who will be punished. The Assembly will be suspended, but Sinn Fein-IRA were opposed to the setting up of the Assembly. It is strange to impose a sanction against those who do not decommission by bringing down the one part of the agreement that they did not want in the first place. There will then be a review.

Mr. Martin Salter (Reading, West): Which parts of the Belfast agreement did the hon. Gentleman's party want?

Mr. Robinson: It is remarkable that people who have been in the House over the past year are not aware that we fiercely contested the Belfast agreement, and asked the people of Northern Ireland to vote against it. I am glad to say that an increasing number of them have now changed their opinion. At the European elections in Northern Ireland, 60 per cent. of the Unionist people who voted, voted for candidates who were against the Belfast agreement and who asked people to vote for them by way of a referendum on those issues. Only time prohibits me from going into the by-elections that have taken place which show that movement.

The Assembly will be suspended and no action will have to be taken to stop the Patten commission, which is part of the Belfast agreement, or to stop prisoner releases.

On 5 July, Downing Street quietly whispered to several journalists that it was considering reviewing prisoner releases. That was on offer if the IRA did not decommission. The next morning's newspapers carried the stories:

"Blair offers 'review' of IRA releases".

An official said that

"we will review prisoner releases"

if the IRA refuses to give up arms. Immediately, Sinn Fein-IRA got agitated. They demanded a meeting with the Secretary of State to seek assurances on those issues. No one stopped to ask the question: why would they be concerned? If it was their intention to decommission, why on earth would Sinn Fein-IRA be concerned that, if the IRA did not decommission, prisoners would stop being released? They would be concerned only if it was not their intention to decommission. If they intended to decommission, it would not matter what the sanction was, because it would not be applied against them. Clearly Sinn Fein-IRA did not, and do not, intend to decommission. They recognise that such a sanction would apply to them.

In reply to the hon. Member for Montgomeryshire (Mr. Öpik), let me say that it is clear from the Northern Ireland (Sentences) Act 1998 that the Secretary of State has the power to stop prison releases if there has not been co-operation on decommissioning. That power is expressly contained in section 3(9)(d). It is not, therefore, a question of introducing a new factor.

If anyone were to try to identify two issues in the Belfast agreement that were most closely in parallel, the issues concerned would be the issue of decommissioning and the issue of prisoner releases. There is a similarity. Both decommissioning and releases must be completed within two years; and nothing suggests that the Government should rush ahead on the release of prisoners while decommissioning lags behind. Indeed, there is no requirement for the Government to continue to release prisoners while decommissioning lags behind. There is a clear link. Certainly the sanctions should be applied in the current circumstances, and, along with others, I have tabled amendments on that very subject.

I have to say that the Secretary of State not only could but should already have applied the section to which I refer. It involves other issues, such as on-going violence, support for organisations that are involved in violence, and support for organisations that are threatening to use violence.

Everyone knows that the IRA killed Andrew Kearney. Everyone knows that the IRA murdered Eamon Collins, Brendan Fagan and John Downey. Everyone knows that the IRA was responsible for the shooting of some 48 people; for the beatings of at least 120 people; and for the recent attempt to kill Martin McGartland. Everyone also knows that, while people were sitting round negotiating in Castle buildings, the Garda Siochana apprehended two IRA men who were bringing components of a bomb into Northern Ireland with the intention of bombing the guts out of one of our towns. Despite all that, the Secretary of State says that she must view these things in the round—and, in the round, we find that things never happen.

The Garda Siochana made it very clear that the Provisional IRA was responsible in terms of the attempted bombing. The two persons who were arrested applied immediately to be admitted to the IRA wing at Portlaoise prison. It is abundantly clear that the Secretary of State has the capacity to act, and the reason to act; but she has not acted.

People ask why Unionists want legislative guarantees. Certainly, they could not depend on its being the view of a Secretary of State that such actions should be taken, or on the taking of such actions being the wish of a Secretary of State. As the only sanction in the Bill is a review, however, why cannot that review include an automatic expulsion of Sinn Fein-IRA?

The reason is simple: the SDLP and the Prime Minister of the Irish Republic will not have it. According to Mr. Ahern, Sinn Fein must join the Executive, and there must be inclusiveness. Mr. Ahern agrees with Mr. Blair that Sinn Fein-IRA could be excluded from government. He has insisted that an inclusive body represents the only way forward, and has said that that is why in the Good Friday agreement—and again last Friday—it was carefully ensured that the emphasis is on inclusion rather than exclusion.

This, incidentally, is the same Mr. Ahern who, on 14 February, said that

"Sinn Fein should be barred from the new Northern Ireland government unless the IRA starts to decommission its weapons."

Mr. Ahern also said:

"Decommissioning in one form or another has to happen. It is not compatible with being a part of a government, and part of an executive, if there is not at least a commencement of decommissioning. That would apply in the North and in the South."

One is inclined to ask what was responsible for this—I was going to say "change on the road to Damascus", but the change on the road to Damascus would not have been in this direction. What we have seen is a clear sea change of views on the part of the Prime Minister of the Republic of Ireland. Was it caused by the threat of more IRA violence—by the knowledge that the IRA has the arms and the capacity to engage in such activities?

Last week, when we met the Minister responsible for the talks process, I told him that, according to the de Chastelain report, the joint statement and the draft version of the Bill, it was perfectly possible for Sinn Fein to be in government on Thursday, and not to do anything other than appoint a person to talk to the decommissioning body about the modalities. The terms of the de Chastelain report suggest that the best way of setting a timetable is through discussions with the paramilitary organisations; but the paramilitary organisations can say, "Yes, we will do it, but the logistics mean that we cannot do it until April." Sinn Fein-IRA could be in government for nine or 10 months, until it found an excuse—perhaps the Patten report, or perhaps something else—to say that things had changed, and that the agreement had not been fulfilled. Nothing in the Bill, nothing in the joint statement and nothing in the Minister's position suggests that that could not happen.

I asked the Minister to explain how such a scenario could be prevented. He could find no written evidence; he could only wave proudly a copy of a speech by the Prime Minister. As he will recall, I immediately pointed to other words of the Prime Minister—pledges that had not been kept.

The bottom line is this. The only currency that any politician has, particularly a Prime Minister, is his word. In regard to these issues, the Prime Minister has devalued that currency, and he is no longer trusted by the Unionist community in Northern Ireland.

7.16 pm

Mrs. Maria Fyfe (Glasgow, Maryhill): Listening to the debate has made me think of other parts of the world where there has been conflict, violence and murder for generations. Other parts of the world have managed to come together, live together and rule their countries together. There is no reason why Northern Ireland should not be able to do the same, but that requires the building up of trust: it requires the making of that leap from time to time.

I have taken account of what Opposition Members have said about their worries in regard to clauses 1 and 2, but, if the present Secretary of State or some future Secretary of State dragged his or her feet in regard to the implementation of the recommendation, what purpose could that serve? Why would any Secretary of State wish to do that? *[Interruption.]* Opposition Members grin and make sedentary comments, but I want an honest answer. Why would any Secretary of State not want to act, given that the actions of the Government, the Irish Government and the former Prime Minister have been intended to produce an agreement?

Mr. Donaldson *rose*—

Mr. Robert McCartney *rose*—

Mrs. Fyfe: I will give way to someone who will tell me why the Secretary of State would not want to act in that way.

Mr. McCartney: I suggest that the reason is this. Terror and violence—especially violence aimed at the City of London—have driven the process from the beginning. That is the fundamental reason. The agreement is not about a political settlement; it is about the conflict resolution between the British state and Sinn Fein-IRA.

Mrs. Fyfe: I can only say that, if the hon. and learned Gentleman thinks that the process is about giving in to fear of IRA action—[HON. MEMBERS: "Yes."] If hon. Members think that, they are dead wrong. What they are saying is ludicrous, and I cannot believe that the public generally, throughout these islands, agree with them.

If Members of the Assembly are not committed to its success, the Assembly will fall apart in any event, regardless of what the Secretary of State does or says. It is necessary to build up trust, and to act together.

Mr. David Winnick (Walsall, North): Does not the intervention by the hon. and learned Member for North Down (Mr. McCartney) do a disservice to the people on the mainland, who stood up to terror, as did the people in Northern Ireland, and never gave in to all the terror that the IRA inflicted on innocent people? Therefore, it is most inappropriate to say that the agreement comes about simply because the British Government are frightened of the IRA. We stood up to terror for so long and we would do so time and again.

Mrs. Fyfe: I thoroughly agree.

None of the events is happening in a vacuum. Everything that is going on in Northern Ireland is under the inspection of the world's media and of people who care about peace and freedom everywhere. Do any of the hon. Members on the Opposition Benches really think that, if anyone who had been appointed to senior office continued to support violence, that would not be noted and commented on adversely, with the person likely to be thrown out of office?

I come from a nationalist family background. It is not easy for me to think well of people on the Unionist side, but I have met many of them over the years, especially since being involved in parliamentary politics. I know some people who have served prison sentences for acts of extreme violence and murder, yet, if those people have changed—I believe that they have—I would support their standing for election and their holding senior office in the Assembly. The point is not a person's past, but their willingness to change and to be part of the future, not the past.

Life does not bring total guarantees. We are not talking about buying a fridge. In any step in life, nothing is guaranteed, but we take such steps because we are human beings and we wish to live and to get on with our lives. We want to live in peace with our fellow human beings.

The debate has concentrated entirely on the history of nationalist violence. Listening to it, one would hardly believe that there had been any from the other side, but we all know that it has a long record of violence, too, so why not be honest about it?

I did not read *The Sunday Telegraph* article that has been referred to, but I recently saw in another newspaper a photograph of a tiny toddler, who was far too young to understand the words on the bib around his neck: "Born to walk the Garvaghy Road".

When I saw that picture, I thought, "For every toddler who is wearing such a bib, there is a toddler in a nationalist household somewhere being taught: do not trust these people. Do not hand the guns in. Hide them instead because you do not know what will happen."

It was pointed out earlier that it is not so much about counting guns as changing minds. I thoroughly believe that. It is about changing minds and getting people to change their attitudes because that is what really counts.

If Opposition Members do not support the Bill because of their ludicrous idea that it has been introduced because of fear of nationalist violence, I will not believe that that is an honest position. They are doing great discredit to good people on their own side. It was marvellous when the right hon. Member for Upper Bann (Mr. Trimble) and the hon. Member for Foyle (Mr. Hume) won the praise of the world for coming together to fight for peace. We should support their efforts and get behind them.

Opposition Members will not get behind us, but what are they saying? Are they prepared to let things unravel again? We have still to hear positive proposals that are workable and bring together Northern Ireland in the way in which we want.

The Scottish Parliament is up and running. The Welsh Assembly is up and running. All hon. Members are anxious to see the Northern Ireland Assembly up and running, but, to achieve that, a change in spirit and attitude on all sides is required.

7.24 pm

Mr. Jonathan Sayeed (Mid-Bedfordshire): I hope that the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) will forgive me if I do not follow her. We are limited in time and other hon. Members wish to speak.

I disagree with much of the Prime Minister's policy, but I commend him for his persistence, perseverance and efforts in trying to bring a solution to Northern Ireland. We all recognise that he has built on the considerable and sustained work of my right hon. Friend the Member for Huntingdon (Mr. Major). We may be coming to a point where peace is possible in Northern Ireland and it behoves us all to help that process. That is not to say that the Prime Minister has not made mistakes along the way. Some of the wording of the Good Friday agreement was so poor and lacking in precision that it allowed all sides to interpret it differently.

Some people will suggest that it is better to have any agreement, however faulty, than none. I am not one of those. In a Province where there has been some 300 years of distrust, any dispute as to the meaning of the words in an agreement gives rise to the suspicion of bad faith. I fear that the Belfast agreement and its consequence—the Northern Ireland Bill—may repeat that mistake.

I held a position of profound juniority in the Northern Ireland Office, but I recognise that those who do not live in Northern Ireland cannot understand what it must be like for those who do, or what it must be like for Northern Ireland Members who have seen their family, friends, neighbours and constituents bombed, beaten, shot and terrorised. The only time when terrorism can be understood, if not condoned, is when there is no alternative, no democracy, no hope. That is not the case with the IRA in Northern Ireland. It has no such excuse.

As a Conservative and a Unionist, I believe that Northern Ireland is part of the United Kingdom, but, as a democrat, I believe that, if the people of Northern Ireland

want it otherwise, they should have it otherwise. Consequently, the IRA has no right to use weapons and no excuse to hold them. It should get rid of them if it wishes to be part of the democratic process.

There are risks with the Bill. We all know from bitter experience that the IRA takes, takes and takes and gives nothing back, but is worth taking risks for the prize of peace. There are dangers, but those dangers are rather less real than some would suppose. Using the cold calculation of the balance sheet, I ask: what is the downside for Northern Ireland? What is the downside for the Ulster Unionists if the IRA refuses to disarm? Some gestures of symbolic significance will have been made, but nothing in practice will have changed, and the blame for the lack of disarmament will be fairly put on the IRA. The upside is different. If the IRA does surrender its weapons, the long-suffering democrats in Northern Ireland will have won a famous victory.

There is no doubt that releasing murderers sticks in everyone's craw. Releasing murderers with no reciprocal action by the IRA has been a profound mistake. I regret the equivocation of the SDLP, which makes the Ulster Unionists' agreement to the Bill all the more difficult. I would prefer it if the Bill made it clear that terrorists had to disarm and that, if they did not, their apologists or spokesmen and only their apologists or spokesmen, would be ejected from the Assembly and Executive.

Even if the Bill is not amended, however, I shall not oppose it. I believe that there is a chance of disarmament, and a chance of peace. Although I detest and distrust the IRA, I believe that it should be given a chance to change. We should determine to give peace a chance.

7.30 pm

Mr. George Galloway (Glasgow, Kelvin): On the subject of balance, it is a great pity that, on the Conservative side of the debate, so few of the colleagues of the hon. Member for Mid-Bedfordshire (Mr. Sayeed) have taken the same thoughtful line as he has. However, others have lived up to their reputations.

The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) lived up to his reputation of not being able to see a belt without hitting below it. His imputation of dishonourable behaviour by the Prime Minister will be widely resented on both sides of the House and across the country. I do not think that I am anyone's idea of a slavish Government loyalist or any type of toady, but I do believe that the efforts of the Prime Minister, the Secretary of State and her Ministers have been widely admired, not only across the country but around the world. To do as the right hon. and learned Gentleman did in accusing the Prime Minister of having dishonoured his promises was unworthy of a man who held the high office that he held for so long in the previous Government.

The right hon. Member for Huntingdon (Mr. Major)—always less clear, more circumlocutory than the right hon. and learned Member for Folkestone and Hythe—left me unsure about whether he was supporting the Government's peace process—the words "like the rope supports the hanging man" came to mind—or whether he would be in the Government Lobby today, as the hon. Member for Mid-Bedfordshire will be.

Nevertheless, I was sure that the support—if it was there—offered by the right hon. Member for Huntingdon was far less unequivocal than the support that was given to him earlier in the process, in very dark and difficult times, by the previous Opposition Front-Bench team. At that time, the right hon. Gentleman, who was then the Prime Minister, was telling us that it would be gut-wrenching and turn his stomach to talk to terrorists. Later, of course, it emerged that that is precisely what he had been doing for quite a considerable time in secret, without informing the House or the country.

Lord Whitelaw—whom we buried recently; that great statesman—had an even earlier try at lifting terrorist prisoners out of Long Kesh and bringing them to a posh house in Chelsea, to try to broker the type of peace that we now have so nearly within our grasp.

I understand why the Ulster Unionists—

Mr. Donaldson: Will the hon. Gentleman give way?

Mr. Galloway: No; I have no time.

I understand why the Ulster Unionists take the position that they do—I know where they are coming from and the constituency that they represent. They are right to negotiate and haggle, to the last second, to protect the interests of their constituents, who are a vital and important part in the whole picture.

What I genuinely cannot understand is how, today, the Conservative party—a once great national party; once a party of government—could make a turn to such breathtaking irresponsibility, playing fast and loose with people's lives—which is what they are doing—by becoming the mainland political wing of Ulster Unionism. They have shown that breathtaking irresponsibility by quibbling and haggling over how many days is "days" and how many weeks is "weeks", whereas Ireland has waited not decades, but centuries to achieve the type of peace that we now have within our grasp—*[Interruption.]*

Unionist Members scoff, but they do not cut a very handsome figure. They should remember that the people of the United Kingdom mainland are those whose blood and treasure has to be expended to defend the Union and the Unionist population; who, for decades, have sent their soldiers on to the streets of Northern Ireland, to try to keep the peace and fight terrorism; and who have expended billions of our taxes to try to keep that peace. It is about time that Unionist Members remembered that they have to try to keep the British population on side as well, and stop being so selfish and irresponsible about it.

It is simply not true that the nationalists and the republicans have given nothing in the process. It is simply to fly in the face of reality to assert—as has been done today—that, somehow, they have come out winners in the process. The republican tradition has abandoned for all time the notion that anything other than the consent of the majority of the people of the six counties can change the constitutional course of events. That is a monumental change in republican thinking.

The Irish Republic has abandoned articles 2 and 3 of its constitution—*[Interruption.]* It has promised to do, and will do so, according to the terms of the agreement. Those articles were central to the very foundation of that state.

The IRA has for a very long time been on a military ceasefire. When I heard the former Home Secretary recite the dismal litany of events to which he was witness—as all of us were—and all the blood and suffering that he

[Mr. Galloway]

saw in his time in government, I wondered how he could seem so sanguine about the possibility of returning to all that.

In the 60 seconds left to me, I say only that, if the process all comes crashing down, the echoes will be long and loud in Ireland, both north and south, and here on the British mainland. Many more people will suffer the awful misery to which the former Home Secretary referred. Avoiding that is the prize in front of us—making all that a part of the troubled history of Britain and of Ireland, and looking forward to a new future. Only a madman would wish to take risks—

Mr. Howard *rose—*

Mr. Galloway: I am sorry to say that I have no time. I have been told to sit down at 7.38 pm, although I have waited all day to make this speech.

Only a madman would wish to risk bringing all that crashing down, rather than allow days or weeks to pass before we could see whether the promises that have been made are going to be kept.

7.38 pm

The Minister of State, Northern Ireland Office (Mr. Paul Murphy): Like my hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway), I have been waiting all day—to reply to the speeches.

The debate has been one of those occasions in the House that will be memorable. We have had a relatively short debate on an exceptionally important issue. I think that all the different points of view that have been expressed add richness, if nothing else, to the House and its debating facility. I think also that no one in the Chamber—from whatever party he comes, or whatever views he may have on the Good Friday agreement—is opposed to the search for peace in Northern Ireland.

All those who have spoken in the debate want peace, although they may, of course, come from different directions on the issues. Most of them expressed a desire for a political settlement. Certainly, the bulk of those who have spoken want a political settlement that is based on the Good Friday agreement—for which the people of Northern Ireland voted overwhelmingly, by a 71 per cent. majority.

A couple of weeks ago, the Prime Minister expressed three principles to the Northern Ireland parties. First, did they agree with an Executive which was truly inclusive? Secondly, did they agree that there was a need under the Good Friday agreement to decommission? Thirdly, did they agree that there was huge significance in the role of the Independent Commission on Decommissioning, headed by General de Chastelain? The parties were asked to address those issues. That was the basis on which the two Prime Ministers went into the negotiations in Castle buildings the week before last.

We have looked today at certainty, testing, assurance and failsafe. Some of us think that we have got it right; others think that we were getting it right, but that we have not quite got it right. We will reflect on the points made during the Second Reading debate, and those to be made in Committee later this evening. Those points can be raised again—and addressed if necessary—in the other place.

The right hon. Member for Bracknell (Mr. MacKay) opened the debate, and talked about the Good Friday agreement being a huge compromise—which it is. In a sense, we have been talking today about the compromise between unionism and nationalism going forward. That makes legislation very difficult. We are not legislating for an Assembly in Cardiff or a Parliament in Edinburgh. The basis upon which the Bill is founded is the Good Friday agreement. That, in turn, is based upon an arrangement that means we can have devolution, and all the other institutions that go with it, only if we can carry through unionism and nationalism at the same time. That is extremely difficult, but it is vital in considering the Bill and anything else that appertains to the Good Friday agreement.

The right hon. Gentleman referred to the slow progress on decommissioning, and he is right. We have had slow progress, although we have made progress, on various aspects of devolution, but that is not unexpected. After 30 years of conflict and distrust—and even longer periods of dislike, and even hatred, between the communities of Northern Ireland—who would have thought that this could have been done quickly?

When George Mitchell said after the agreement was signed that the troubles were beginning and that the difficulties were starting in terms of implementing the agreement, he was right. In many respects, it is right that we negotiate hard and that we discuss with great intensity the matters that are before us—whether it is the number of Ministers in the Cabinet, the North-South implementation bodies or, vitally, the question of decommissioning and its relationship with devolution.

The right hon. Member for Bracknell and others referred to a timetable, and we shall discuss that in greater detail later. However, I must stress above all that the Independent Commission on Decommissioning must be genuinely independent. We cannot compromise that. What we do in this House—legislating, as we do, for the British Parliament—is not enough on its own, because the agreement is based on an understanding between nationalism and unionism. So far—and so good—both nationalism and unionism have expressed the highest confidence in the Independent Commission on Decommissioning, and in General de Chastelain personally. I know that the right hon. Member for Bracknell shares that view. It is vital that that independence is retained.

We will see in the debates to follow that the general laid down an indicative timetable, and referred to a timetable in paragraph 21. His statement on the Friday in question mentioned "days" at the beginning of the process of decommissioning, and "weeks" in terms of actual decommissioning taking place. We will return to that matter later, and in some detail.

The right hon. Member for Bracknell referred to exclusion. The effect of excluding, expelling or suspending is all the same because, ultimately, we will end up in the same place. I repeat—we are dealing not with Cardiff or Edinburgh, but with Belfast and the agreement based on the concord between unionism and nationalism. We will end up all the time with review—inevitably, because that is what the Good Friday agreement said, and that is what the people voted for.

If the process goes wrong, if decommissioning does not occur, if devolution does not occur, or if all other aspects of the agreement are not working, the only way in which

we can resolve the matter is through review, according to the Good Friday agreement. We have a part to play, and that is why we are meeting today. Things have developed, in the sense that the purpose of the meeting of the two Prime Ministers at Castle buildings was to try to get out of the deadlock and the impasse. The sequencing of devolution and decommissioning is precise, as is the method by which we would contest those who would go back on their pledges.

The right hon. Member for Upper Bann (Mr. Trimble), in a powerful speech, referred to the commitment to inclusion, which he made eloquently. He and his party have said that they are not opposed to an inclusive Executive. He said that his party was concerned about the guarantees, the failsafe, the assurances and the certainties, but that the idea of an inclusive Executive was part of his party's policy. I agree with that entirely.

The right hon. Gentleman was concerned that, while the review could lead to the exclusion of the offending party, it could lead also to his own party coming under pressure to overlook a breach and to move forward with the Executive unchanged. No one can be certain of the outcome of any review, but I can assure the right hon. Gentleman and his party that they will come under no pressure from this Government in those circumstances.

The hon. Member for Foyle (Mr. Hume)—who, with others, has been instrumental in bringing about this process—indicated, rightly, that people in Northern Ireland were not politicians and that they were anxious that there should be progress. I agree entirely. Outside this Chamber, and outside the Northern Ireland Assembly, there are 1.5 million people in Northern Ireland who want and deserve peace and political stability. A great burden lies on our shoulders collectively as politicians to try to ensure that that is achieved.

It is important politically to remember that, if Sinn Fein advances politically, the party which has more to lose than any other is the SDLP, in the sense that the politics of Northern Ireland will result, inevitably, in people voting for nationalist parties and people voting for Unionist parties. The hon. Gentleman's points were valid, and we will look again at them.

The right hon. Member for Huntingdon (Mr. Major) started this process and we pay tribute to him for that role, including his campaigning for the Good Friday agreement in the referendum in Northern Ireland. He helped to persuade many people to vote for it. He made a number of important points, some of which I shall try to answer.

The right hon. Gentleman asked whether we would encourage General de Chastelain to publish the full schedule and timetable for disarmament. The joint statement calls for the commission to specify two key dates—when the process should start and when actual decommissioning should begin. It must be completed by May 2000, and the commission will report in September, December and May—and more often if necessary.

General de Chastelain said in his report of 2 July that he was prepared to define a detailed timetable for decommissioning, following discussions with representatives of the organisations. Clearly, there will be a detailed timetable. Under the Bill, if the general lays down a timetable, it must be kept to, or he will blow the whistle. I recognise that the publication of the full timetable would encourage confidence. Equally, it is a matter for the general and his colleagues to decide whether they should do that. He has a vital, but delicate, task. He must command confidence on all sides if he is to succeed. I can ensure that the general sees the remarks of the right hon. Gentleman, and we will take it from there.

The right hon. Gentleman asked whether any breach of the disarmament schedule would lead to suspension. The answer to that is yes.

Mr. Cash: Will the Minister give way?

Mr. Murphy: No, I had better press on. I have only five minutes left to answer everyone, and it is important that I reply to the points raised by the right hon. Member for Huntingdon. A breach of the disarmament schedule would lead to suspension. Failure to take any step specified by the commission leads automatically and immediately to suspension.

The right hon. Member for Huntingdon asked whether prisoner releases would be stopped if a party were excluded from the Executive. We have already made it clear that, under the Good Friday agreement, prisoner releases are linked to the continuing ceasefires. My right hon. Friend the Secretary of State has already said that one of the factors to be taken into account under the Northern Ireland (Sentences) Act 1998 is whether an organisation is fully co-operating with the Decommissioning Commission.

My right hon. Friend keeps the prisoner release scheme under close review on the basis of the best security advice available. Clearly, if the process is suspended because decommissioning commitments are not being met, that factor would weigh especially heavily on my right hon. Friend's judgment about the status of the relevant ceasefire. Equally, if the Assembly, on a cross-community basis, decided that a party should not hold office, that, too, would be a relevant consideration in deciding whether any linked paramilitary organisation is on ceasefire. I have not the slightest doubt that in any review that would follow suspension for that reason, that those other matters—especially prisoner release, but others as well—would be open to discussion.

The right hon. Member for Huntingdon also asked whether we could confirm that the British and Irish Governments are agreed on the Bill. Our relationship as Governments has never been closer and we agreed fully on the way forward. We will work together to implement the proposals made by the two Prime Ministers.

My hon. Friend the Member for Hull, North (Mr. McNamara) made the point about the silence of the guns. That is significant and nobody underestimates it. The hon. Member for Montgomeryshire (Mr. Öpik)—we thank him and his party for their support on the Bill—referred to civil society and the significant fact that the people in Northern Ireland want this to work. My hon. Friend the Member for Leominster (Mr. Temple-Morris) rightly emphasised the fact that the process is two-sided, and that we cannot go ahead without unionism and nationalism both agreeing on where we go. He also emphasised the principle of consent.

I understand the feelings of the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) about the issue that he raised, especially because of his earlier

[Mr. Murphy]

ministerial position, but I suspect from his comments that he was not too keen on the idea of inclusivity in any event, even if we did not have this failsafe legislation in place.

The hon. Member for Newry and Armagh (Mr. Mallon) asked why we are legislating now. That is a fair question and we all hope that the legislation will not be used, but if it were and we were in a recess, it would difficult to recall Parliament to consider the matter. It is also better to have the legislation because a failsafe mechanism will give assurances to all concerned. The whole House will have heard the hon. Gentleman's assurance that, in a review such as that to which I and others have referred, the defaulters will not be the beneficiaries and his party will not shrink from penalties if necessary.

The hon. Member for Belfast, East (Mr. Robinson) talked about my waving papers at him in our meetings last week. We will be waving more papers at him during the Committee stage of the Bill, but I am not sure that he is keen on the whole business anyway. Certainly, I know that he and his party have made it clear that they are in favour of devolution to Northern Ireland. I only hope that he and his colleagues will be able to support devolution in Northern Ireland when that occurs.

My hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) emphasised the need for trust in the whole process. She has been committed to the role of women in Northern Ireland, and I pay tribute to her for that. I thank the hon. Member for Mid-Bedfordshire (Mr. Sayeed) for his support, despite his misgivings about the process and the Bill. My hon. Friend the Member for Kelvin gave his usual rousing speech.

The people of Northern Ireland are looking to us in this Chamber and to the parties in Northern Ireland to settle this impasse and to break the deadlock. Unless there are any better ideas, this Bill is the best chance to ensure that devolution and decommissioning occur. Can anyone give me any assurance that any other idea would produce decommissioning better than the suggestions in the Bill? Is there any other way to test Sinn Fein on decommissioning? Is there any other way to bring nationalism and unionism together so as to ensure an opportunity to test the arrangements? I do not think so and, as a consequence, I commend the Bill to the House.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 312, Noes 19.

Division No. 234] **[7.55 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atkins, Charlotte
Banks, Tony
Barnes, Harry
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Best, Harold
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blunkett, Rt Hon David
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hume, John
Hutton, John
Ilsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lawrence, Ms Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Llwyd, Elfyn
Love, Andrew
McAllion, John

McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
Mahon, Mrs Alice
Mallaber, Judy
Mallon, Seamus
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheffld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wareing, Robert N
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Wise, Audrey
Wood, Mike
Worthington, Tony
Wyatt, Derek

Tellers for the Ayes:
Mr. David Jamieson and
Mr. David Clelland.

NOES

Beggs, Roy
Body, Sir Richard
Cash, William
Donaldson, Jeffrey
Forsythe, Clifford
Gill, Christopher
Hunter, Andrew
McCartney, Robert *(N Down)*
Maclean, Rt Hon David
Paisley, Rev Ian
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Swayne, Desmond
Taylor, Rt Hon John D *(Strangford)*
Thompson, William
Trimble, Rt Hon David
Wilkinson, John
Wilshire, David
Winterton, Nicholas *(Macclesfield)*

Tellers for the Noes:
Mr. William Ross and
Rev. Martin Smyth.

Question accordingly agreed to.

Bill read a Second time.

Further proceedings stood postponed, pursuant to Order [this day].

NORTHERN IRELAND BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Northern Ireland Bill, it is expedient to authorise the payment out of money provided by Parliament of any expenditure incurred by the Secretary of State in consequence of the Act.—*[Mrs. McGuire.]*

Question agreed to.

NORTHERN IRELAND BILL

Motion made, and Question put forthwith, pursuant to Standing Order No. 63 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—*[Mrs. McGuire.]*

Question agreed to.

Bill immediately considered in Committee.

[MR. MICHAEL LORD *in the Chair*]

New Clause 1

SUSPENSION OF PRISONER RELEASES

'Where the Secretary of State has made a suspension under section 1 of this Act, he shall also make an order under section 16 of the Northern Ireland (Sentences) Act 1998 suspending the operation of sections 3 and 10 of that Act.'.—*[Mr. MacKay.]*

Brought up, and read the First time.

8.7 pm

Mr. MacKay: I beg to move, That the clause be read a Second time.

The Second Deputy Chairman: With this, it will be convenient to discuss the following: New clause 2—*Prisoner releases—*

'Where section 1 applies the Secretary of State shall specify under section 3 of the Northern Ireland (Sentences) Act 1998 any organisation in respect of which the Decommissioning Commission has reported under section 1.'.

[The Second Deputy Chairman]

Amendment No. 10, in clause 1, clause 1, page 1, line 24, at end insert—

'(ba) the operation of the Northern Ireland (Sentences) Act 1998 shall be suspended and all releases so far made under that Act shall be revoked;'.

Amendment No. 12, in clause 1, page 2, line 2, at end insert—

'(ca) the release of prisoners under the Northern Ireland (Sentences) Act 1998 shall be suspended in accordance with the powers available in section 8 of that Act; and'.

Amendment No. 29, in title, line 2, after 'Ireland' insert

', the release of prisoners under the Northern Ireland (Sentences) Act 1998'.

Mr. MacKay: I shall speak specifically to new clause 1 and to amendments Nos. 12 and 29. I note that this debate—*[Interruption.]*

The Second Deputy Chairman: Order. Will hon. Members who do not wish to stay for the debate please leave quickly and quietly?

Mr. MacKay: I note that this debate will be truncated, and that there are only just over 50 minutes in which to hold it. I shall therefore keep my remarks brief, as I covered many of the points that I wish to make on Second Reading.

My main point is simple: there have to be safeguards, the most important of which has to be that the paramilitaries go ahead and decommission on time. The Provisional IRA, which the Prime Minister has said is inextricably linked to Sinn Fein, should have a real incentive to decommission on time. If it does not, Sinn Fein will—if my amendment is accepted later—be expelled from the Executive. If the Ulster Volunteer Force, which has a direct link with the Progressive Unionist party that is represented in the Assembly, fails to decommission, the Assembly will be suspended. In the right circumstances, I believe that the PUP could be removed from the Assembly.

However, the real problem is that other republican and loyalist paramilitary groups have no incentive whatsoever to decommission. They will have no political partners in the Executive or the Assembly. To ensure that they decommission, the Government must say—by accepting our new clause—that there will be an immediate halt to early release of their terrorist prisoners if these groups fail to comply with the decommissioning timetable. To do less would discourage them from decommissioning.

I have already asked the Secretary of State to consider the position of the republican community, particularly that of the Provisional IRA. The Minister and I want the IRA to decommission all its illegally held arms and explosives between now and next May. But if the IRA were here tonight, its representatives would argue that to decommission or disarm when loyalist paramilitaries were retaining their arms would make their communities vulnerable. If the PIRA is to decommission, it is essential to ensure that everyone else must decommission too.

The Minister is responsible for security in Northern Ireland, and he does not need me to tell him that there is an overwhelming desire in paramilitary communities—loyalist and republican—to get the boys out of prison. Every time the Government and the Prime Minister put a terrorist prisoner back on the streets of Belfast by releasing him early, they throw away a trump card. Some 277 trump cards have been thrown away to date, and only 120 or so terrorist prisoners remain for release.

If decommissioning does not happen, it will be essential to halt terrorist releases. The people of Northern Ireland deserve nothing less. Only by halting releases can we provide the copper-bottomed failsafes that the Prime Minister has promised the people of Northern Ireland and the House of Commons.

I urge the Minister to accept our new clauses and amendments, or to agree to produce his own. I readily admit that his amendments might be better drafted than ours, which we were able to draft only yesterday evening. Including new clause 1 and amendments Nos. 12 and 29 in the Bill would go a long way towards satisfying the Unionist community and democratic opinion that there are real safeguards against, and proper penalties for, all paramilitary groups if decommissioning does not occur.

New clause 1 is precise in that only those paramilitaries who fail to decommission would be penalised. No one would be penalised for the faults of those who failed to fulfil their obligations. That is essential to the proper working of the Bill and to ensuring that Ministers are appointed to the Executive to provide proper devolved government for Northern Ireland.

Mr. Trimble: I agree with the general thrust of the remarks made by the right hon. Member for Bracknell (Mr. MacKay), and I do not intend to rehearse in detail all the arguments that we have heard about prisoner release during the past year. I shall discuss instead the Bill's focus only on default by Sinn Fein and its lack of any effective provision regarding default by other paramilitary organisations. The Bill is seriously defective as it must provide for dealings with other paramilitary organisations. It is unrealistic to apply a sanction only to Sinn Fein, when the sanction can be applied to other groups only through prisoner release.

8.15 pm

I drafted new clause 2, and it will be no surprise to anyone to learn that I prefer my own drafting. I focused on section 3 of the Northern Ireland (Sentences) Act 1998. Subsection (9) directs the Secretary of State to take into account a number of factors, the fourth of which is whether an organisation

"is co-operating fully with any Commission . . . implementing the Decommissioning section of the agreement reached at multi-party talks on Northern Ireland set out in Command Paper 3883."

That touches precisely on the point that we are discussing. Suspension would arise only in the event of someone's having failed to carry out commitments entered into.

Subsection (9) directs the Secretary of State to take into account a number of factors, which gives her a discretion but, if the Bill becomes law and the Government's hopes for it are realised, the situation contemplated in the Northern Ireland (Sentences) Act 1998 will have changed. Some decommissioning would be happening, and the onus on other paramilitary organisations to co-operate would have to be greater than it has been during the past 15 months. It seems right to raise the standard relating to what the Secretary of State should do.

The Northern Ireland Bill provides for automatic action, and it seems appropriate to apply the same standard to sentencing. We should bring the provisions of the 1998 Act into line with the Bill that we are debating tonight. That would be consistent. I urge the Minister to contemplate new clause 2 very carefully.

Mr. Öpik: I am about to prove that at least one person—namely, me—listens to debates in the House. Until 7.55 pm, I was fairly convinced that it would be hard to connect decommissioning and prisoner release, but one Minister of State strongly implied in his Second Reading speech that a linkage could be made. I hope that the other Minister of State can clarify matters when he deals with the new clauses.

I believe that it is difficult to connect the terms of the Good Friday agreement, including those on decommissioning, with prisoner release. The right hon. Members for Bracknell (Mr. MacKay) and for Upper Bann (Mr. Trimble) have given their views, but I should be glad if the Minister clarified the position, to help us to understand whether we can expect some movement towards slowing down prisoner releases without the need for the amendments.

I have two specific questions for the Minister. What is the Government's view of the new clauses in the context of the Good Friday agreement? Will he explain, following the comments of his fellow Minister, whether, even if they do not accept the new clauses, the Government are considering some linkage with prisoner release?

Rev. Ian Paisley: I wish to comment briefly, as my hon. Friend the Member for Belfast, East (Mr. Robinson) and I tabled amendment No. 10, which is in this group.

I feel strongly about this matter because the only real barrier that we have to make the paramilitaries and armed gangsters understand that the Government and this Parliament mean business is prisoner release. If those concerned have left violence and do not intend to go back to it, they should be prepared for decommissioning to take place. If it does not take place, we can be assured that they intend to keep their weaponry so that one day, at some time in the future, they can do what one of their spokesmen in the Assembly said that they would do—go back to doing what they were "best at". That was that spokesman's public statement. If that is so, the deterrent is necessary and it has to go farther than merely stopping the releases. They must be revoked. After all, if we are going to go back, we have to go back to where we started.

There is now a strong argument to the effect that those prisoners who have got out have gone back to violence. Time will declare it. I have been seeking information from the police on this matter. We do not know what will be revealed in the days ahead, but I am sure that it will be revealed that some of them have already done so.

Dr. Nick Palmer (Broxtowe): My understanding of the trend of the hon. Gentleman's remarks is that he opposes prisoner release, even for organisations that are willing to decommission. Given that he is opposed to the releases in any case, is a sincere reservation behind the amendment?

Rev. Ian Paisley: The hon. Gentleman should question the motivation of the terrorists, not my motivation. None of the people who are tied up with terrorism has said that they will decommission—none of them represented in the Assembly and none of them represented at the talks. The only people who have decommissioned are the Loyalist Volunteer Force, which was not in the talks and is not represented in the Assembly. The hon. Gentleman should get his facts right before he attacks my motivation.

I am certainly not happy with armed gangsters being released on the streets when I see their attitude when they come out of prison, what they say and do, and the people with whom they associate. If the hon. Gentleman's mother or children had been murdered by one of those people, as has happened to my constituents, he would not want them to be walking about the streets. That is even more the case now when the organisations to which they belong are saying that they will not decommission. If they have given up violence for good, surely they should give up their weaponry and then they cannot return to violence. As I said, however, they tell us that they will go back to what they are best at. The time has come for the Government to call a halt to the whole charade of what is going on with those prisoners.

Dr. Palmer: The hon. Member for North Antrim (Rev. Ian Paisley) continues his fundamental opposition to the whole process. Clearly, if one is opposed in principle to the Good Friday agreement, one naturally also opposes prisoner release, for the reasons that the hon. Gentleman outlined.

I have more difficulty with the position of the Opposition, which appears to be that they are in favour of the Good Friday agreement which, as several hon. Members have said, allows for the possibility that a failure to decommission will have consequences for prisoner release and other benefits that arise out of the agreement. However, the Conservative party has for some time now opposed prisoner releases, which are an essential part of the agreement. As I understand it, the amendment would harden the agreement as regards such releases.

Mr. MacKay: I may be able to help the hon. Gentleman, as he might not have been here for my speech on Second Reading when I explained this matter fully. The situation is simply this: the Belfast agreement stated that prisoners would be released over a two-year period from the enactment last July of the Northern Ireland (Sentences) Act 1998. It also stated that paramilitaries who signed up to the agreement would decommission all their illegally held arms and explosives during a two-year period, which concludes in May next year.

The hon. Gentleman will realise that we are now 14 months into the two-year period for decommissioning and not one gun or ounce of Semtex has been handed in. He is a reasonable person. He must think it unreasonable that there has not been any decommissioning. At the same time, the Government have shown their good will by releasing 277 terrorist prisoners—loyalist and republican—back on to the streets of Belfast. That is not a fair deal and is therefore not comparable.

Dr. Palmer: I am grateful to the right hon. Gentleman for that intervention. None the less, the amendment would appear to seek to harden the terms of an agreement that was negotiated with great difficulty and under considerable stress. If we take a step back from the present fraught situation, we will see what ordinary people in Northern Ireland and Britain see clearly, which is that

[Dr. Palmer]

we are at a juncture where it is possible to take a chance for peace, or to go back to the eternal circle of haggling, renegotiating and redefining.

Mr. Robert McCartney: I am sure that the hon. Gentleman appreciates the fact that the Prime Minister himself encouraged the pro-Union people and their representatives to believe that, if they said yes in a referendum, there would be a nexus or connection between the release of prisoners and decommissioning.

Dr. Palmer: The hon. and learned Gentleman is perfectly correct. The Prime Minister has stated on many occasions that decommissioning is an integral part of the process. However, the hon. and learned Gentleman must also be aware that every survey in Northern Ireland as well as in Britain shows that, for the sake of the people of Northern Ireland, people want the current proposals to be given a chance.

The difficulty that I and many other Back Benchers have with attempts to tinker with the Good Friday agreement and to harden certain aspects of it is that we detect a certain begrudging attitude to the leap of faith that is needed by both sides to give the agreement a chance.

Most of us have been reticent in speaking on the issue because we are reluctant to rock the boat and to intervene when we are aware that Front-Bench Members of all the parties are working hard to reach an agreed settlement. However, the overwhelming majority not only of the parliamentary Labour party but of the British people will be alienated, if, at this stage of the process, those on any side stand back and say that they are not willing to make that leap of faith to try to achieve the settlement—including decommissioning—for which we have all worked over the past 18 months. If we say that that is not possible because we want tinkering here or there, we must accept that it will be concluded that, as a people, we are not serious about peace.

8.30 pm

Mr. Field: Is there not is a real danger in thinking that we can interpret the public mood? It is probable that there is an equally strong view in the country that, at this crucial point, people would expect some decommissioning at the next stage. Of course, the Ulster Unionists are unhappy with what was originally signed, in that there was no clear link between the whole process of prisoner release and decommissioning. However, the best interpretation that one can put on that is that there was a cock-up and that people did not notice.

I think that the Ulster Unionists have taken the debate further today and are putting that behind them; they are assuming that the Bill will be enacted, and that, if people do not begin decommissioning within the timetable laid down by the commission, the prisoner release scheme will be reconsidered. They are not trying to renegotiate the original terms of the agreement—although they might feel that they were foolish not to have spotted the absence of a link—but the assumption behind the amendments is that the Bill will be enacted and that, if it quickly appears that, at some stage, there will be no decommissioning, those who do not decommission will be punished, not only by the review—

The Second Deputy Chairman: Order. The right hon. Gentleman's intervention is gently turning into a speech. He must finish his intervention briefly.

Mr. Field: I shall just finish the sentence. We are debating whether, in the new situation, there should be a link; the old debate is now being put aside. Does my hon. Friend the Member for Broxtowe (Dr. Palmer) not support the fact that there should be some link, and that those who do not disarm should not get their prisoners out?

Dr. Palmer: I am grateful to my right hon. Friend for that courteous intervention. We would all accept that prisoner release may well depend on decommissioning as part of a general pattern of behaviour. However, the Good Friday agreement set up a delicate system of checks and balances—including not only decommissioning, but the ceasefire, co-operation with Northern Ireland and cross-border institutions, and other elements.

We know the conflicting parties well enough to expect that each change in the process will trigger another change. If we say that the failure to decommission will have the concrete and guaranteed effect of suspending prisoner releases, we can expect that other aspects of the agreement will be called into question—especially the ceasefire. I think—as indeed do the great majority of people in the United Kingdom—that the achievement of the ceasefire has been worth all the concessions that have been made until now.

Mr. Donaldson: In relation to prisoner releases, I point out, with all due respect to the hon. Member for Broxtowe (Dr. Palmer), that public opinion in Great Britain is changing. Public opinion in Great Britain is becoming impatient that people such as Patrick Magee—a man who tried to destroy the British Government with a bomb—are being released, but the organisation to which he belongs has not decommissioned a single bullet. The hon. Gentleman should reconsider the issue of public opinion in Great Britain. May I recommend to him an article by John Lloyd in the current edition of the *New Statesman*, which I think that he will find edifying?

Rev. Martin Smyth (Belfast, South): In relation to the claims that public opinion is against any of the changes, is it not remarkable that more and more people from England are phoning and writing to us, telling us to stand fast because it is wrong to give way to terrorism? Will my hon. Friend persuade those who might not be in this place, and who regularly accuse Ulster Unionist Members of dealing with only one aspect of terrorism, that the amendments deal with all aspects of terrorism?

Mr. Donaldson: I thank my hon. Friend for that intervention. That is precisely the point. As only one terrorist organisation in Northern Ireland will benefit from having seats in the Executive—that is Sinn Fein-IRA—we must find some means of urging the other terrorist organisations to decommission. There must be some penalty if that does not happen.

The hon. Member for Broxtowe talks about balance, but we have had 14 months of the agreement and the problem is that there is no balance. He talks about the

ceasefires but the ceasefires have been breached, whether or not the Government care to acknowledge that. There have been murders on the streets of Northern Ireland committed by all the terrorist organisations benefiting from prisoner releases. They have all breached their ceasefires, yet the Government have chosen to disregard that in relation to the legislative provision in the Northern Ireland (Sentences) Act 1998, which places on the Secretary of State the responsibility to review on a regular basis whether the organisations benefiting from prisoner releases should continue to benefit in that way. With all due respect, I have to point out that there is a link between decommissioning and prisoner releases—it is in the Northern Ireland (Sentences) Act and it was put there by the Government. The link is there.

The problem is that, under the proposals in "The Way Forward" document, the penalties that will be applied if parties are in default will not apply to all the parties, since not all the terrorist organisations are represented in the Assembly, let alone in the Executive. The hon. Member for Broxtowe says that we cannot tinker with the agreement, but I put it to him that "The Way Forward" does exactly that. It sets new deadlines for the institutions that are not in the agreement, and new timetables that are not in the agreement. Would we need "The Way Forward" if the agreement were delivering on all those aspects? Of course not. If it is right to tinker with the agreement on devolution, why should it not be right to tinker with it on prisoner releases? Surely the hon. Gentleman concedes that point.

Mr. Robert McCartney: Does the hon. Gentleman agree that, in the House, in the debate on prisoner releases, the Prime Minister indicated that, if the prisoner releases were to be stopped or curtailed in any way, it would mean a return to violence? Therefore, terror is dictating the terms on which the whole process moves forward.

Mr. Donaldson: I thank the hon. and learned Gentleman for that intervention. Throughout this debate, I have heard Government Members give the warning that, if we do not do this and we do not do that, there will be a return to violence—yet the agreement requires all the parties to be committed to "exclusively . . . peaceful means". Surely such a commitment means that, in all circumstances, one takes the democratic and peaceful path, yet the hon. Member for Broxtowe warns us that, if we do not take the leap, there will be a return to violence. Is that a commitment to exclusively peaceful means? I do not think so.

That commitment was required of Sinn Fein-IRA and the loyalist paramilitaries when they signed up to the agreement. Is the hon. Gentleman suggesting that they are about to breach their commitment if they do not get their way? What guarantee will the Unionist members of the Executive have? If, at some time in the future, we come up against a decision that has to be taken on an issue of government in Northern Ireland and the Republicans disagree with our position, are we to expect that, once again, whispered in the ear of the First Minister will be the dark mutterings, "If you don't do it our way, the boys might have to go back to doing what they do best."? That is what is being asked of us.

Mr. Howard: The hon. Gentleman is stating most effectively, in summary form, the arguments that are being advanced by Government Members. Do not those arguments, in effect, amount to: "You'd better believe the IRA have given up violence because, if you don't, they will use violence again."?

Mr. Donaldson: I thank the right hon. and learned Gentleman for his intervention—of course that is what we are being told by Government Members. It is almost as if a gun is being put to our head, accompanied by the threat, "Sign up, or else." I know about threats—I have received them, as have my right hon. and hon. Friends. Some of us have had attempts made on our lives by paramilitaries, but not once have we raised a finger in retaliation against them. I chose the democratic and peaceful path when I entered politics, and I will not be deviated from that path, because I am committed to exclusively peaceful means.

Mr. Trimble: My hon. Friend is criticising, very correctly, the comments made by the hon. Member for Broxtowe. Those comments clearly demonstrated that the hon. Gentleman does not believe that there is, at present, a genuine commitment to peaceful means. He believes that, unless one acts in accordance with what are perceived to be the interests of the public, there will be a return to violence, but that is indicative only of his state of mind, and we must not regard his state of mind as being decisive in what will actually happen.

Mr. Donaldson: I thank my right hon. Friend for his intervention. That is the reality with which Unionist Members are faced.

I support the amendments on prisoner releases because people in Northern Ireland believe that there should be a balance, and the process should not be a one-way street. The hon. Member for Broxtowe said that the concessions had been worth while, but giving concessions meant anticipation that there would be a response, which included the decommissioning of illegal terrorist weapons.

Dr. Palmer: The hon. Gentleman sways back and forth between using the Good Friday agreement, which he opposed at the time, in his arguments, and opposing the content of the agreement. It is not at all clear how he has the nerve to oppose an agreement and then use its contents to criticise parties which supported it and made a commitment to peace—a commitment that he, by his opposition, has not made.

Mr. Donaldson: With all due respect, that is a disgraceful remark. My family have suffered at the hands of terrorists, and I have buried members of my family. I joined the Ulster Defence Regiment, which is a legal organisation, to fight terrorism of all kinds, and I am committed to peace. How dare the hon. Gentleman make such a ridiculous, disgraceful accusation? If there is any honour left in him, he should withdraw that remark. I shall, however, deal with the point that he made.

I have the nerve to oppose the agreement because I am a democrat. In a democratic society, I am entitled to vote against the agreement, but that does not mean that I do not accept the will of the people who voted for it. In this House, it is my duty to ensure that the people whom I represent get the best deal and that, where the agreement refers to decommissioning, decommissioning is delivered. When prisoners are being released, it is my duty to

[Mr. Donaldson]

ensure that the people who suffered at the hands of those prisoners get the best deal in the form of commitments from those terrorists and the decommissioning of their weapons.

I shall leave the hon. Gentleman with the following thought. Mr. Bernard McGinn is an IRA murderer who was recently sentenced to 490 years in prison. The *Belfast Telegraph* reported:

"IRA killer Bernard McGinn laughed as he was handed three life sentences and a 490-year prison term yesterday—knowing that he would soon be released."

I want to wipe the smile off Mr. McGinn's face because I want him to know that he will be released only if the organisation that he belongs to gives up violence for good and decommissions its illegal weapons. If it does not do so, Mr. McGinn should remain where he belongs—behind bars—for a long time.

Mr. Malcolm Moss (North-East Cambridgeshire): We do not have much time so I shall be as brief as possible.

Accusations have been made during the debate that our amendments are outside the Belfast agreement and seek to wreck it. We state categorically that our amendments are within the confines of the agreement and the legislation that will emanate from that agreement.

New clause 1 does two things. It calls on legislation that is already on the statute book—the Northern Ireland (Sentences) Act 1998—and it follows through, clearly and logically, assurances given by the Prime Minister on more than one occasion.

8.45 pm

I refer particularly to the Prime Minister's keynote speech at the Balmoral showground in Belfast on 14 May, in which he set out the terms on which parties linked with terrorist organisations would be eligible for prisoner release. The key was that those organisations would have been maintaining a "complete and unequivocal ceasefire". In determining what constituted that, one of the key factors was full co-operation with the Independent Commission on Decommissioning, which of course implements the provisions of the agreement.

New clause 2 refers to the Secretary of State, at the time of suspension, specifying organisations, as defined in section 3 of the Northern Ireland (Sentences) Act 1998, which deals with prisoner eligibility for release. A condition of such eligibility is that

"the prisoner is not a supporter of a specified organisation."

In subsection (8), a specified organisation is clearly defined as

"an organisation specified by order of the Secretary of State; and he shall specify any organisation which he believes—

(a) is concerned in terrorism connected with the affairs of Northern Ireland . . .

(b) has not established or is not maintaining a complete and unequivocal ceasefire."

Subsection (9) states that the Secretary of State shall take into account, when coming to that decision, that the organisation

"(a) is committed to the use now and in the future of only democratic and peaceful means to achieve its objectives;

(b) has ceased to be involved in any acts of violence or of preparation for violence;

(c) is directing or promoting acts of violence by other organisations".

That is the link between Sinn Fein and the IRA, which the Prime Minister still contends is inextricable—although the Taoiseach, Mr. Ahern, says that the two are separate. Subsection (9)(d)—this is the key point because it links legislation passed in this House to the Belfast agreement—states that the organisation

"is co-operating fully with any Commission of the kind referred to in section 7 of the Northern Ireland Arms Decommissioning Act 1997 in implementing the Decommissioning section of the agreement reached at multi-party talks".

We would maintain that there is a clear link and that legislation is already on the statute book for the Secretary of State and the Government to act.

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): We have a very few minutes to deal with this matter. A certain amount of heat has been generated in the debate so it is right, for a moment, to reflect on some of the sensitive issues with which we are dealing.

The sensitivity of this issue of course impacts greatly on the victims—those who have suffered over the past 30 years. As the Minister with responsibility for victims, I have probably met more, either in groups or as individuals, than anyone else in the House, with the possible exception of one or two Northern Ireland Members. I understand only too well the hurt and grief that they have suffered. Some of them are speaking up for the first time about events that go back 10, 15 or 20 years.

Much of that has been brought to the surface by the process of the release of prisoners—early or otherwise. It is not just the early release of prisoners that can impact on those who have suffered most. We as a Government have had to deal with that. I make the point again that, effectively, we inherited a blank sheet from the previous Administration on the issue. That is why there was recognition in the Good Friday agreement of this very important issue, which no one had addressed and which we had to pick up and take forward.

At the same time, we had to take on board the other commitment that was placed on the Government—the one on the early release of terrorist prisoners. Everyone who was party to the agreement signed up to such an commitment. I accept that the hon. Members for Lagan Valley (Mr. Donaldson) and for North Antrim (Rev. Ian Paisley) do not support the Belfast agreement. We do not know whether they support some of it or none of it—in a sense, they have never quite specified—but we know that they do not want it to succeed. Given that, they cannot cherry-pick; they cannot say, "We like this bit, but we don't like that bit." They must understand the complexities that the two Governments and those who are engaged in the process must take on board. Prisoner releases are a critical aspect of that.

After moving forward and implementation, we must consider what that means and how we interpret and judge whether groups are on complete and unequivocal ceasefire, and that is what the Northern Ireland (Sentences) Act 1998 sets out. I accept that many Opposition Members did not accept the principles of that legislation although they were in line with what was set

out in the Good Friday agreement. Many of those who defended the agreement voted against what became the 1998 Act, thereby cherry-picking and more or less leaving it to the Government to proceed with an undoubtedly vexed and difficult issue, primarily because of the impact that it has within the wider community.

There is no direct linkage between prisoner releases and any other part of the agreement, including the political institutions. There are no linkages and no pre-conditions. We are talking of a totality and of everything being part of a whole.

The hon. Member for North-East Cambridgeshire (Mr. Moss) spelled out the purport of new clause 1. He explained that the intention behind it was to suspend section 3 of the Northern Ireland (Sentences) Act 1998, which sets out prisoners' eligibility for release, and section 10, which deals with accelerated release arrangements. That is a clear proposition. That is what the official Opposition want to happen, while saying that they still support the Good Friday agreement. There is an inherent contradiction in that position.

Mr. Moss: Will the Minister give way?

Mr. Ingram: No. There are only three minutes left to me.

The right hon. Member for Upper Bann (Mr. Trimble) talked about important linkages in terms of republican terrorists who could be judged as somehow failing to meet their commitments under the agreement, and those of loyalists. We must recognise the importance of loyalist decommissioning alongside that of republican decommissioning. The right hon. Gentleman was right to raise the matter. There are some loyalist and republican groups which do not have linked parties even in the Assembly, let alone the Executive. However, all groups on ceasefire have a common interest in achieving decommissioning on a mutual and reciprocal basis. That is why they have a ceasefire in the first place. They find themselves being committed to the principle of the Good Friday agreement because movement is taking place. We are moving into a new political environment within Northern Ireland and so they sign up to that very princip[le].

I suggest that loyalists know that there will not be republican disarmament without loyalists giving up guns at the same time, and vice versa. They each watch and study the other in trying to understand what the other is seeking to do. It is right that some groups will not be directly affected by suspension. However, the main purpose of suspension is to give the parties time and space to allow them to agree on how to deal with any breach of commitments, including sanctions on which they may agree. The suspension process involves those who are actually dealing with the issue—those who conceived the Good Friday process in the first place and those who have signed up to it. The issue returns to their agenda and they must deal with it.

Mr. Öpik: Will the Minister state unequivocally, yes or no, whether the clauses contravene the Good Friday agreement?

Mr. Ingram: The 1998 Act sets out the ways in which the Secretary of State would judge whether a group is on a complete and unequivocal ceasefire and whether it would be subject to that Act. We are dealing with complex issues and trying to make judgments. We are putting in place, through the failsafe, a new proposal that allows a judgment to be made by a body that everyone respects. We are allowing that process to be considered and—

It being five hours after the commencement of proceedings on consideration of the Bill, THE CHAIRMAN, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Question put, That the clause be read a Second time:—

The Committee divided: Ayes 147, Noes 349.

Division No. 235] **[8.55 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCartney, Robert *(N Down)*
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Madel, Sir David
Malins, Humfrey
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan

Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Tredinnick, David
Trend, Michael
Trimble, Rt Hon David
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mrs. Eleanor Laing and
Mr. Stephen Day.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blunkett, Rt Hon David
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hume, John
Hutton, John
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mallon, Seamus
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Opik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom

Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Mike Hall and
Jane Kennedy.

Question accordingly negatived.

Clause 1

SUSPENSION OF DEVOLVED GOVERNMENT

Mr. Trimble: I beg to move amendment No. 1, in page 1, line 13, leave out from 'Commission' to end of line 16.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): With this, it will be convenient to discuss the following amendments: No. 2, in page 1, line 13, after 'Commission' insert

'and specifies the nature of that failure'.

No. 3, in page 1, line 13, at end insert—

'(iii) a failure within 4 days after Parts II and III of the 1998 Act come into force to appoint a contact person, give notice of intention to decommission arms and otherwise act in accordance with paragraph 7 of the Decommissioning Scheme made under the Northern Ireland Arms Decommissioning Act 1997; or

(iv) a failure within 4 weeks under Parts II and III of the 1998 Act came into force to decommission arms within the meaning of paragraphs 21 to 25 of the Decommissioning Scheme made under the Northern Ireland Arms Decommissioning Act 1997; or'.

No. 4, in page 1, line 13, at end insert—

'(iii) a failure to commence actual decommissioning within three days of Parts II and III of the 1998 Act coming into force; or'.

No. 5, in page 1, line 13, at end insert—

'(iv) a failure to proceed with actual decommissioning in a regular and proportional manner so as to achieve total decommissioning by May 2000; or'.

No. 6, in page 1, line 16, at end insert

'or—

(c) there has been a failure by the Decommissioning Commission to confirm a start to the process of decommissioning as specified in paragraph 3 of the Joint Statement within 4 days of the formation of the Executive.'.

No. 7, in page 1, line 16, at end insert

'or—

(d) in reporting progress in September and December 1999 in accordance with paragraph 4 of the Joint Statement the Decommissioning Commission fails to report any actual decommissioning of weapons and explosives.'.

No. 31, in page 1, line 16, at end insert

'or—

(c) a paramilitary organisation and its associated political wing do not state before midnight on 22nd July 1999 that they have renounced all violence for good, will physically begin decommissioning by 15th August 1999 and will complete the decommissioning of all their arms and explosives by 1st May 2000; or

(d) a paramilitary organisation and its associated political wing have not before midnight on 14th August 1999 decommissioned 25 per cent of their entire stock of arms and explosives; or

(e) a paramilitary organisation and its associated political wing have not before midnight in 30th April 2000 decommissioned their entire stock of arms and explosives.'.

No. 33, in clause 2, page 2, line 31, at end insert

'after either—

(a) a paramilitary organisation and its associated political wing to which a suspended member of the Assembly, Minister or junior Minister, chairman or deputy chairman of a statutory committee belongs states that they have renounced all violence for good, will physically begin decommissioning by 15th August 1999 and will complete the decommissioning of all their arms and explosives by 1st May 2000;

(b) a paramilitary organisation and its associated political wing to which a suspended member of the Assembly, Minister or junior Minister, chairman or deputy chairman of a statutory committee belongs decommissions 25 per cent of their entire stock of arms and explosives (provided that such decommissioning occurs before midnight on 31st December 1999); or

(c) a paramilitary organisation and its associated political wing to which a suspended member of the Assembly, Minister or junior Minister, chairman or deputy chairman of a statutory committee belongs decommissions their entire stock of arms and explosives.'

Mr. Trimble: Amendments Nos. 1 and 3 are in my name, and I intend to address my remarks primarily to amendment No. 3. Amendment No. 1 would remove subsection (1)(b). The reason for tabling that amendment

[Mr. Trimble]

was to try to get an explanation from the Government of what that subsection means, because it is misconceived, bearing in mind the fact that the Bill will take effect only after devolution has occurred. I cannot see how any party could fail to meet a commitment on devolution once it has occurred, so I should like an explanation of that.

I want to concentrate my remarks on amendment No. 3, which relates to the question of time and timetabling. On Second Reading, the Secretary of State made copious reference to the comments of General de Chastelain of the Decommissioning Commission about the process beginning in a few days, and decommissioning starting in a few weeks. The right hon. Lady relied on that extensively.

Winding up the Second Reading debate, the Minister of State spoke of a timetable coming from the Decommissioning Commission. He said that a breach of that timetable would constitute a breach of a commitment for the purpose of clause 1. I should be grateful to the right hon. Gentleman if he would spell out precisely how that result is achieved. Having examined the decommissioning scheme created by the Northern Ireland Office under the Northern Ireland Arms Decommissioning Act 1997, I assume that the only paragraph on which a timetable could be based is paragraph 12, which states:

"The Commission may make such arrangements as it considers appropriate to facilitate the decommissioning of arms."

I suppose that a timetable could constitute an arrangement to facilitate the decommissioning of arms, but that strikes me as being quite some distance from a commitment the breaching of which, for the purpose of clause 1, would cause the suspension of all the arrangements. Surely some distance must be travelled from that permissive arrangement to the existence of a clear commitment.

It is worth looking carefully at what has actually been said. On 2 July, General de Chastelain said:

"What you have just heard from the Governments, taken in conjunction with our report, makes it possible for the process of decommissioning to begin, literally, a couple of days after devolution."

Again, I feel that some distance needs to be travelled between that statement of what is "possible" and a clear commitment whose breach would lead to suspension, and I should be grateful for some elucidation from the Government.

The general also said—this is in the final paragraph of his remarks—

"My own assessment is that to retain confidence in the process, actual decommissioning would have to begin within a few weeks of the start of the decommissioning process."

He had spoken of that beginning within a few days. Paragraph 17 of the commission's report states:

"It is the Commission's considered view that the process of decommissioning begins in connection with a paramilitary group when it

(a) gives an unambiguous commitment that decommissioning will be completed, and

(b) commences detailed discussions of actual modalities—amounts, types, location, timing—with the Commission."

That is the beginning of the process. There is talk of "an unambiguous commitment"; however, we may wonder whether unambiguous commitments will be given in terms that are satisfactory. In any event, the process is only to lead to the commencement of detailed discussions. It is only from that point that time begins to run for the general's "few weeks".

It should be noted that the general said:

"My own assessment is that . . . actual decommissioning would have to begin within a few weeks of the start of the decommissioning process."

He was not, at that point, speaking for the commission. If the commencement of the process consists merely of discussions about modalities, are we required to believe that those discussions will be completed rapidly, that the timetable will evolve rapidly, and that it will be possible to say a few weeks later that there has been a breach of that timetable? That strikes me as an incredibly optimistic view.

I know that the Government have prayed in aid the character of General de Chastelain on the basis of the confidence that he has retained among the various parties. He has retained that confidence, but an awful lot of weight has been piled on him, especially given his carefulness not to tie things down rigidly. The Government have given the impression that things are tied down very firmly—to a few days or a few weeks—but when we look at what the general has actually said, it is clear that there is no such precision or certainty. There is a danger that the public are being given the impression that the general has said things that he has not, in fact, said.

9.15 pm

The consequence of that is that the general's credibility and integrity may be put at risk by what the Government have done, have said and are doing in the legislation. Expectations are being created that may not be fulfilled. That is not fair to the general, or to the way in which he is proceeding on the matter. Therefore, it would much better for there to be a precise timetable in the legislation and a timetable that does not depend on the exercise of judgment.

That is why, in amendment No. 3, I have spelt out two sub-paragraphs that deal with clear situations. The first is a failure within four days after the Act comes into force

"to appoint a contact person, give notice of intention to decommission arms and otherwise act in accordance with paragraph 7 of the Decommissioning Scheme".

Those are precise events—paragraph 7 talks about formal notice of intention to decommission and the appointment of a contact person. We can tell precisely whether or not they have happened. Four days is longer than the period mentioned to me in discussions in the period before 2 July, when we were talking about a few days, so I have given a more generous time frame than that mentioned to me by the Government in those negotiations.

I have also provided for a failure within four weeks

"to decommission arms within the meaning of paragraphs 21 to 25".

Again, that is clear and precise. It does not depend on any interpretation by the general or others. Again, four weeks is clearly within the spirit of the discussions that we had before 2 July. Instead of putting an unfair weight on the

general, we are moving to something that is precise and that can lead to the sort of action that the Government say that they wish to take under clause 1.

Dr. George Turner (North-West Norfolk): May I ask the Minister for clarification about the Government's position on when the Good Friday agreement is not being kept to?

I entirely understand the difficulty that we are in, which arises from the fact that the agreement defines the end date for the process—a process that most of us know cannot be done in 24 hours—but does not contain a start date for the process of decommissioning. Any reasonable member of the public would have expected, reasonably, that, as the Good Friday agreement contained an end date, that probably implied a start to decommissioning , which we already would have seen. I suppose that those who are more familiar with the complexities of politics in Northern Ireland than me or than the average member of the public would have realised that that was not good enough, but it seems absolutely clear that someone has to decide by what date decommissioning has to start if it is to end by the agreed date.

The Government are saying, correctly, that, given the complexities of the situation, an independent body should decide the timetable, but surely they should at least say that the groups must act and that, if that body defines the timetable that is required to meet the clear end date for the process, those who do not observe that timetable are not in accord with the agreement. I should have thought that such a clear statement would be helpful to the debate. With regard to prisoner release, I cannot see how, if an organisation is not in accord with what an independent commission says is required to be within the terms of the Good Friday agreement, it can live up to the full terms of the ceasefire as defined in the legislation.

In that regard, I noticed a lack of complete clarity in the words of the Secretary of State for Northern Ireland, and detected firmer language by the Minister in his reply to the Second Reading debate. I should be grateful if I could be told exactly what the Government's position is on the matter, because I do not understand how people can be said to be obeying a ceasefire, or decommissioning, if they refuse actually to stick to the timetable and the terms laid down for the observation of the Good Friday agreement.

The official Opposition have yet to convince me that they are able to behave in a bipartisan way by taking sides with one of the parties most intimately involved in the matter. I could understand someone taking sides in an argument after listening to both sides but I was horrified to hear earlier in the debate that the official Opposition have not even talked to the Social Democratic and Labour party. How can the official Opposition say that they are being helpful and bipartisan if they are being so one-sided?

The First Deputy Chairman: Order. The hon. Gentleman is going wide of the matters dealt with in this group of amendments, to which we must confine ourselves.

Dr. Turner: Thank you, Mr. Martin, but that was my final question. Although I certainly heed your advice, I should still like to have an answer to the question.

Mr. MacKay: In the light of your ruling, Mr. Martin, I am not quite sure whether I am allowed to answer the question, although I should like to. Before doing so, however, I commend the rest of the speech of the hon. Member for North-West Norfolk (Dr. Turner). He is a reasonable man and has noted—as did the right hon. Member for Birkenhead (Mr. Field) on Second Reading—that we are now 14 months into a two-year period in which decommissioning should be completed. Any reasonable Member would note that, after 14 months, there should have been substantial decommissioning. I need hardly remind the Committee that neither one gun nor one ounce of Semtex has been handed in by any of the paramilitaries who signed up to the Belfast agreement.

If I may trespass a little on your good will, Mr. Martin, I should like to tell the hon. Member for North-West Norfolk that the Opposition regularly have informal discussions with individual Social Democratic and Labour party Members, as we do with Unionist Members. I think that Unionist Members will confirm that we have never had a formal meeting with them, but talk to them informally—as I talk to the hon. Member for South Down (Mr. McGrady) and other hon. Members.

If the hon. Member for Foyle (Mr. Hume) would like a formal meeting between SDLP Members and the Leader of the Opposition, we should very much welcome it. I see the hon. Member for South Down in the Chamber and think that he is nodding, so he has heard what I have said. I am very grateful to have cleared that matter up—although, in answering the question, I was clearly out of order, as the hon. Member for North-West Norfolk was in asking it.

The official Opposition support this group of amendments—some of which we co-tabled, and others of which we tabled on our own. I should tell the Minister just why we believe that the amendments would provide vital safeguards or—to use the Prime Minister's words—"necessary failsafes".

When, 10 days ago, the Prime Minister not unreasonably trumpeted his blueprint from Stormont's Castle buildings; when, subsequently, the Sunday before last, he wrote in *The Sunday Times*; and when, the Monday before last, he came to the Dispatch Box, he made it very clear to the people of Northern Ireland and to the House that, if he was going to ask Unionists and the House to agree to Ministers establishing an Executive including Sinn Fein Ministers before any decommissioning had occurred, there would have to be proper failsafes. On that basis, we said, "Yes, we can see that point, and we go along with it. The key failsafe will have to be a tight and transparent timetable."

The Prime Minister was very helpful. He went into some detail and kept repeating the terms of the timetable, which were based on general remarks by General de Chastelain. The Prime Minister very clearly said, "Within two or three days, we shall know the answer to the question whether the IRA and Sinn Fein are serious about all that. They will have had to declare that they will decommission to the satisfaction of General de Chastelain. If they do not, they will be out of the Executive." The right hon. Gentleman went on to indicate that, within a few weeks, there would be actual decommissioning and that, in September—and again in November and December—the general and his commission would report back to say whether they were satisfied that not just the Provisional IRA but all other paramilitary groups, whether loyalist or republican, had

[Mr. MacKay]

proceeded to decommission. If any of them had not decommissioned, they would be penalised. That was a proper safeguard.

We were delighted and, in our private discussions with Ministers, we made it clear that we understood that, in an ideal world, it had to be up to General de Chastelain to set a timetable—not up to the Minister, and not even up to the right hon. Member for Upper Bann (Mr. Trimble) and me by way of amendment tonight. We said that the Prime Minister should invite the general to confirm the details of the timetable that he had broadly outlined two weeks ago by way of a memorandum to the Prime Minister, which then could be published and be part of a schedule to the Bill.

We would then have a clear, transparent, tight and realistic timetable, and all of us could decide whether it had been kept to. With the best will in the world—I have the greatest respect for the Minister of State and for General de Chastelain—we cannot just take those words on trust. The only way in which things can move forward properly is by legislation—presumably, that is why the Minister is rushing this Bill through tonight.

It is essential that the Bill contains the copper-bottomed safeguard of a clear timetable. I can see no good reason why there should not be a timetable, bearing in mind that the timetable in the amendment is similar to—in fact, is slightly more generous than—that outlined by the Prime Minister. The Prime Minister promised us a timetable and, frankly, he has not given us a timetable in the Bill. That is why we have been forced to table amendments to include a timetable in the Bill.

If there is no timetable, there can be no guarantees and failsafes, and those who would sit in the Executive as Ministers will not feel able to do so with Sinn Fein because they will not be absolutely certain that, if the IRA fails to decommission, there will be a timetable that has been breached. There is no definite watertight timetable. Give us a watertight timetable, and progress will have been made. It is to be hoped that, if that happened, we would then have the devolved, wide-ranging Executive that the people of Northern Ireland have deserved for many years. I urge the Minister to agree to the amendments.

Dr. George Turner: Before the right hon. Gentleman sits down, will he explain how he reconciles the fact that he seems to accept that it should be for an independent body to determine the timetable with the fact that the amendments for which he is asking us to vote contain a specific timetable imposed by the right hon. Gentleman in partnership with what will be seen outside this House as one of the protagonists to the argument?

Mr. MacKay: I praised the hon. Gentleman earlier for being a reasonable man, but clearly he has not been listening carefully to my speech. I was with the hon. Gentleman in much of what he said earlier, and I am anxious to take him along with what I am saying now. We acknowledge, and would prefer, that the independent commission, under the chairmanship of General de Chastelain, should set down the timetable. However, as that timetable has not been made precise by the Prime Minister requesting a memorandum from General de Chastelain, we have no alternative but to table the amendment as a poor second-best.

I would be willing to withdraw our amendment—as, I suspect, would the right hon. Member for Upper Bann—if we had a guarantee that a memorandum from the general would be published and could be put in as a schedule to the Bill when it is considered in the other place on Thursday. I completely agree with the hon. Gentleman that that would be better. We have been forced to table the amendments because there is no timetable.

9.30 pm

I passionately disagree with the hon. Gentleman's implication that there was something wrong in me, as the shadow Secretary of State, signing amendments that were tabled by the First Minister designate of Northern Ireland, the right hon. Member for Upper Bann. If I agree with the amendments that the right hon. Gentleman is tabling, or with amendments tabled by the hon. Members for South Down or for Newry and Armagh (Mr. Mallon), I shall sign them. *[Interruption.]* I can see that an offer is on the way and we shall have great meetings to conspire to table amendments in the future. I am glad to see both those hon. Members in their place. In all seriousness, I think that the hon. Member for North–West Norfolk will, on reflection, see that that was not a wise thing to have said. It is right that right hon. and hon. Members attach their names to amendments on the basis of their merits, rather than on the basis of who else happens to have signed them. That is not how this place works.

I shall conclude my remarks, because under the timetable, the Committee and Report stages will have to be concluded in under two hours and I note that other significant amendments need to be debated. I hope that we will come to those in reasonable time.

Mr. Peter Robinson: Two of the amendments in this group, amendments Nos. 4 and 5, are in the name of my hon. Friend the Member for North Antrim (Rev. Ian Paisley) and myself. The purpose of the amendments is similar to the purpose of amendment No. 3 tabled by the right hon. Member for Upper Bann (Mr. Trimble). However, a quick glance shows that the timetable in amendments Nos. 4 and 5 might be considered more stringent than that in amendment No. 3.

The fact that the purpose of the amendments is the same draws attention once more to the expectation, based on the word of the Prime Minister, that the legislation would contain some clear time limits for the commencement of decommissioning. People expected that, because that is what the Prime Minister said would happen. He made it clear that there were two certainties, and one was that decommissioning would take place within days and that the process would be under way. The general tenor of the Prime Minister's remarks was that we would be able to flush the IRA out.

Instead, we are now being asked to take the word of General de Chastelain, which was casually thrown out during a news conference. We have some experience of the general on the subject of decommissioning. The world did not start this morning, and that issue has been around for a long time. The general has been at the forefront of much of the controversy that has taken place.

Before the talks process began in 1996, many Unionists—indeed all of those on this Bench—said that they could not sit down and negotiate with Sinn Fein-IRA until decommissioning had not only begun but

been completed. That was the position of all the Unionist parties and, I suspect, of some of the Tories present tonight. The general was one of a team, including Prime Minister Holkeri and George Mitchell, a senator from the United States of America. They were given the task of resolving the dilemma over decommissioning. Not surprisingly, they came up with a resolution. They determined, using their judgment, that the IRA was serious about decommissioning. We know how wrong they were, because decommissioning did not happen during the talks process.

However, those people said, "Look, some people want decommissioning to happen before the talks begin, while others say that it should happen after the talks are over. The only proper way to move forward is for decommissioning to take place during the talks. On that basis, we should move forward." That was the basis on which the former Prime Minister, the right hon. Member for Huntingdon (Mr. Major), decided that progress could be made.

Why, therefore, do we now want a timetable? It is because we were given exactly the same promises in 1996, and they were defaulted on in the period 1996–98. It is not possible to abide by the promises and good will of others: we want the Bill to contain a timetable. The Prime Minister recognised that it was necessary to have certainty, and that the commitments should be given legislative effect.

Everyone who has met the general would agree that he is a very pleasant man. No one could point to any dishonesty on his part, nor would any of us question his credentials. At the same time, however, we would be fools indeed if we were to let the future of this great principle—the principle of whether the democratic process should be contaminated with those who have not given up violence and have no intention of doing so—depend on his word or expectation. It is clear that we cannot do that.

It has to be said also that the throw-away remarks were made by the general, not by the commission. The commission did not pronounce on a timetable: it made remarks only in its report. It stated:

"The developments of 1 July give the basis for believing that decommissioning can be completed in the time prescribed by the Good Friday Agreement."

That was as far as it went, although it added:

"There is still sufficient time to do that, but there is a need to get started soon."

The commission did not specify a few days, or any particular period. Worse than that, it went on to state:

"While the Commission is prepared to define a detailed timetable for decommissioning of arms by the main paramilitary groups, it believes this will best be achieved in discussions with the groups".

So, it is clear that the paramilitary groups will have an input into what the timetable should be. No doubt, the general suggested to the Government the same thing that he suggested to us when we met him, which was that the timetable in many ways depended on the logistics of the problem—on where the guns are and how they must be destroyed.

Therefore, the general regards the issue of timetabling as one that is best discussed with the paramilitary organisations—or one that can be discussed only with them. For years, the paramilitary organisations have shown a propensity to put off the date on which actual decommissioning would take place. Is it unreasonable for Unionists to ask for specific dates to be put into the Bill, given that decommissioning was to have occurred during the couple of years of the talks process?

Indeed, that was the requirement on which those talks were based. Even after the agreement was reached, decommissioning was to take place within a two-year period but, 14 months later, it has not even begun. In those circumstances, I do not think that Unionists can be accused of being unreasonable in asking for a starting date.

That is all that we ask for: a starting date and a way to measure progress. That could be done on a monthly basis, for example—or on whatever basis is decided—so that a quota of arms could be destroyed in each of the months running up to May 2000.

That is what the amendment would ensure. The Government would be hard put to say that Unionists are asking for something unreasonable, given the history of the problem and the fact that previous promises were not kept by the Prime Minister or during the 1996 talks.

Dr. George Turner: The hon. Gentleman said that a timetable was the only thing that is wanted. My suspicion is that, when the Unionists pocket such a timetable—if they ever do—they will want something else. Is the hon. Gentleman saying that a timetable is the only thing needed before he can support the initiative?

Mr. Robinson: Not only am I not saying that now, but I did not say it before. Had the hon. Gentleman been present for the Second Reading debate, he would have heard me say that the Bill would still not be a good piece of legislation, even if all the amendments were agreed. It allows Sinn Fein-IRA into government before any guns have been handed over.

The Prime Minister must keep his word to the people of Northern Ireland. The right hon. Member for Bracknell (Mr. MacKay) mentioned several occasions on which that word was given. The Prime Minister also spoke on "Good Morning Ulster" and on the radio in Foyle. Every time, he attempted to convince the people of Northern Ireland that it would be only a matter of days before the IRA's bluff was called on decommissioning. Well, we are calling the Prime Minister's bluff now. Let us see the timetable in the Bill.

Mr. Michael Connarty (Falkirk, East): I have not taken part in many debates on Northern Ireland, although I have talked with many of my colleagues in the Unionist parties. I see the Bill as an opportunity for the people of Northern Ireland to have a continuing relationship with the United Kingdom, within the Union.

I am concerned about the amendment, which I see as precipitate. The dictionary definition of the word "precipitate" is to force out deliberately, and that is what the amendment would do. Instead of moving us steadily towards including within the agreement more people committed to the Assembly and the resolution of the problem within the United Kingdom, the amendment would force some people out.

The IRA and Sinn Fein are often named together, but Sinn Fein has clearly said that it is against the use of arms. It wants decommissioning, but it cannot make the IRA do it. To me and to people outside the Chamber, it seems logical that, if Sinn Fein is brought into the Assembly to

[Mr. Michael Connarty]

participate in ministerial positions, the IRA will become more and more marginalised. We want to continue the period of peace that has existed in spite of splintering among, and intimidation and terror by, paramilitaries from both sides within their own communities, matters that I have raised in the House on behalf of Families Against Intimidation and Terror.

The people of Northern Ireland, on all sides of the community, want steady progress towards conflict resolution. They do not want precipitate moves that force some people out of the agreement and out of the process. That would break the link between the Good Friday agreement and the wishes of the people of Northern Ireland and of the rest of the United Kingdom.

Mr. Robert McCartney: If the amendment is precipitate, it is precipitation at the end of a very long process. Decommissioning, and the gradual move away from it, has been an issue for two or three years now. Does the hon. Gentleman agree that the amendment is not so much a precipitate move as the end point of a slow and long-drawn-out process?

Mr. Connarty: The hon. and learned Gentleman knows how much I respect his views and his intellect, but he is wrong to talk about having reached the end of a process after a few years. Along with a Unionist councillor, I visited a museum in the Shankill where I saw photographs of the assembling of Carson's volunteers to secure the place of Northern Ireland within the Union. The process did not even start there. It has gone on at least throughout this century. To lay down a timetable specifying four days or four weeks is to insult the memory of people from this and previous centuries who saw the process continuing for many years.

We seem to ask only how people in Northern Ireland can move from conflict and violence to peace. Do Unionist Members think that Yasser Arafat trusts the Israeli Government just because there has been an election? Do they think that the Israeli Government trust the Palestine Liberation Organisation to work through a peace in the occupied territories in independent Palestine? They do not. Do Unionist Members believe that the PLO has no say over what happens in Hamas or Hezbollah? Of course not. But the process moves steadily forward because no one is erecting barriers or saying that, when a certain point is reached, it is, as the hon. and learned Member for North Down (Mr. McCartney) put it, the end point. If it is the end, it is the end of peace. If it is the end of the peaceful process, then it is the end of the credibility of the Unionist movement in the mainland of the United Kingdom and that is the great danger.

9.45 pm

Mr. Field: I did not vote with the Government on the new clause because I thought that our position was wrong and that the agreement was not broken by that clause. I disagree with this amendment because it breaks the agreement.

Under the agreement, an independent commission was set up. If we try to interfere with that, we are in a new ball game. The commission must have heard the Prime Minister, the Secretary of State and the Minister of State, in his excellent speech in summing up, saying that they expect movement on decommissioning within days and the first tranche of decommissioning within weeks. I do not think that, given the structure—

The First Deputy Chairman: Order. Interventions must be brief.

Mr. Connarty: I understand what my right hon. Friend the Member for Birkenhead (Mr. Field) was trying to say. He is agreeing that a precipitate motion would prevent progress because it would impose barriers to it.

I can understand the frustration of the leader of the Ulster Unionist party and I commend him for the hard work that he has done, along with the Prime Minister and others. I believe that those in his party who want barriers want the process to be derailed and, if they want that, they are not in the spirit of what the British people want—that includes the people of the United Kingdom. We want conflict resolution which enables people to move back and back—to soften the people concerned and draw them in. If the Assembly includes Sinn Fein people working alongside Unionists in senior positions, it undermines the IRA to the point where it can never use those guns and, therefore, its only way forward is to go with decommissioning.

The Unionists are giving those people a way out, if they carry the amendment.

Rev. Martin Smyth *rose—*

Mr. Connarty: I will not take an intervention now as I am sure that I will hear the hon. Gentleman's views in his speech.

Mr. Tom King: I asked the Prime Minister, when he made his statement, whether we could have clarification of the details of the failsafe mechanism. I raised the same matter in an intervention on the Secretary of State. I asked for the maximum clarification from the Government before we ended these proceedings.

Further to a point that has just been discussed, this is not a precipitate issue in any sense. On the day of the Downing street declaration—12 December 1993—there was a meeting of the British-Irish parliamentary body. We greeted with enthusiasm the announcement of the declaration by Albert Reynolds and my right hon. Friend the Member for Huntingdon (Mr. Major) in Downing street. That afternoon, the parliamentary body debated that important development, which was welcomed by all sides.

At that time, I raised what I thought was the most difficult issue that would have to be faced—that of decommissioning. Obviously it would have to be faced. That was generally agreed on the British side, although that belief was greeted by Irish Members of the Dail as a deliberate British attempt to wreck the whole proceedings. It then became clear to me that it would be a most difficult issue to face.

In the end, that issue must be faced. Responsible Members of the Dail know that, even if they achieve a united Ireland, the last thing that they would want or would tolerate are private armies with substantial quantities of weapons available to dissident groups—that would threaten the very existence of that united Ireland. No parliamentary democracy could tolerate the existence of such weapons.

Another reason why it is in the interests of everyone who is seeking to move forward in Northern Ireland and the island of Ireland for weapons to be removed is that there is no guarantee, as we debate this issue, that those whom we regard as the leaders of Sinn Fein-IRA will continue to maintain control of those stocks of weapons.

We have moved far enough through the process to be aware of the dissident groups that exist already—whether Continuity, Real, Revenge or whatever new title has emerged for the splinter groups that may or may not be forming. We know of the allegation that one of those who joined the Real or Continuity IRA was the quartermaster of the IRA. We cannot keep on fudging—whether in the interests of Unionist, nationalist or republican democratic parties which aspire legitimately towards a united Ireland.

Against that background, I have always considered the issue to be important—especially the last step. That comes as no surprise to any of us who have lived through many years of longing for an outcome of peace and for the resolution of this terrible period of conflict and sadness—a small part of my life was spent at the centre of those problems. No one, including my right hon. Friend the Member for Huntingdon, was under any illusion that the last moment might be the most difficult one. It was often said that it would have to be imposed and that there would not be absolute agreement. I thought that, at least if that last step had to be imposed, it would be done fairly and with justice to either side.

However, as my right hon. Friend pointed out, the measure is an imposition and we shall be trusting people whom we do not trust at present; we are asking democrats to go that extra mile to accommodate men who have been associated with violence, but who claim that they are becoming democrats. Under the Bill, we are preparing to trust them. If we do that, we must be absolutely sure that the basis for that trust is the fairest that we can achieve.

I am grateful to the Minister and his colleagues for ensuring that those of us who take a close interest in these matters received a copy of the Bill—I received one last night. I heard the Prime Minister speak of his determination that there would be a failsafe mechanism; that people would be able to see clearly how the matter would be undertaken; and that there would be no uncertainty. There would be no risk because, if people embarked on the process, the failsafe mechanism would protect them. However, I turned page after page of the Bill and, when I came to the end, I realised that it contained no structure for a failsafe mechanism. I genuinely do not understand that. Ten days ago, the Prime Minister announced what the process would be. General de Chastelain and his colleagues have been working for about two years, and I fail to understand why the measure does not contain the essential ingredient for establishing the failsafe mechanism.

There is a fund of good will in this House towards Governments dealing with Northern Ireland issues—indeed, I have drawn on it myself. I wholly accept that, in certain circumstances, Governments present legislation and ask for the co-operation of the House. In the peculiarly difficult and challenging circumstances of Northern Ireland, Governments are entitled to expect the co-operation of the House to an extent that would never be given to normal legislation of any other kind. The House of Commons has tended to show a sense of responsibility and a bipartisan approach on such occasions. The Government are drawing on that well of bipartisan good will tonight to achieve their objective and to help them to find a solution.

In those circumstances, the House is entitled to expect the fullest information to make that judgment. In all seriousness, I have to say that the Government will be abusing that good will and the relationship that prevails in the House if the Minister is not able to state clearly how the system is going to work. I continue to believe what I said to the Prime Minister last week when he made his statement. I cannot conceive what tripwire there will be—we have not been shown one, and the House does not know what it is—short of the final deadline of May 2000, when everything is supposed to be complete.

I strongly agree with a comment made by the right hon. Member for Upper Bann (Mr. Trimble). I know General de Chastelain: I knew him well at NATO, during my time as Secretary of State for Defence. He is a fine and honourable man. A man in his position should not be abused or taken advantage of. He has been asked to undertake a job which I hardly imagine he sought and which is as challenging a job as can be found—I suppose its only equal is to advise on the reform of the Royal Ulster Constabulary. Anyone who knows Northern Ireland knows that such challenges have to be met, but they are not the easiest of undertakings. General de Chastelain has undertaken that job.

The Minister will know that I am not known for taking one side or the other—I have been chased around Belfast city hall by a loyalist waving a Union Jack and accusing me of betraying the Union. I genuinely tried to ensure that, in finding a solution to the problems, we recognised the legitimate interests of both sides, including those of the Irish Government. I faced those problems during negotiations on the Anglo-Irish Agreement, which established the recognition of the legitimate interest of the Irish Government in the affairs of Northern Ireland. It also established the principle of consent, which the Government have paraded today as a key achievement and which Unionists should welcome and accept.

It is against that background of having faced the challenges and having sought to respect the legitimate concerns of both sides that I make my comments tonight. I have to say that a great weight is placed on General de Chastelain, who has to take the responsibility for deciding, at some moment, that he will effectively torpedo the Good Friday agreement—that he has to decide that the offence is so great that he has to stop the whole process that is, as the Government describe it, the best hope for peace in our lifetime. What a responsibility to lay on him. In such circumstances, he needs some sort of bolster: the Government owe it to General de Chastelain to put in the Bill some sort of structure that he can stand by, defend and confirm.

If it is left entirely to General de Chastelain to make up the rules and then to decide whether they have been implemented or not, he will not do it. That would be an impossible task and an unreasonable responsibility to lay on him. Knowing the way in which the House and the Government work, I suspect that the Minister will not have the authority to accept the amendment, although I dearly wish that he did.

I do not claim that the amendment is the perfect solution, but I hope that, before the Bill returns from the other place, the Government will have read what I

[Mr. Tom King]

have said. I hope that the Minister of State will draw my words to the attention of both the Secretary of State and the Prime Minister, and that they will acknowledge that I speak with experience of my time in Northern Ireland.

I pray that something for which we have fought and worked for many years is not destroyed by one last fault. The Government must find a way to insert provisions that will give that necessary measure of confidence and set out a structure in which people can have confidence. Only then will the process have some real chance of working.

10 pm

Dr. Palmer: Our difficulty in this debate is that the end to the conflict in Northern Ireland ultimately depends not so much on the individual terms of the Good Friday agreement or any additional terms that we may seek to impose, but on a development of trust between the parties.

I shall illustrate my point with the example given by the right hon. Member for Bridgwater (Mr. King). If he, as a Conservative Member, were found to have in his home a weapon, perhaps a hunting rifle, I, as a Labour Member, would not feel threatened by him because it would never occur to me that he would use his weapon in a violent fashion. If, however, the right hon. Gentleman were in the habit of issuing violent threats and was known to support terrorist activity, I would feel a sense of deep unease when I met him even if I did not know that he had a weapon at home or whether he had voluntarily given up such a weapon, and I would be reluctant to work with him in a common Government. That is the basic problem faced by the Ulster Unionists, as well as by Sinn Fein and every other party in Northern Ireland.

The difficulty that we face with the amendments is the same as that with the previous group of amendments—they seek to home in on, and to harden, a specific aspect of the agreement that is known to cause difficulty to a particular section of those involved in the process. That is why the amendments appear to be partisan and unhelpful.

If General de Chastelain, considering the overall picture, judges that we are making genuine progress towards a civil society in Northern Ireland from which the threat of violence is banned, that will be a crucial step forward. It would be wrong if an amendment that we passed tonight forced the disruption of that process and the end of the Good Friday agreement. Conversely, if General de Chastelain detects that, on one side or another, there is no genuine commitment to the agreement and to peace, and that one party is not serious about the process, that will be a serious matter that will effectively end the process, regardless of whether a rifle or a pound of Semtex has been given up.

Decommissioning is important, as we have all stressed several times, but it is one of a wide range of factors. I believe that, if we had nailed down the decommissioning aspect of the agreement, the critics of the agreement, whom we greet regularly on the Opposition Benches, would be raising other aspects of it because of their basic distrust of the other side, for reasons that we can understand, and their reluctance to reach an agreement with a commitment to a peaceful settlement. The amendment is understandable, but it is unhelpful because it seeks to solidify a particular aspect of the agreement at the expense of the more fundamental question of whether we can trust the parties.

Mr. Öpik: I fully agree with the need for a timetable for decommissioning, but having heard how the right hon. Member for Bracknell (Mr. MacKay) first savaged and then praised the hon. Member for North-West Norfolk (Dr. Turner), I hesitate before I draw the Tory shilling.

Everybody agrees that we need a timetable. On Second Reading, the issue hinged on whether the Government or an independent body should set the timetable. Both could work, but the Government are suggesting that an independent body, in the form of General de Chastelain's commission, should set the timetable, and I am inclined to agree, for one crucial reason. General de Chastelain has built up enormous credibility with both sides, and individuals and parties have sought to accept him as an effective, independent arbiter. Given the tensions that will unquestionably arise when the timetable is set, it is reasonable to allow General de Chastelain's independent commission to choose the route and the wayposts.

I am therefore a little concerned that the amendments, if agreed, would demand us to do the job. As I said on Second Reading, much of this is about not principle but judgment. Therefore, there is space for people to differ. I still think that de Chastelain is probably in a very strong position to make this happen.

Amendment No. 5 summarises what we would all like: a process that leads to May 2000 as the point of complete decommissioning. If right hon. and hon. Members are looking for a copper-bottomed assurance, I say once again that that deadline is it. We—as well as, indeed, the failsafe mechanism—are attempting to ensure that we end up with the desired result in May 2000.

Putting that aside, I commend to the Government amendment No. 2, which I tabled. This is a matter of process. Clause 1 is so drafted that it requires the Decommissioning Commission to report a failure but not to specify its exact nature. Amendment No. 2 would put that right. Suggesting that may sound a little pedantic, but given the absolute necessity for us to be extremely clear at every point in our deliberations and, given the danger of any latitude in the Bill's terminology, I ask the Government to take seriously those five or six words, which would tidy up exactly what the Decommissioning Commission is expected to report.

Mr. Wilshire: I was desperately keen to make a speech on Second Reading about the prostitution of democracy by allowing armed terrorists into government, but sadly, I was not called. I suspect that, if I tried to make such a speech now, I would promptly be ruled out of order. I shall therefore resist that temptation and speak instead to amendments Nos. 31 and 33, which stand in my name.

Amendment No. 31 would achieve what other people have tried to achieve: confirm a timetable specifying when things must happen. Amendment No. 33 would specify what must happen before any sanctions that are imposed can be lifted.

In fairness, I should remind the Committee that I voted against both the Good Friday agreement and Second Reading. I do not want there to be any misunderstanding about where I am coming from. None the less, I accept the democratic will of the majority, which is of course

more than one can say about Sinn Fein-IRA. The key reason for being against both the Good Friday agreement and this Bill is that they duck the issue of decommissioning. The Good Friday agreement fudged the question in the hope that it would go away—but it has not—and the Bill tries to do exactly the same.

I have listened intently throughout these debates to what others have said, and note that the Bill is supposed to provide a failsafe guarantee that decommissioning will occur. But, on Second Reading, the Secretary of State said that the Government do not control the timetable—I believe that those were her words. I also listened carefully to the explanation that General de Chastelain controls the timetable. Then I heard it explained that General de Chastelain has not specified a timetable. Rather than going down the route of what exactly he did say, I shall leave it to the words of the hon. Member for Belfast, East (Mr. Robinson), who spelled out in detail exactly General de Chastelain's real position.

In the end, all that I have to go on are the words of the Prime Minister. If I understand him correctly, he has told us several times that, if we pass this Bill, there will be a commitment to disarm within days and a start to proper decommissioning within weeks, to be completed by May 2000.

For the purpose of the debate, I am prepared to take the Prime Minister at his word. That is why I have tabled amendment No. 31. The Prime Minister said that there will be a commitment within days, and I take days to mean less than a week. If the agreement comes into effect on the 15th, I see no reason why we should not specify 22 July, which is days away, not a week, for a commitment. If that is what we are being offered, surely we can write it down.

We were told that there will be a real start within weeks. To me, weeks mean less than a month. If there is to be a start within weeks, that means that it must be before 15 August, which is why I put that date in my amendment. If the Prime Minister is telling us the truth, there is no harm in accepting the amendment.

We are told also—it is in the Good Friday agreement—that the completion of decommissioning will be by May 2000. It therefore seems simple to me to specify 30 April. That is how I arrived at that date.

Tokenism will not do.

Mr. Mallon: I remind the hon. Gentleman that the date specified in the agreement is 22 May 2000.

Mr. Wilshire: I hear what the hon. Gentleman says and he is right to correct me. If I could table an amendment to an amendment, I would willingly accommodate him. I hope that he accepts that the principle applies. Instead of 30 April—

Mr. Mallon: I made the point because the hon. Gentleman so clearly stated what days and weeks mean to him. The one date that we could be accurate about is the one specified in the agreement, which the hon. Gentleman got wrong.

Mr. Wilshire: We are old sparring partners and I hear what the hon. Gentleman says and take it on the chin. I shall not pursue the matter, but I shall pursue the issue of tokenism.

It is crucial that we do not say that a start equals one bullet. It seemed logical to me to specify 25 per cent. of all arms by 15 August, but it could be another figure. If the hon. Member for Newry and Armagh (Mr. Mallon) wanted to challenge me on that, I would allow him to do so.

Amendment No. 33 deals with what must happen before any breach of the conditions can be rectified. Clause 2 merely provides that the Secretary of State can specify when the process comes to an end. That is not good enough. There must be clear indications of what has to happen before the Secretary of State can use the powers set out in the Bill. The date in the amendment is wrong, so if the hon. Member for Newry and Armagh wants another go, I shall willingly give way to him.

We have been told today, and before, that we are within an ace of success and that there is only one more concession to make, just one more leap in the dark, and we shall be there. I do not like taking risks of this sort. I do not like leaps in the dark. That being so, my amendments are designed to provide a little more illumination.

Although even contemplating the possibility of allowing armed terrorists into government sticks in my craw because it undermines everything in which I believe, if the House of Commons is determined to go down that track, I believe that we must be clear about what it is that we mean, and clear about the timetable. If the Government genuinely want a failsafe guarantee to everyone in this place, they will specify a timetable. If they will not do that, I can conclude only that, once again, the Government are ducking and weaving and trying to make more concessions to terror.

10.15 pm

Mr. Paul Murphy: The Government want decommissioning and a timetable. The best way to achieve both is to do what is set out in the Bill. The essence of the argument concerns the role of the independent commission. From the beginning of the process, and certainly from the time that the Good Friday agreement was concluded and put to the people of Northern Ireland, who in a referendum agreed on decommissioning just as they agreed on the other parts, the intention was that decommissioning should be in the hands of an independent commission.

We all know that the authority, integrity and wisdom of General de Chastelain and his colleagues are not in question. They have spent many months considering in enormous detail how they can deal with the problem of decommissioning—the modalities and so on.

Trust and confidence have been mentioned by many speakers in this short debate. The right hon. Member for Huntingdon (Mr. Major) said that the last hurdle was decommissioning. I think that the last hurdle is trust, although decommissioning is part of it. The only way in which we will ensure that the terms of the agreement are implemented is by putting in place a genuinely independent commission.

That Independent Commission on Decommissioning must set the parameters and specify how decommissioning is to be carried out. Why do we say that? There are two reasons. One is that that is set out in the agreement. The other is that all parties to the agreement wanted the commission to be independent

[Mr. Paul Murphy]

because they would not trust us as a Government, any more than loyalists would trust the Irish Government as a Government. Our only hope of success in decommissioning is to ensure that the commission is genuinely independent of Government, although it reports to Governments, and that it sets the parameters.

Mr. Howard: I am grateful to the Minister for giving way. He is rightly laying great stress on the role of the commission. Can he tell the House, now or later, whether the decisions of the commission are subject to judicial review? In other words, are the decisions of the commission final or are they open to review in the courts, with all the consequences that might follow?

Mr. Murphy: I shall return to the matter, but my initial reaction—I speak to a lawyer who is much more qualified than I am in these matters—is that the commission's decisions are subject to review.

The agreement, as has often been said, is not a legal document. It is a political document. People voted for it because they thought that an agreement would bring them peace and stability. The question is how we can establish a commission that will attract the trust and confidence of those who must decommission, and those who want decommissioning to take place.

Sir Brian Mawhinney: I am grateful to the Minister for giving way. He is making the case that the commission is independent. The case has been made on previous occasions that the Government do not seek to influence the commission's judgments. That leaves me with a concern. Do the Government have any view on the timetable, or are they neutered on this fundamental issue? If they cannot lean on, or advise, or seek to persuade, the commission, and the decision is purely for the commission, is the right hon. Gentleman telling the House that, instead of supporting a timetable, as the Opposition do, he is moving even further—

The First Deputy Chairman: Order. Too long.

Mr. Murphy: I shall deal with the points raised by the right hon. Gentleman, because it is important to state where the Government stand. Let me return to the independence of the commission, and how that was reflected in the negotiations two or three weeks ago. Schedule 2 is entitled "Text of the Joint Statement". Paragraph 3 refers to the devolution order, and paragraph 4, which refers to the Independent Commission on Decommissioning, says that

"the Commission will have urgent discussions with the groups' points of contact. The Commission will specify that actual decommissioning is to start within a specified time. They will report progress in September and December 1999 and May 2000."

Perhaps more significant is the commission's report, which was presented during the week of negotiations. Paragraph 21 says:

"While the Commission is prepared to define a detailed timetable for decommissioning of arms by the main paramilitary groups, it believes this will best be achieved in discussions with the groups' various points of contact. Once such a timetable has been worked out, paramilitary groups will be expected to adhere to it to ensure completion by 22 May 2000, and the Commission will report on progress to the two Governments."

Mr. Donaldson: Is the Minister saying that the timetable will be determined by the Independent Commission on Decommissioning, which will negotiate that timetable with the terrorist organisations?

Mr. Murphy: I am saying that the commission itself has worked out how best it can achieve its ends. It is saying to us that the best way to achieve those ends is finding the points of contact, ensuring that they are in place and discussing with them how best to proceed. I know that the hon. Gentleman is going to say, "Ah, they will do their best to prolong all this to ensure that it does not come within any specified time." All of us in the Chamber would agree that there has to be speed in this matter. The general himself said in his press statement that the process should begin within days—the person concerned should be identified and the modalities construed—and, after that, the first actual decommissioning should take place within weeks. Within that, he also specified September, December and May as dates for reporting progress.

The Bill also ensures that the failsafe mechanism will come into operation at any point in between should the commission report that commitments are not being fulfilled. It seems to me that that absolutely ensures that decommissioning is achievable, and properly achievable, within the time limit. That is what General de Chastelain is saying, but it is important to understand that he also said that decommissioning could not be achieved in its entirety by May 2000 unless a start was made now. That is in the report; it clearly refers to the timing, scheduling and timetabling of decommissioning, for which he is responsible.

Mr. Robert McCartney *rose—*

Mr. Murphy: Before I allow the hon. and learned Gentleman to intervene, I must say to the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) that he is a much better lawyer than I am. My understanding now is that the commission is immune from judicial review. *[Interruption.]*

The First Deputy Chairman: Order. There are too many conversations going on and the Minister should be heard.

Mr. Murphy: I give way to the hon. and learned Member for North Down (Mr. McCartney).

Mr. McCartney: Paragraph 21 of the commission's report indeed says:

"The Commission believes that the detailed modalities, the timetable, and the commencement of actual decommissioning should be agreed with the paramilitary groups as soon as possible."

The Minister has said that that might take place within days, but will the failure of the commission to agree those matters within days constitute a breach of the agreement?

Mr. Murphy: The chairman of the commission will have to report to the Government and the Government will surely have to ensure that the failsafe mechanism operates if seriousness is not present and the chairman says, "Look, we are not getting anywhere and nothing is happening." One of the purposes of this process is to test people's seriousness about decommissioning and how it should occur.

Mr. Tom King: The right hon. Gentleman refers to testing the seriousness of those involved. In General de Chastelain's report, which accompanied the recent statement by the Prime Minister, the commission asked 10 political parties to confirm their views. It asked:

"Is the paramilitary group willing to give the Commission a firm basis for expecting that decommissioning will take place within the timescale set forth in the Good Friday Agreement?"

The commission said that there were no responses to that question from either the IRA or the UDA. That is what concerns us.

The Secretary of State did not hear my earlier contribution. I believe that General de Chastelain is entitled to get reinforcement from the House, which should provide a proper framework that does not put the whole responsibility on him, because that is an unreasonable weight to bear. The House should give him a time scale that enables him to assert the independence of his commission and to establish fair rules within a framework that the House has agreed.

Mr. Murphy: In his report, the general makes it clear how best he will be able to achieve decommissioning. He says that the best way is to define a timetable for the main paramilitary groups. The commission

"believes this will best be achieved in discussions with the groups' various points of contact."

He is not going to be dictated to by those groups. He consults and discusses matters with them, but he and his two colleagues will, for their own integrity if nothing else, report to the Government on precisely how far the groups have gone. This legislation will come in at that stage.

We must understand that, unless we respect that integrity and independence, we will not achieve decommissioning. Only through an independent commission will it be possible.

Mr. Thompson: The right hon. Gentleman has made much of the independence of the commission. The commission has already said that the first stage could take place in days, which is less than a week, and the second stage could take place in weeks, which is less than a month. If we were to put those dates on the statute, surely that would not impinge on the commission's independence.

Mr. Murphy: I do not know why we think that we can do it better than General de Chastelain. The agreement explained why we must have an independent body to deal with the issue. That independent body has already produced its report. Its chairman has said that decommissioning could start in days. We have also provided a failsafe mechanism.

The right hon. Member for Upper Bann (Mr. Trimble) made a number of detailed points to which I should reply. He is right to say that subsection (1) bites after devolution. That is when the Secretary of State can act. Subsection (2) makes it clear that the commitments arise from the agreement or the joint statement.

The right hon. Gentleman also drew the House's attention to the decommissioning scheme under the Northern Ireland Arms Decommissioning Act 1997, which lays down how the process is to proceed. Paragraph 7 of the scheme says that it starts when someone approaches the commission on behalf of a paramilitary organisation and convinces it of the organisation's intention to decommission.

Under paragraph 8, that person acts in accordance with the scheme only if he complies with all its requirements. That links in with sub-paragraphs (1)(a)(i) and (ii). Once an organisation has made a commitment to decommission, if it breaches that commitment, it is caught under (1)(a)(i) or (1)(a)(ii) if at any time it does not take any step specified by the commission, such as one required under a scheme.

The right hon. Gentleman also referred to paragraph 12 of the decommissioning scheme. The commission's ability to lay down a timetable does depends not just on that paragraph, but on the general duty to facilitate decommissioning. In the report, the commission made it clear that it is prepared to lay down such a timetable.

We must leave it to the independence of the commission and the integrity of its chairman. When these negotiations took place, all the people concerned realised that decommissioning had to be carried out in a specified time. We all know that. Let us ensure that that happens.

10.30 pm

Question put, That the amendment be made:—

The Committee divided: Ayes 145, Noes 352.

Division No. 236] **[10.30 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heathcoat-Amory, Rt Hon David

Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith,
Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCartney, Robert *(N Down)*
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Tredinnick, David
Trend, Michael
Trimble, Rt Hon David
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mrs. Eleanor Laing and
Mr. Stephen Day.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blunkett, Rt Hon David
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burnett, John
Butler, Mrs Christine
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies
(NE Fife)
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack
(Copeland)
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hume, John
Hutton, John
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian
(Makerfield)

McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mallon, Seamus
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Hanson and
Mr. Keith Hill.

Question accordingly negatived.

Mr. MacKay: I beg to move amendment No. 8, in page 1, line 19, leave out from 'Assembly' to end of line 21.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss the following: Amendment No. 37, in page 1, line 19, leave out

', except as provided by section 3.'.

Amendment No. 9, in page 1, line 23, after second 'Minister' insert

'under sections 18 and 19 of the 1998 Act other than in accordance with section 3;'.

Amendment No. 14, in page 2, leave out lines 8 to 10.

Amendment No. 15, in page 2, line 8, after 'practicable' insert

'but no later than 7 days'.

Amendment No. 16, in page 2, line 9, leave out from 'shall' to end of line 10 and insert

'serve notice on the Presiding Officer requiring him to move a motion for resolution under section 30(2) of the Northern Ireland Act 1998.'.

Amendment No. 17, in page 2, line 9, leave out 'take steps to'.

Amendment No. 18, in page 2, line 10, at end insert

'within four weeks of a suspension order being made.'.

Amendment No. 38, in clause 2, page 2, line 32, leave out subsection (2).

Amendment No. 19, in, page 2, line 33, leave out from 'account' to end of line 34 and insert

'the proceedings of the Assembly under section 3;'.

Amendment No. 20, in clause 3, page 3, line 8, leave out from 'call' to end of line 9 and insert

'a meeting of the Assembly within 7 days of the making of the suspension order and such further meetings as he considers appropriate.'.

Amendment No. 21, in page 3, leave out lines 10 to 19 and insert—

'(2) Unless the Assembly resolves otherwise on a cross-community basis, a party in respect of which the Decommissioning Commission has reported under section 1 shall be disregarded for the purposes of subsections (4) to (6) of section 4 as if that party had been the subject of a resolution of the Assembly under section 30(2) of the 1998 Act.'.

Amendment No. 22, in page 3, line 11, leave out from 'debate' to end of line 15 and insert

'a motion for resolution under section 30(2) of the Northern Ireland Act 1998.

(2A) In the event of a resolution under section 30(2) the Secretary of State shall implement the requirements under section 18(2) of the Northern Ireland Act 1998.'.

Amendment No. 34, in page 3, line 11, leave out 'but not' and insert 'and, if it chooses,'.

Amendment No. 23, in page 3, line 15, at end insert—

'(3) The review shall take no longer than three months.'.

[Mr. Michael Lord]

Amendment No. 24, in page 3, line 16, leave out subsection (3) and insert—

'(3) Following the implementation of section 18(2) the second meeting shall be held within 7 days and at that meeting the Assembly shall debate any action proposed to be taken in consequence of that implementation.'.

Amendment No. 35, in page 3, line 18, after 'and' insert 'if it chooses'.

Clause 3 stand part.

Amendment No. 28, in schedule 1, page 8, line 11, at end insert—

'4A.—(1) During a suspension period the Secretary of State may by notice served on the Presiding Officer authorise the Assembly to meet at such times and to conduct such business as may be specified in the notice.

(2) For the purposes of sub-paragraph (1) the Assembly Standing Orders shall have effect subject to such modifications as may be specified in the notice.'.

New clause 3—*Review process*—

'Within seven days of the conclusion of the review conducted under the Validation, Implementation and Review section of the Belfast Agreement, the Secretary of State shall call a meeting of the Assembly for the purpose of giving effect to any action within its competence which may have been agreed within the review.'.

Mr. MacKay: As I said on Second Reading, we believe that the Prime Minister promised—outside Castle buildings, Stormont; in *The Sunday Times* article; and in his statement last week to the House—several failsafes that, mysteriously and sadly, do not appear in the legislation, therefore making the Bill incomplete. The failsafes—as the Prime Minister likes to call them; or the copper-bottomed safeguards, as I should prefer to call them—are just not in the Bill.

This final set of amendments, which we believe would create a copper-bottomed failsafe, is based on a simple premise. The Bill currently provides—I cannot believe that the Minister believes that it should do so—that, if any paramilitary organisation, whether loyalist or republican, fails to meet its decommissioning obligations under General de Chastelain's timetable—when he eventually publishes it—the penalty will be a suspension of both the Executive and the Assembly.

We will have the bizarre situation of one group failing to fulfil its obligations, and everyone else getting penalised. I can think of no other law or regulation under which those who get hurt or penalised are the innocent parties who have done nothing wrong.

10.45 pm

Mr. Ian Taylor (Esher and Walton): Is my right hon. Friend implying that, if the decommissioning body decided that one side or another had breached the terms, the whole process would rewind, rather than continue? I believed that the Prime Minister had indicated in his statement to the House after the Belfast talks that the process would continue without the offending party.

Mr. MacKay: Like my hon. Friend, I was here in the House when the Prime Minister made his statement a week last Monday. I recall that the Prime Minister said categorically that only those who had breached the decommissioning timetable would be penalised. To give an extreme example, the LVF might refuse to decommission and, in so doing, would bring down the Executive and the Assembly. I repeat to my hon. Friend that that is bizarre and wrong.

Under the amendment, if the Provisional IRA failed to decommission within the timetable and failed to fulfil its obligations, Sinn Fein would be immediately excluded from the Executive. However, the Executive would remain in place and, after a reasonable period, the d'Hondt formula would be triggered again so that there would be two new Ministers replacing the two excluded Sinn Fein Ministers.

That way, there would be a continued devolved Administration and Executive in the Province, and all the constitutional parties—who will have fulfilled their obligations—would not be penalised. Surely that is the right way forward, and it is the copper-bottomed safeguard that Unionists and others require to ensure that they can go safely into an Executive with Sinn Fein Ministers, knowing either that the Provisional IRA will decommission its illegally held arms and explosives quickly or that Sinn Fein will be removed from the Executive. They will not be in the invidious position of having to share ministerial responsibility with men of violence who are retaining a fully armed paramilitary organisation.

If the Minister of State wants the process to succeed—and if, as I know that he does, he wants a lasting devolved Administration for Northern Ireland with the most inclusive ministerial team possible under the d'Hondt formula—it is essential that he accepts the amendment. Then, Unionists and others would have a copper-bottomed guarantee that, by taking ministerial appointments ahead of decommissioning, there will be either decommissioning or the expulsion of Sinn Fein from the Executive. It is simple, straightforward and right and, at this late hour, I plead with the Minister to accept the amendment.

Mr. Mallon: I went to some lengths on Second Reading to state that the review was the only way within the agreement under which, in accord with the agreement, an examination could be made of the reasons why a default was made by anyone who had contravened the commitment given in terms of either decommissioning or the non-working of devolution. I do not wish to repeat what I said then, but it is essential to point out that, if we are going to be consistent with the agreement, that review must be in place, and no other mechanism must be used until a mechanism is decided at that review.

If we do not have a suspension, we might end up in the anomalous situation in which Ministers whose party was under consideration in the review for having reneged or defaulted participated in that review as acting Ministers. Is that the situation that we want?

I do not want to see the suspension of institutions that I have helped in some small way to set up. I do not want to see any blockage in the working of the new Executive, which I hope will be set up this week, but I want to try to preserve the agreement, above all else, because it transcends any Opposition party position, or any Unionist position, or any position that might be adopted by us, this Government or the Irish Government. It supersedes all those considerations and that is why I believe that we must act in accord with the review, to be at one with the agreement.

The purpose of new clause 3 is simple. It is to ensure that the Bill before us accurately implements "The Way Forward" document that was decided by the two Prime Ministers. Paragraph 5 of that document provides that, if the commitments in relation to devolution or decommissioning are not met, the Governments will

"automatically, and with immediate effect, suspend the operation of the institutions set up by the Agreement."

Suspension must therefore apply to all institutions in the same way. The Bill fails to achieve that.

The Bill provides that functions in relation to the North-South Ministerial Council and the new British-Irish Council shall not be exercisable. That means that the Councils cannot convene or operate. By contrast, clause 3 provides that the Assembly not only can but must convene and operate, so we are faced with an illogical absurdity. On the one hand, the Bill suspends the Assembly and on the other it requires it to meet twice while in suspension.

The first of those meetings is to be held within seven days to debate the situation that led to the suspension order and the review. Can one imagine what purpose that debate would serve? Would it have an adverse effect on the subsequent review? Would it encourage posturing and increased rancour? Would it divert the parties from what must be their essential task at that time—to work constructively within the review? I believe that it would have a tremendously detrimental effect. One can imagine the rancour that could be generated in such a debate.

The debate would have no ending, because there would be no vote. It would carry no responsibilities, because the Assembly would be suspended even though it was required to meet by order of the Secretary of State. The Bill provides that the second time that the Assembly meets must be before the suspension period has ended, to debate and vote on any action proposed to be taken in consequence of the review. If an institution is to be suspended, is it not ridiculous for it to meet and vote during its suspension? All that is necessary is that, after the suspension period, the Assembly should meet to implement the conclusions of the review. Any meeting of the Assembly during a suspension period would contradict the terms of the document "The Way Forward", laid down by the two Prime Ministers at the end of the most recent negotiations.

The amendments make it clear that the Assembly should not meet during the review. Only after the review has been concluded should the Assembly meet to debate and vote on measures then within its competence. If the amendments were accepted, the Bill would then be in accordance with "The Way Forward" document and with the agreement.

That is the only way in which all the institutions established by the Good Friday agreement can be treated on an equal basis, as the agreement requires. The proposals in the Bill would favour the Assembly over all other institutions in a way that would be remarkably detrimental to debates and to the taking of decisions that are outside its competence in terms of the review. New clause 3 would bring the Bill back to the terms of the Good Friday agreement and the document "The Way Forward". I hope that the two Governments will consider it carefully.

Although I cannot be sure, I suspect that I know why the Bill has been drafted as it has. I shall leave the Government with one last thought. There is an old saying in County Armagh, where I live, that is used often. It holds that nothing is ever enough for those for whom enough is always too little. That should be pondered seriously in relation to clause 3.

Mr. Öpik: The right hon. Member for Bracknell (Mr. Mackay) referred to copper bottoms and failsafes. When is a copper bottom not a failsafe? What is a failsafe's bottom made of? I fear that if we use such terms too much, the public will give us the bum's rush, which may be made of copper or something else.

The collective effect of amendments Nos. 8 and 28, as set out by the right hon. Member for Bracknell, would not necessarily be what he intends. There is a possibility that the Assembly would end up running on an ad hoc basis. I am worried that it would sit on and off, according to official notices, and that it would rattle along without being master of its destiny but without being fully suspended. However, I know there is an underlying feeling that all sides should not be punished if one side fails to deliver. I can see some case for that proposition, but I look forward to hearing what other hon. Members have to say about it.

None of the various approaches adopted hitherto have been very effective, and we must now recognise that we face a true deadline. That deadline must not slip, nor must it be so half-hearted that it can be negotiated around. A clear suspension at least has the benefit that it is unequivocal and less open to abuse.

Amendments Nos. 17 and 18 would specify the terms of the review. Amendment No. 17 would omit from clause 1 the phrase "take steps to", although I understand why the Minister felt those words to be necessary. If amendment No. 17 were successful, clause 1(4) would state that the Secretary of State would initiate a review under the validation, implementation and review section of the Belfast agreement rather than merely taking steps to do so. Notwithstanding the reasons for inclusion in the Bill of the vague words "take steps to", that would make the clause clearer.

11 pm

Amendment No. 18 deals with timing. The Bill specifies no time within which the review must take place. If we do not set a deadline, we risk an open-ended start date for the review. The danger is that time will stretch while the review goes uninitiated for some reason. I note that amendment No. 15 also seeks to set a deadline: it suggests seven days, and my amendment suggests four weeks: I do not mind how long it actually is so long as the period is defined.

Amendment No. 23 suggests that the review should have an upper time limit of three months. Again, the length of time matters less than the fact of its limitation. If we do not limit it, the process may stall as we wait for the result of the review. One of the Bill's weaknesses is the lack of a specified time duration for the review. We have seen how deadlines can slip, and enshrining them in the Bill would provide a powerful failsafe against ending up in the quagmire of a never-ending review.

Mr. Andrew Hunter (Basingstoke): My right hon. Friend the Member for Bracknell (Mr. MacKay) succinctly expressed the arguments for the amendments that he and the right hon. Member for Upper Bann

[Mr. Andrew Hunter]

(Mr. Trimble) have tabled. However, I dare to suggest that I can summarise them even more briefly: it is entirely unacceptable that everything should be suspended when what we should be demanding is the expulsion of offenders. It defies reason and logic to proceed down the Government's path.

In this debate, as on Second Reading, the hon. Member for Newry and Armagh (Mr. Mallon) has totally failed to convince. It simply is not good enough for the Social Democratic and Labour party—even it can rightly boast about standing for democracy and against violence—to hide behind collective decisions, the findings of reviews and wide generalities. The hon. Gentleman has failed to say what the SDLP would do if the IRA did not abide by a decommissioning schedule. His party, much to its discredit, cannot answer that question and refuses to do so.

The hon. Gentleman's amendment should be rejected because, among other reasons, it inspires a sense of déjà vu. The initiative begun by my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) and Lord Mayhew was scuppered by the SDLP because the hon. Member for Foyle (Mr. Hume) had in mind a bigger picture—the inclusion of the IRA—and one feels that one is seeing an action replay of those events. Members of the SDLP are not prepared to answer a direct question. One fears that one knows the reasons why.

Mr. Mallon: I spent some considerable time on Second Reading giving the answer to that very question, which was raised by the right hon. Member for Huntingdon (Mr. Major). I took on the points that he raised directly. I am prepared to repeat those so that the hon. Gentleman can understand what I am saying, but I am not sure that it would be fair to all the other hon. Members who were present during the Second Reading debate to take up time at this stage.

I know that the hon. Gentleman sometimes finds it difficult to understand Northern Irish politics, despite his practise at it. I will spend any time that he wants with him, privately or publicly, to show him that, in effect, we are not going to bow to pressure from either side, whether it is Sinn Fein or Unionist.

Mr. Hunter: The hon. Gentleman obliges and, once again, fails to give a direct answer, although the implications are obvious. The question that the SDLP continues to refuse to answer is whether it will support the continuation of Sinn Fein in the Executive in the event that the IRA does not abide by a decommissioning schedule—[HON. MEMBERS: "Answer."] The answer is not forthcoming. We must draw our own conclusions from that. I rest my case. The amendment of the hon. Member for Newry and Armagh is as deficient as the rest of his argument on the entire process.

Mr. Paul Murphy: The whole purpose of this failsafe is suspension and there is an obvious reason for it. As I have said many times this evening, the situation in Northern Ireland is different from anywhere else. The Assembly is based on the agreement, which in itself is based on the concord—the agreement between Unionism and nationalism. It will not work otherwise and we all know that. If we think for one second that we can have an Assembly in Belfast that is like the one in Cardiff, we are fooling ourselves. It is not going to work like that.

Mr. Beggs: Try it.

Mr. Murphy: We cannot try it. As the hon. Member knows, this matter was put to the people. They believed that this was the best way forward to achieve that result.

If we accept that as a reality—I think that we must—clearly, if we find that the commitment on devolution or on decommissioning is not met, we will have to suspend the institutions of the agreement. As we outlined, those institutions are the Executive, the Assembly, and the north-south and east-west bodies. Clearly, one would then have to go to the review that is set out in the agreement.

The Bill also makes additional provisions—some that are not particularly pleasing to my hon. Friend the Member for Newry and Armagh (Mr. Mallon) and some that are not particularly pleasing to Ulster Unionist Members. So we may well have got it right this time—who knows?

The Bill states:

"The first meeting shall be held within 7 days of the making of the suspension order; and at that meeting the Assembly shall debate, but not vote on—

(a) the situation that led to the making of the suspension order; and

(b) the matters which fall to be reviewed under . . . the Belfast Agreement."

The right hon. Member for Bracknell (Mr. MacKay) rightly referred to the difficult situation with loyalist decommissioning, particularly as loyalism—in this sense—would have no members of the Executive, or in some cases even members of the Assembly, who could be put out of it, yet if, as General de Chastelain's commission said, the Loyalist Volunteer Force or the Ulster Defence Association, for the sake of argument, failed to decommission and that was reported to the Government, the process would still come into operation. How do we show that the whole apparatus of government in Northern Ireland will have to be dealt with in the same way as those who are represented on its Executive will be? That is one good reason why the Assembly should meet.

My right hon. Friend the Secretary of State has powers to call the Assembly and to limit the time of its meeting, so that it will not go on endlessly—as one hon. Member suggested. The limit would be set by the Secretary of State and common sense would prevail. For example, if a loyalist group with no Assembly or Executive members had failed to decommission, we should not want the whole apparatus to be suspended for any length of time. However, it is important that the Assembly should deal with the issue and discuss it, and that the review should take place of how to deal with that non-decommissioning.

It would be different if the IRA did not decommission, because Sinn Fein would be in government. That would clearly be more difficult to deal with; that is where the operation of the agreement comes in. It states that the two Governments and all the parties who sit in the Assembly—whether or not they are in favour of the agreement—will review where we go next. That will be the same—whether the effect is exclusion, expulsion

or suspension. People will have to get round the table and find a way out of the impasse, deadlock or crisis in the process.

That is why we cannot exclude specifically through the measure. We cannot prejudge or determine what the review will do, because it will include representatives of all the Unionist parties in the Assembly and of the two Governments. If the report was so dramatic, the review would deal with the matter and decide how to continue, under the arrangements in the agreement. Whatever happens, we must undertake that review under the terms of the agreement.

It would be a good idea to have a meeting of the Assembly after a review. The Assembly would have the opportunity to debate and to vote on the results of a particular review. The most important reassurance for Unionists—indeed for all of us—would be that the suspension would be automatic. There is no doubt that, as soon as the commission reports difficulty, the suspension becomes automatic. If we were to use the provisions of the Northern Ireland Act 1998, and the Assembly voted for the exclusion of a party from the Executive, the Executive would have to be suspended; d'Hondt would have to be invoked and the excluded Ministers would have to be replaced. The effect would be the same in both cases. However, the measure is in the spirit of the agreement; it allows for automatic suspension and for review. It also allows us to deal with the more difficult issues of loyalists who fail to decommission.

Question put, That the amendment be made:—

The Committee divided: Ayes 144, Noes 340.

Division No. 237] **[11.12 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCartney, Robert *(N Down)*
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Madel, Sir David
Maginnis, Ken
Malins, Humfrey
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Geoffrey Clifton-Brown and
Mr. Stephen Day.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blunkett, Rt Hon David
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burnett, John
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon

Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hutton, John
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Llwyd, Elfyn
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Wise, Audrey
Wood, Mike
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Hanson and
Mr. Keith Hill.

Question accordingly negatived.

It being seven and a half hours after the commencement of proceedings on consideration of the Bill, THE CHAIRMAN, *pursuant to Order [this day], put forthwith the Questions necessary to dispose of the business to be concluded at that hour.*

Clauses 1 to 6 ordered to stand part of the Bill.

Schedules 1 and 2 agreed to.

Bill reported, without amendment.

Order for Third Reading read.

11.27 pm

The Secretary of State for Northern Ireland (Marjorie Mowlam): I beg to move, That the Bill be now read the Third time.

I am grateful to right hon. and hon. Members for their contributions to the debate on this Bill. I and my ministerial colleagues have listened carefully to all of them, which were honestly and often eloquently made by hon. Members of all parties. We remain of the view that the joint statement on which the Bill is based represents the best way forward.

11.27 pm

Mr. MacKay: I am pleased to hear the Secretary of State saying that she and her ministerial colleagues will listen very carefully to everything that is being said throughout these debates because we sincerely believe that the three sets of amendments, which would provide the proper failsafes that the Prime Minister promised the people of Northern Ireland, and this House from the Dispatch Box, should be part of the legislation.

I am at least heartened to learn that, on the ITN news at 11 o'clock tonight, the political editor Mr. Michael Brunson, presumably with the help of spin doctors from Downing street—apparently he was speaking from outside Downing street—said that the Government are now indicating that they will move on prisoner releases and will also take into account what my right hon. and hon. Friends and I have said. Whether that is true, I do not know. I hope that it is accurate.

I hope that the Secretary of State and the Prime Minister, who is in the House, have listened because, without our amendments, this Bill is so imperfect as to be irrelevant and there will be no chance of an Executive being set up. I want an inclusive Executive to be set up so that there can be a devolved Administration in Northern Ireland—that is what the people of Northern Ireland want—but we need proper failsafes in legislation. Let us hope that Mr. Michael Brunson is correct and, in fact, the Secretary of State is not yet fully informed of what the Prime Minister is doing. I hope that, in the other place, tomorrow and on Thursday, we will find that the Government have moved. If they have, it will be in everybody's best interests.

11.29 pm

Mr. Eddie McGrady (South Down): Hon. Members have spoken with sincerity throughout all stages of our consideration of the Bill and that sincerity has been accepted by all those in the Chamber. The second common factor is that all of us, of whatever party, of whatever tradition and of whatever future we want to have together, do not want arms to remain in private hands.

The substance of the Bill is how, after so many decades and so many recent months of stress and turmoil, to reach the point where the decommissioning of weapons and explosives takes place. However imperfect the Bill may be in the eyes of many, at least it gives us a yardstick by which, in the very near future, real measurement can be made of success. Alternatively, the failure to achieve decommissioning can be fully exposed.

Many have spoken tonight of the lack of trust between the parties in Northern Ireland. That is so, and that is understandable. Many have produced litanies of the deaths, murders and other terrible acts of violence. I remember when we passed a Northern Ireland Bill that in effect, said that, after 30 years of intense violence, we would not be able to switch off violence at midnight on a given day. There is a history of violence within people, and some of it will continue. However, we must not let violence that is organised, approved and authorised by paramilitary organisations continue.

Many members of those organisations will continue to engage in violence as a way of life in terms of drugs, extortion and intimidation, for example. That must not be confused with paramilitary violence aimed at destabilising the state. That is an entirely different concept. We as a society will suffer from the violence of individuals for many years to come. We will have to deal with it as a social issue. I do not want to have to deal with it as a paramilitary issue. That is what the Bill is about.

All but one of the Ulster Unionist parties, including the United Kingdom Unionist party and the Democratic Unionist party, are opposed not only to the Bill or to the amendments to it but to the entire concept of the Good Friday agreement. That is fair enough. That is what democracy is about. But democracy has also said—71 per cent. of the north and 93 per cent. of the south—that the Good Friday agreement is the way in which we want to go forward as communities in the north and the south living in harmony together.

There is distrust among us. The best way to test whether there is trust is to introduce a test, and we can do so within weeks. I will not argue whether that should be four weeks or six weeks in the context of our history, but we know that the test must take place within a short term when set against what we have suffered over 30 years and way beyond.

I ask the House, particularly Opposition Members, to join in this last gesture before the test is put. Endorsement of the Bill will reflect the solidarity of the House and will reflect also the solidarity that we want to see in the north of Ireland. That will enable, 48 hours from now, the hunt to be run with some confidence of success.

11.34 pm

Mr. William Ross (East Londonderry): The Government Whip told us a few minutes ago that we had considered the Bill. That stretched the imagination because, as the House knows, we have gone only through the motions. There is much in the Bill that has not yet been explored. There has not been time to go through it in the necessary detail. It has long been evident to anyone who lives in Northern Ireland and who knows the situation there that there is no peace at present. In the longer term, it has long been evident that the litmus test of whether the IRA would come in from the cold and be part of the democratic process was weapons. The question of weapons always had the potential—

Mr. Robert McCartney: Illegal weapons.

Mr. Ross: My hon. and learned Friend says "Illegal weapons", and that is what we are always talking about.

[Mr. Ross]

These are weapons that are held by the terrorist paramilitary organisations. Let us describe them as they are. We are talking of criminal elements that have used weaponry, murder and bombing as means to effect political change. I believe that it was not so much the weapons held by those people that have the potential to wreck the process, as the fact that they intended such an outcome to be an absolute certainty from the day that we embarked on the process.

I have always believed that Sinn Fein-IRA are totally committed to turmoil and instability in Northern Ireland. They want to portray it as a failed political entity. They have made it clear that they do not want the Assembly. They want all-Ireland bodies.

The issue of weapons should not be discussed in the House today. It should have been resolved early in the negotiations, then we would have known where we were going. It is the subject of debate today because of the failure to deal with such a crucial element at the beginning of the process.

The Prime Minister told us that, if those people were kept out, there would be violence. He has not explained to anyone in Northern Ireland or the House how he will deal with violence if they must be put out next year or whenever—provided that they ever get in.

It was evident to those of us who have been in this place for some time that there was never the slightest possibility of the Government accepting any amendments. The Bill has already been agreed with Dublin, with the White House, with the Social Democratic and Labour party and, for all I know, with Mr. Adams. Consequently, there was no chance that it would be amended.

The hon. Member for South Down (Mr. McGrady) was present when his party leader spoke earlier. He was challenged on the question whether his party would put the gunmen out if they did not surrender weapons—a question that he has always failed to answer. Only one conclusion can be drawn.

The net effect of the Bill is simple. At present, the parties in the Assembly can exclude those who do not live up to the standards that they are supposed to accept. The combination of the Ulster Unionist party and the SDLP could always have kept Sinn Fein-IRA out of office. For that matter, a combination of the Unionist party and the Democratic Unionist party could keep them out for up to 12 months at a time, renewable under the provisions of the 1998 legislation.

The Bill shifts the onus to the Disarmament Commission report and to the Secretary of State, who then must act. Under the Bill, those people would be kept out for only a limited period—less than 12 months—after which time they could get back in again.

The debate has been a whitewash exercise. Apart from allowing us to go through the motions and express our views, it has been a wasted day for the House.

11.38 pm

Dr. Palmer: On Second Reading, we discussed in some detail the amendments proposed by the official Opposition and the Ulster Unionists. I said then that the difficulty seemed to be that the central issue of Northern Ireland peace was not weapons—the weapons are a symptom of the central issue, which is trust.

If the politicians in Northern Ireland, Britain and Ireland trust each other, the question of weapons will resolve itself. If they do not trust each other, they will need to be made to trust each other through the process, before anyone can feel safe. That is the reason why the assault from hon. Members who oppose the Good Friday agreement is so ambiguous, to put it politely. They say that they disagree with the agreement, yet they criticise the signatories to the agreement for not moving as rapidly as they had hoped.

Let us accept that, if any of us were asked to work together on the basis of threats of violence, we would have the greatest difficulty in doing so. That would be the case regardless of whether we had weapons, whether we had given them up, or whether we had promised to give them up. The threats and the atmosphere of violence are the basic problem of Northern Ireland.

We have allowed the debate to be hijacked by opponents of the Good Friday agreement. There is a good reason why decommissioning was not central to it—the central issue was the creation of trust between the parties. In their campaign against it, the Democratic Unionist party and the United Kingdom Unionists were successful in moving decommissioning to centre stage with the results that we see tonight. Okay, but, as we pass the Bill let us say that this is our best chance. The people of the United Kingdom have asked us to take that chance to try to achieve the peace and the trust that is so badly needed.

Trust has another element—the trust between the British people and the Unionists in Northern Ireland who claim to call themselves loyalists. When they speak of loyalism, we expect a degree of loyalty to the interest of the United Kingdom, and that includes a peaceful settlement. We ask for their support to give the agreement the chance that it deserves.

11.41 pm

Mr. Howard: If what my right hon. Friend the Member for Bracknell (Mr. MacKay) has said about the television news is correct—I have no doubt that it is—it is an affront to the House that news of those concessions was given to television and not to the House when it was debating those very matters. Although that is an affront to the House, it is par for the course for the Government.

The amendments, which might have made some sense of the Bill, were rejected. The arrangements contemplated in the Bill are directly contrary to the handwritten promises given by the Prime Minister to the people of Northern Ireland at the time of the Good Friday agreement. He pledged that

"those who use or threaten violence must be excluded from the Government of Northern Ireland."

The Bill's effect will be to include in the Government of Northern Ireland those who use or threaten violence. He promised that

"prisoners will be kept in unless violence is given up for good."

Violence has not been given up for good and the prisoners have not been kept in. I shall vote against Third Reading.

11.42 pm

Mr. Öpik: We have had a full debate and the Government have had the opportunity to consider my brilliant amendments, which will no doubt be implemented through Government action. We have heard

more about copper bottoms this evening than the average person hears in a lifetime and we have also left two questions unanswered.

The first question concerns clarity about where the Government stand on the relationship between decommissioning and prisoner releases. I brought up the matter earlier to express my concerns. Although we obviously do not have much information, the Government have to be absolutely clear about where they stand on that central question.

The second and more subtle unanswered question concerns whether there will be a time limit on the review process. If a suspension is called, the review process will present an opportunity for indefinite delay by those on the review panel. Once again, I counsel Ministers to take that concern seriously. If they look through the current specifications of the review process, they will see that it could be stalled because the review period is not defined. I strongly encourage the Secretary of State to think about what action she wants to take on that.

Having said that, we must remember that the Bill is a pathway to peace. The ultimate copper-bottomed guarantee that something must happen is a date—May 2000, by which time decommissioning will or will not have been completed. It is said that, sooner or later, even the best strategy has to degenerate into action. In that sense, the Bill is only a piece of paper. Action has to come from it. There is an old saying that people cannot talk themselves out of a problem that they have behaved themselves into. We have done a lot of talking here in Parliament; the next step clearly will be taken in Northern Ireland itself, where politicians and paramilitaries must take forward what we have discussed today.

I only hope that people are seized of the fact that we have just three days before the Prime Minister's final deadline. I sincerely hope that this one will be kept. More to the point, I sincerely hope that those in Northern Ireland in whose gift it is to deliver peace will take this opportunity to do so, because the people of Northern Ireland and of the United Kingdom as a whole will not take kindly to any further vacillation or obstruction of the peace process.

11.45 pm

Rev. Ian Paisley: The hon. Member for Broxtowe (Dr. Palmer) has lectured us about what people think. I am in a position to speak about how people think in Northern Ireland. At the European elections, the hon. Member for Foyle (Mr. Hume) was supposed to top the poll and wipe me from the political scene. I doubled my electoral majority over him, and he did not get his great prize of being first in Europe. Almost 70 per cent. of Unionist people voted against this agreement.

Both Governments told us that the agreement should be supported by a majority of both sections of the community: a majority of the nationalists and a majority of the Unionists. It is clear that the majority of the Unionists do not go along with this agreement. We asked why. It is because they were conned by the Prime Minister when he made them all the promises that have been listed today. As a result of those promises, a wafer-thin majority of Unionists voted for the Good Friday agreement. That has changed. The Secretary of State and her Ministers know that it has changed. They can put all the opinion polls together and help people to make their decisions, but the people have spoken. I was told by the hon. Member for Broxtowe that a recent opinion poll in a Northern Ireland newspaper showed that he was right and we were wrong. That poll showed the very opposite: it showed that we were overwhelmingly right. In its editorial, the newspaper had to admit that those who had opposed the agreement had the people with them.

That being so, the House can continue to set itself against the majority of the majority. Will that bring peace? Will that give confidence to the people? We need a review. *[Interruption.]* It is all right for the Minister to mutter, but what we need is a proper look at this agreement. It is sad that we were misled by members of the Front-Bench team. We were told that articles 2 and 3 would be proceeded with, but they are not being proceeded with and have been put on a two-year finger by the Dublin Government. They have announced that they will do nothing about articles 2 and 3 for two years.

The Government of Ireland Act 1920 is the rock granite of our Province's constitutional position. Will it be taken away? Have we not the right to hold on to that, as people who prize our citizenship of the United Kingdom? Ulster has no debts to pay to the rest of the United Kingdom. It has paid its debts over and over again. *[Interruption.]* There are Scots men in the House who would also say that they have no debts to pay to the rest of the United Kingdom. As an Ulster man, I say that we have no debts to pay to this United Kingdom.

I was told over and again by the hon. Member for Foyle in Strasbourg that the ceasefire was for ever, and that there would never be another bomb. I met him at a radio station on the day on which this city was bombed. I said, "What did I tell you, John? I said that the bombing would recommence at the will of the godfathers of the IRA."

The bombing will recommence in every part of this United Kingdom when the godfathers decide. Mr. Adams made it clear, in the midst of the ceasefire, that the IRA has not gone away. How could it go away, when he is its leader and its champion?

11.50 pm

Mr. Robathan: We have heard a good deal about failsafes and guarantees on Third Reading and, indeed, throughout the day. In the Bill, I see no failsafes and no guarantees.

Labour Members may ponder on the history of rushed emergency legislation in the House. They may remember the Criminal Justice (Terrorism and Conspiracy) Act 1998, which we all rushed back to pass last September. It was terribly important for that legislation to be rushed through in a single day. Since that time, 10 months ago, seven people have been charged and no one has been convicted. Rushed emergency legislation is generally to be avoided.

We have heard today—from, among others, the hon. Member for Broxtowe (Dr. Palmer)—that this represents a tremendous chance that must be grasped. According to the Prime Minister, it is the chance of a lifetime. As my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) said earlier, the Prime Minister said that his pledge to the people of Northern Ireland was that

"those who use or threaten violence must be excluded from the Government of Northern Ireland . . . prisoners will be kept in unless violence is given up for good."

[Mr. Robathan]

Violence goes on, day in day out, on the streets of Northern Ireland. There are beatings on the streets of Northern Ireland; there are murders on the streets of Northern Ireland. There is intimidation, there are exiles, there is targeting of members of the security forces, day in day out, on the streets of Northern Ireland; yet we continue with this trust. We have to trust the terrorists.

Now we are asked for another leap of faith: another act of trust. We are told by the hon. Member for Leominster (Mr. Temple-Morris), "The war is over." He must have chosen those words advisedly. They were the words used by Sinn Fein in, I believe, 1993, when it sent my noble Friend Lord Mayhew—then Secretary of State for Northern Ireland—the message, "The war is over." How is it possible to reach such an accommodation? The war was not over in 1993; the IRA retains its weapons. How can the hon. Gentleman use those words? It is not a leap of faith that we are requested to make, but a leap into the dark.

The Secretary of State, with good intentions, says that we must have evidence; but, as my right hon. Friend the Member for Huntingdon (Mr. Major) said, even the dogs on the streets of Northern Ireland know who is responsible for certain acts. Let me ask the Secretary of State this: who is responsible for the murder of Paul Downey? Who is responsible for the murder of Brendan Fegan? Who is responsible for the murder of Eamon Collins, the IRA informer? Who attempted to murder Martin McGartland? Everyone in Northern Ireland knows; everyone in the RUC knows. How is it that the Secretary of State does not know? The Secretary of State is determined that she must have evidence, but we all know who is responsible for those acts.

The Government are the dupes of the paramilitaries, both loyalist and republican—but it is not the loyalist paramilitaries who matter; only IRA-Sinn Fein will be a beneficiary of the Executive places. The Government are the dupes of McLaughlin, Adams and McGuinness, and I fear that that is to the shame of the Government.

The Government must be motivated by good intentions, but are they really concerned with justice, with the rule of law, and with equity in Northern Ireland? They do not seem to be, in the Bill. The Government, and the democratic parties in Northern Ireland, have bent over backward to accommodate the terrorists. Surely there must come a time when there can be no further compromise.

I will give Ministers credit for good intentions; I know that they are well intentioned. They must know, however, that the path to hell is paved with good intentions.

11.54 pm

Mr. Hunter: During the past seven and a half hours, Opposition Members have attempted to expose the Bill's deficiencies. We stand by our arguments.

One other dimension should be mentioned. Some of us oppose the Bill in principle. We oppose in principle the joint statement from which it emanates and the wider circumstances that have given rise to it. Some of us cannot and will not accept that political representatives of terrorist organisations should be offered places in government as an inducement to decommission their illegal arms—

It being eight hours after the commencement of proceedings on consideration of the Bill, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 343, Noes 24.

Division No. 238] **[11.55 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blunkett, Rt Hon David
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burnett, John
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen

Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hume, John
Hutton, John
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Llwyd, Elfyn
Leck, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Peadry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Wise, Audrey
Wood, Mike
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Hanson and
Mr. Keith Hill.

NOES

Beggs, Roy
Chope, Christopher
Davis, Rt Hon David *(Haltemprice)*
Donaldson, Jeffrey
Emery, Rt Hon Sir Peter
Forsythe, Clifford
Forth, Rt Hon Eric
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
McCartney, Robert *(N Down)*
Maclean, Rt Hon David
Maginnis, Ken
Paisley, Rev Ian
Robathan, Andrew
Robinson, Peter *(Belfast E)*
St Aubyn, Nick
Swayne, Desmond
Thompson, William
Townend, John
Wardle, Charles
Wilkinson, John
Wilshire, David
Winterton, Nicholas *(Macclesfield)*

Tellers for the Noes:
Mr. William Ross and
Rev. Martin Smyth.

Question accordingly agreed to.

Bill read the Third time, and passed.

Mr. Wilshire: On a point of order, Mr. Deputy Speaker. Earlier this evening—when I believe that you were not in the Chair—the hon. Member for Newry and Armagh (Mr. Mallon) correctly drew my attention to a detail that I had got wrong in an amendment that I had tabled. I do not like making such mistakes, and I wanted to be absolutely certain that I was correct when I came to speak to the next motion this evening. Since the motion seeks to extend the powers of the Northern Ireland Act 1974, it seemed sensible to go to the Vote Office to make sure that I had a copy of the Act so that I would not make the same mistake. However, I was told by the Vote Office

[Mr. Wilshire]

that no copies of the Act were available. May I therefore ask you how we can consider an interim extension to something to which we cannot refer this evening?

Mr. Deputy Speaker: The hon. Gentleman will find that there are copies of that Act, if not in the Vote Office, then in the Lobbies and other places. There are certainly bound copies in the Library and in various other places.

Mr. Eric Forth (Bromley and Chislehurst): Further to that point of order, Mr. Deputy Speaker—

Mr. Deputy Speaker: No, I have dealt with that point of order.

Northern Ireland

Motion made, and Question proposed,

That the draft Northern Ireland Act 1974 (Interim Period Extension) Order 1999, which was laid before this House on 7th July, be approved.—*[Mr. Paul Murphy.]*

12.8 am

Mr. David Wilshire (Spelthorne): I do not believe that an order of this sort can be allowed to go through on the nod, and it is essential that we understand what we are being asked to do.

If we pass the motion tonight, we will extend direct rule in Northern Ireland for a year and a day from the date when the d'Hondt process is to be triggered on Thursday. However, we have just spent the past eight hours passing a Bill that has been sold to us all as standing between us and the end of direct rule. We have been told time and again during those eight hours, "One more step, one more thing, one more concession—pass this Bill and direct rule will not be required after next Sunday."

Yet five minutes later—and almost on the nod—the Government are prepared to say that that was all a charade and that it did not matter, because they now want the powers to continue direct rule for a further year.

Rev. Martin Smyth (Belfast, South): Earlier, we were chided on the grounds that some of our amendments were precipitate and causing problems. Does the hon. Gentleman agree that the order is precipitate and could cause problems?

Mr. Wilshire: It seems to me that the Government are speaking with forked tongue. For eight hours they have said that the Bill will solve the problem and, in the early hours of the next morning, they try to sneak through the reality—the extension of direct rule for a further year.

To make matters worse, the Government were not even prepared to do more than move the order formally. They did not consider it worthy of even five words of explanation. They want to continue direct rule without telling us why, but they have to tell us why. If they do not, we have no alternative but to come to the conclusion that the whole episode earlier today was a charade.

The Government must therefore tell us whether they want this order because they have already privately concluded that the Unionists will refuse to join an Executive with armed terrorists. Or is it perhaps because secretly they have already made up their minds that Sinn Fein-IRA will not decommission, so devolution will not happen? Is that the problem?

The Government must explain whether the order is before us tonight because they have decided that the Unionists will not co-operate. If that is so, we have had a cynical pantomime today. The only explanation for the proceedings today would be that they were an attempt to force the Unionists into a position in which they had no alternative but to refuse to co-operate. That is cynical in the extreme.

Mr. Frank Cook (Stockton, North): Rubbish.

Mr. Wilshire: I am willing to give way to the hon. Gentleman if he wants to explain to the House why we are being asked to continue direct rule within minutes of

being sold a Bill which, it was claimed, would solve the problem. Would the hon. Gentleman care to tell us why we are being asked to do that?

Mr. Lindsay Hoyle (Chorley): Give way then.

Mr. Wilshire: I will willingly give way.

Mr. Cook: The hon. Gentleman seems to be trying to lay before the House several principles that suggest that he is the kind of gentleman who, having taken out fire insurance cover, would then be silly enough to throw away the fire extinguishers.

Mr. Wilshire: I think I follow the hon. Gentleman's point. I have given the only explanation that has been offered. Ministers were prepared to push the order through on the nod.

We must ask the Government whether it was in their mind this afternoon that they would need this order tonight because they were going to manoeuvre the Unionists into such a position that they could not join the Executive. If that is so, I can assume only that the Government have done that to the Unionists because the Government know that the Unionists are the democrats in this process. They play by the rule of law. Have we had this pantomime because the Unionists do not have a gun to hold to the head of the Secretary of State?

Alternatively, the reason for the order could be that the Government have already made up their mind that the pantomime of passing a Bill with so-called failsafe mechanisms was worthless, as many hon. Members argued this afternoon. Did the failsafe mechanisms mean nothing? Was the talk of a matter of days merely weasel words? Was it meaningless when Ministers talked of a matter of weeks this afternoon? Did it count for nothing when they said that the process might be complete by May 2000? Is that the cause of today's pantomime? Had the Government decided already that there would be no decommissioning by Sinn Fein-IRA?

If so, I say hallelujah—at last the Government have come to their senses and now accept what many have been saying for years. They should now tell us why they want this order. We have to consider what the order aims to achieve and not just let another year go by. If the House is to make a meaningful decision tonight, we must be clear about the objectives behind the order.

The Northern Ireland Act 1974 allows the Government to continue to run Northern Ireland as a colony. Decisions are made in London about housing, education, and planning.

Mr. Eric Martlew (Carlisle): What about Dublin making them?

Mr. Wilshire: If the Government are given half a chance, they will let Dublin run the whole shooting match. Some Labour Members have that as an objective, and I am grateful for that confirmation.

The order asks us to continue to allow Northern Ireland's affairs to be run by unelected officials and to be overseen by politicians from Great Britain who come and go with monotonous regularity. I read in the newspapers that some will come and go again in a few days or weeks, if those words still mean anything to the Government. I wonder how my fellow Conservative Members would feel if their constituents in Great Britain were treated as colonials, as the order that the Government want us to nod through implies for Northern Ireland.

Mr. Desmond Swayne (New Forest, West): I shall vote for the order with alacrity. Although my hon. Friend is right to point out that it denies the people of Northern Ireland proper local government, it at least allows the prospect of undoing the damage that hon. Members inflicted by voting for the Bill only half an hour ago.

Mr. Wilshire: That is an intriguing and thought-provoking argument. If my hon. Friend develops it he may convert me to his view.

As well as considering how we would feel if our constituents and local services in Great Britain were treated in the way that direct rule allows their equivalents in Northern Ireland to be treated, we should also consider how the Government have used the powers since they were last extended. They have used them disgracefully, to make concession after concession to the gunman and the bomber.

I hold no brief for terrorists on either side. They are as evil as each other. The Government have shown no discretion in the evil people whom they allow out of prison early. The releases have applied to both sides of the despicable terrorist divide. If that is the way direct powers are used, it justifies their being described as disgraceful.

Direct rule also allows the Government to invite foreign Governments to tell us how to run part of our country. I have always deplored that. To any American who considers the matter seriously I have always said, "How would you feel if we came to your country and told you to get out the red carpet for the Oklahoma bomber and make a hero of him?" That is precisely what foreigners have been telling us to do with terrorists in our country. Some members of the Government have used the direct powers to make as many concessions as they can to those determined to have a united Ireland by any means—the ballot box, the bullet or the bomb. Those people have been appeased by the powers of direct rule time and time again.

Over the past year or so, we have also seen the release of terrorists. Some people may be tempted to believe that the release of prisoners, and everything else that happens in Northern Ireland, does not play with voters in the rest of the United Kingdom. That may be true. Perhaps English Members of Parliament like me take an interest in matters in which many of our constituents take none. However, many people in Great Britain are appalled by the early release of bombers, murderers and people of that ilk. We have heard today that the Government are not prepared even to contemplate stopping the release of yet more evil people; that will not go down well across the whole UK.

Direct rule is to be used to undermine the very principle of democracy by allowing into a part of the Government of a part of the United Kingdom people who keep Semtex and guns and who are prepared to mutilate, torture and threaten. That is a disgrace. If extending the order will enable the Government further to appease the men of terror, I am against it.

12.22 am

Mr. Eric Forth (Bromley and Chislehurst): I echo the sentiments expressed by my hon. Friend the Member for Spelthorne (Mr. Wilshire). I find it puzzling, and not a little disturbing, that the Government are so arrogant as to place on the Order Paper an item such as this without seeking to catch your eye, Mr. Deputy Speaker, so that they may explain what it is all about. Mere courtesy to the House should lead the Government to spend a few minutes explaining the object of the order and the reasoning behind it. To say nothing, and to assume that the House will simply nod the matter through, is arrogance of the worst kind. The Government should be held to account for their arrogance, and it may take us some time this evening to hold them properly to account.

I am concerned by my hon. Friend's point about the apparent lack of availability of documents. It is normal for documents relating to a matter on the Order Paper to be freely available to hon. Members so that we may study them before participating in debate. If my hon. Friend is right to say that the original Act to which the order applies—the Northern Ireland Act 1974; the key to proper consideration of the extension order—is not readily and equally available to all Members, there is a real question over how far we can be expected properly to consider and debate the matter before we vote.

I leave it to others to judge whether it is good enough to say that some copies will be available in the Lobbies or in the Library, but are we are expected to stampede out of the Chamber to lay our hands on the few copies available? Are we expected to crowd around the copying machine before—or, worse, during—the debate? I hardly think that either scenario would contribute to the quality of our debate or our consideration.

We are in real difficulty here. As we get into the early stages of this debate, we are at a distinct disadvantage. We have not had the benefit of an explanation by the Government as to what the order is about, why it is on the Order Paper and why they want us to approve it. Also, we are handicapped by the lack of ready availability of a source document for the debate.

All that would be bad enough, but when one looks at the words on the Order Paper, one sees that we are apparently being asked that

"the draft Northern Ireland Act 1974 (Interim Period Extension) Order 1999, which was laid before this House on 7th July,"—

as long ago as that—

"be approved."

The Order Paper continues:

"The Instrument has not yet been considered by the Joint Committee on Statutory Instruments."

I wonder whether there is something sinister behind this. The implication of that apparently simple little phrase is that such an order would normally be considered by the Statutory Instruments Joint Committee but that in this case it has not been and I can readily understand why. If the matter was only laid before the House as recently as 7 July, it is no wonder that the Committee has not been able to consider it fully and properly so that it may advise the House.

The Government are trying to rush this matter through without having given the reasonable and normal opportunity for that Committee to consider it. That is my reading—

Mr. Gerald Bermingham (St. Helens, South): Has the right hon. Gentleman read the title? It is an extension order to extend existing powers and to cover the predicament that might arise if anything went wrong.

Mr. Forth: I assume that the hon. Gentleman is trying to be helpful. He seems to think that simply because it is an extension we need not bother too much about it. I do not know whether he thinks that his constituents will be happy if, when they ask him what he did about the draft Northern Ireland Act 1974 (Interim Period Extension) Order 1999 and say, "Don't you realise that it had not been considered by the Joint Committee on Statutory Instruments?", all he can say is, "Don't worry folks. It was only an extension order, so I did not bother to look at it."

That may be good enough for the people of St. Helens, but it is certainly not good enough for the people of Bromley and Chislehurst. They will have expected me to consider the details of the matter on the Order Paper fully and properly. I expect that the constituents of most other hon. Members would feel the same. I cannot understand why the people of St. Helens are not interested in the reasons behind an extension order, but I defer to the hon. Gentleman and his understanding of the fact that his constituents have so little interest.

Mr. Bermingham: The answer is simple. The people of St. Helens, South are very intelligent and I am sure that the people of Bromley and Chislehurst can understand the meaning of the order, even if the right hon. Gentleman cannot.

Mr. Forth: I advise the hon. Gentleman to stop digging before he is called to account by his constituents.

That exchange has made its own point. If Labour Members believe that simply because an order is an extension it does not require deliberation or consideration in the House, they have a different idea of their parliamentary duties from mine. I try to take seriously the matters that are laid before us by the Government. I assume that it is still the responsibility of this House to give these matters proper consideration. I would prefer that the documents were readily available. I would prefer that the Government initiated the debate by giving us an explanation of the matter before us.

Mr. Douglas Hogg (Sleaford and North Hykeham): Does my right hon. Friend agree that what he has described—an unwillingness on the part of the Government to explain the nature of the order—is part of a pattern? I think that he is aware of last night's debate on the Ways and Means resolution for the Food Standards Bill, which involved a great deal of money. He will remember that it was not until the end of that debate, after a great deal of prompting, that Members on the Treasury Bench explained the Ways and Means resolution. This is part of a pattern.

Mr. Forth: I regret to say that my right hon. and learned Friend is correct. Given that he is so assiduous in

his parliamentary duties, he was in the Chamber last night and witnessed the fact that, yet again, the Government expected the House to pay little or no attention to the important matter before us. At the beginning of that debate, the Government failed, yet again, to offer the House the merest courtesy of an explanation—however brief—as to what the debate would be about.

Having concluded my preliminary remarks, I want to get into the substance of the issue—the extension of the order. As we are in unguided mode, I can only guess what the order is about—it might take me some little time because I have not yet been told by the Government. I do know, because it is stated in the order, that:

"The interim period specified by section 1(4) of the Northern Ireland Act 1974 shall continue until 16th July 2000."

I did not need to be told that by the Government.

However, I am left to guess why the order should continue until 16 July 2000. If we relate the order to our earlier proceedings today, we are forced to ask why, if the Government have such confidence in those matters, they should want to extend the order until 16 July. I could understand the argument for its extension to May of next year, because that date seems to have some relevance for the Government. I could even understand an extension for only a few days or weeks beyond today's date, if necessary. Why was the date of 16 July 2000 chosen? It seems to bear no relation to our earlier deliberations. We are left to wonder why the Government are extending the order at all, because we have not been told. However, even if we grant that the extension has a certain logic, we have not yet been told why the order will extend to that date.

The House is entitled to ask such questions; in fact it is our duty to ask them. That is why we are all here—to ask questions of the Government of the day. The matter could probably have been dealt with much more briefly if the Government had had the courtesy and good sense to explain matters at the beginning of the debate. Who knows? That might have meant that some of us would not have to ask these questions, because they would already have been answered. The Government seem to want to prolong the proceedings unnecessarily by not offering us an explanation.

I shall bring my questions to an end, as the lack of an explanation from the Government might mean that one or two of my colleagues may want to add their own questions.

Mr. Hogg: My right hon. Friend itemises some of the questions that should be put to the Government. Will he also invite the Government to explain the relationship between motions 6 and 7? I note that motion 7 may not be debated, but that it can be objected to. In order to avoid making an objection, which may be tiresome, it might be helpful if, when Members on the Treasury Bench are speaking to motion 6, they will tell us the relationship between that motion and—

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman ought to know that we can deal only with one motion at a time.

Mr. Forth: Indeed, Mr. Deputy Speaker, I was about to be tempted to note in passing—but I resisted—that motion 7 intriguingly contains a reference to Friday 16 July. Is that the key to the as yet unanswered question as to why 16 July is referred to in the order? We still do not know. However, there is a hint of an explanation that there might be a connection between the two. You have said that we must not refer to motion 7, Mr. Deputy Speaker, although, regrettably, there will be no opportunity to debate it—only to vote on it. We shall have to make our own judgment on the matter.

Mr. Robert Syms (Poole): Does my right hon. Friend consider that the extension order provides a good opportunity to review how the arrangements have worked over the past 12 months, first, in respect of policies and, secondly, in respect of the individuals conducting those policies in Northern Ireland?

Mr. Forth: I would that that were so. My hon. Friend has made a perfectly reasonable request, but we have no opportunity for such a review, judgment and evaluation process, which would enable us to put in context the measure before us. If we were able to do that, I would feel more comfortable when the House, as it must, divides on the motion and hon. Members express their views in the Lobby. However, we shall leave that for a little later—after we have had an explanation from the Minister at the conclusion of this brief debate.

There are real questions to be asked, and the House is owed an explanation. We shall want to have on the record a statement of what the measure is about, because such matters should not be left to speculation of the sort in which I have necessarily had to indulge. Only when we have heard the Minister's explanation shall we be able properly to cast our votes on whether or not we agree with the Government. I await that explanation with eagerness.

12.36 am

Mr. Desmond Swayne (New Forest, West): I shall not detain the House long because I do not believe that we should look a gift horse in the mouth. I do not share the perspective of my right hon. and hon. Friends: as I said earlier, I shall vote for the measure with alacrity.

The extension of the powers is all the more vital as a consequence of the Bill to which we have just given a Third Reading. I accept what my hon. Friend the Member for Spelthorne (Mr. Wilshire) has said about the way in which the powers have operated in the past. He has said, quite rightly, that they have denied the people of Northern Ireland a measure of local government that all our constituents enjoy. That is regrettable. However, we now have the basis for taking a step back from the policy that has been pursued over the past 18 months in respect of those powers.

That policy has been to try to draw the terrorists into the democratic process—to entrap them with the trappings of democracy. However, the consequences of that policy are that the very reverse has been achieved. In the Northern Ireland Bill to which we have just given a Third Reading, we see that we have actually corrupted the democratic process by providing for continual compromise on the part of the democrats, so that they are, in effect, duped into giving credence to the posturing of the terrorists. We have corrupted the entire democratic process.

The extension of the powers in the order gives us the opportunity in the year ahead, to 16 July 2000—I am not so taken by the theological questions surrounding that

[Mr. Desmond Swayne]

date as my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) is—to correct the mistakes that we have just made. I accept that the powers are necessary, I shall vote for them with enthusiasm, and I hope that I shall be able to do so soon.

12.39 am

Mr. Andrew Robathan (Blaby): This is a bizarre little debate—[HON. MEMBERS: "Hear, hear."]—although not because of the hilarity being evinced by some Government Members below the Gangway. As we approach 12.40 am on the following day, those of us who have sat here most of the time since 4 pm yesterday—Ministers, Front-Bench spokesmen, Unionists and others on both sides of the House, including myself—are wondering what has gone on. Only an hour ago—*[Laughter.]* The hon. Members who find this debate hilarious do not realise the importance of this measure or the Bill that we discussed earlier. Only an hour ago, the Government were arguing exactly the opposite of what they are now proposing, yet they expect the motion to go through without debate. That is pretty much a derogation of democracy.

As we have heard, the Northern Ireland Act 1974 is not in the Vote Office and, regrettably, my hon. Friends and I—and, I suspect, most Labour Members—have not had time to read the 1974 debates on the original Act or the debates on it that have taken place every year since then. It would be interesting to know whether the Labour party opposed the measure when in opposition. I have no idea, but I should like to know, because I want to know on what basis the measure might have been opposed in the past.

Mr. Hogg: There is a perfectly sensible basis for opposing the measure, which is that there should be direct integration of the Province into the rest of the United Kingdom. That is a substantive issue, and if the Act is to be extended for another 12 months, that may be precisely the Question that we should consider.

Mr. Robathan: I am grateful to my right hon. and learned Friend, because, as it happens, I shall touch on that point later in my remarks.

As I understand the issue without having read the debates in 1974, we are being asked to extend direct rule. Who in the House is in favour of that? I am not, because I would much rather see devolved government for Northern Ireland or, indeed, a Northern Ireland that is integrated with the United Kingdom.

Mr. Swayne: Does my hon. Friend realise that he has only just emerged from the Division Lobby where he opposed a measure that he rightly thought would include terrorists in that devolved Government, and that these powers are therefore all the more necessary?

Mr. Robathan: My hon. Friend is kind to think that I had not considered that, but the devolved rule that I should like to see is devolved government to democratic parties in Northern Ireland, not terrorist parties. I do not want general devolution. Along with every Member of the House, I want the Good Friday agreement to be implemented in full, but that does not include the measure against which I voted less than an hour ago or the Act that we are now debating.

Who is in favour of direct rule for Northern Ireland? The Government, who have put forward the order, are not, and they have been arguing against that position for the past 12 hours. The Unionists are not particularly in favour of it. The Conservatives are not in favour of it; we want devolved rule. Sinn Fein certainly do not seem to be favour of it. So who is in favour?

My right hon. Friend the Member for Chislehurst and Bromley, or wherever it is—

Mr. Forth: Bromley and Chislehurst.

Mr. Robathan: A very fine place. My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) said that it was arrogant of the Government—which indeed it is—to spend eight hours arguing for one position and then suddenly introduce an order of this magnitude and expect it to go through on the nod. This is a very important order. As my right hon. and learned Friend the Member for Gainsborough; no, Lincolnshire; no, Grantham—*[Laughter.]* I cannot think what Labour Members find so hilarious. [HON. MEMBERS: "You."] That is kind, but I never intended to be a stand-up comic. I can only suspect that the hilarity has something to do with the lateness of the hour and the way in which the previous hours have been spent.

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) talked about the integration of Northern Ireland with the United Kingdom. That is a very reasonable position, and one that I would support, but it is very much against the Government's devolutionary tendencies. Surely that is a matter for debate, rather than merely for nodding through the House.

What about other alternatives that have not been considered or even mentioned by the Minister, who simply proposed the motion formally? That is quite inappropriate. I know it is late, but this is an important issue. It is extraordinary that the Government intend to steamroller the motion through, as they do with so many other measures, even though they argued for entirely the opposite position for hours this afternoon and evening. The laughter of Ministers and others surely shows confusion in their minds.

What do the Government really believe? They seem to be in a mess. Do they want direct rule for an emergency? They have been saying that Sinn Fein and the IRA are sticking to a ceasefire, so there is no emergency. The order provides for emergency legislation to deal with special circumstances. If the special circumstances have passed, why do we yet again require the order? The killings and beatings in Northern Ireland that I mentioned in our earlier debate are very important, yet the Government tell us that there is no emergency.

I would like some consistency in Government policy, as I think would the more serious Government Members. That is not too much to ask. This is not some little order to be nodded through about whether—this is close to my heart—we ride bicycles on pavements. It is about the ruling of the Province of Northern Ireland—part of the United Kingdom—and affects millions of people. We should surely treat it rather more seriously.

What does the order contain? What have we heard from Ministers about security and security policy? All such matters are relevant to the order, but we have heard nothing. What have we heard about schools, roads or health? We have heard nothing except the Minister move the motion formally. That is not good enough for me, for Northern Ireland, or for the constituents of Labour Members sitting below the Gangway, who seem to find the whole thing very funny. I do not know whether people in Northern Ireland will find it funny; perhaps they will read about it.

We are told that all these matters should be dealt with by locally elected politicians in Northern Ireland. All we get from the Minister is one word. There must be some explanation—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Member keeps repeating himself. He should not do that.

Dr. George Turner (North-West Norfolk): On a point of order, Mr. Deputy Speaker. I notice that the Order Paper says

"The Speaker will put the Question not later than 1½ hours after proceedings begin".

As a new Member, I would have thought that that probably gave you some discretion. In view of the quality of the debate, I wonder whether I may be allowed to move that the Question be put?

Mr. Deputy Speaker: There are occasions on which I wish that I had discretion, but I am afraid, even at this late hour, that I am in the hands of the House.

Rev. Ian Paisley (North Antrim): On a point of order, Mr. Deputy Speaker. I plead with you to give the right to the people of Northern Ireland to be heard in this debate, and to let it continue for its full length.

Mr. Robathan: I know that, notwithstanding the barracking from the riff-raff on the Labour Benches, you, Mr. Deputy Speaker, will always—

Mr. Deputy Speaker: Order. The hon. Member should not use such terms. Perhaps he will withdraw his remark.

Mr. Robathan: I shall certainly withdraw it. I apologise if "riff-raff" is an unparliamentary term.

Mr. Deputy Speaker: I can tell the hon. Member that it is unparliamentary, and that he must withdraw it.

Mr. Robathan: I shall certainly withdraw it. I can think of many other terms to describe the hooting from Labour Members. I am glad that you use your discretion wisely, Mr. Deputy Speaker, unlike the hon. Member for North-West Norfolk (Dr. Turner).

This is very important legislation. It deals with the governance of 1.5 million people in Northern Ireland and it is not to be taken lightly and dealt with late at night. It should be considered at much greater length.

Mr. Swayne: Before my hon. Friend resumes his place, will he at least favour us with an explanation of whether he is in favour of extending these powers? I am not clear, and perhaps I have not followed his argument. If he is in favour of extending the powers, will he tell us why?

Mr. Robathan: I do not want to go too far down that line. I do not think that the responsibility is on me to say whether I am in favour of the powers. The responsibility is on the Government to tell us what the powers will involve and to describe the purpose or intention of the order, given what has been said since 4 o'clock this afternoon. They should tell us what the consequences of the order will be. I very much hope that we shall hear rather more from the Government than we have heard so far.

12.50 am

Mr. Robert Syms (Poole): I support the order. It seems sensible that the provisions should continue to be on the statute book. We all hope that the agreement succeeds, but, if it does not, the Province will still have to be governed in the short term and beyond. There are about 1.5 million citizens in Northern Ireland and it is an important part of the United Kingdom. If we have a problem in the Chamber, it is that we do not discuss Northern Ireland enough. I am talking not about security matters, although they are very important, but about health, education and welfare services—all the things that we implement under the guise of the extension order in the administration of the Province. It is a pity that the Minister moved the order formally.

We have an hour and a half to debate the order, but we cannot use the full time to debate issues that concern the people of Northern Ireland. I rather suspect that they are concerned with unemployment, health, education and their children getting on. Those are the issues that concern all our constituents. It is a great pity that, as a Parliament, we have not had the opportunity to discuss these matters as fully as we might.

Rev. Martin Smyth: There are about 1.75 million citizens in Northern Ireland.

Will the hon. Gentleman accept that, if we go down this road again, Ministers should at least move motions in this place that the Northern Ireland Grand Committee might meet in Northern Ireland from time to time? Does he agree that they should depart from the over-long tradition of getting their officials to phone a Member a day or so before they visit the constituency? They then say, "If you want any other information, please phone us tomorrow."

Mr. Syms: The hon. Gentleman makes a good point. I am glad that the former Conservative Government set up the Northern Ireland Grand Committee, but I think that it needs to be used rather more and that it should meet in Northern Ireland.

I think also that the normal courtesies of a democratic Government should be extended to Northern Ireland. We hope that the Assembly will not fail, but, if it does, it will be wrong to fall back on direct rule without considering other options.

There is no meaningful local government in Northern Ireland. People stand for election under party colours, sometimes under great threat from terrorists. Sometimes, they have to sit in a council chamber with terrorists to run

[Mr. Syms]

footpaths and swimming pools. Some people risk their lives doing that. On the mainland, we do not always understand the difficulties that people sometimes face in participating in democratic life in Northern Ireland.

About two years ago, I went on a trip to Northern Ireland. We had a look round Belfast city hall and we talked to some local councillors. They are frustrated because they want to take part in ordinary democratic life. They want to shape their communities, but they cannot do so because of direct rule.

All politicians wish to make great leaps and to embark on big schemes. We hope that what we have been debating for several hours in the Chamber succeeds. However, small steps are also possible. If things do not work out, I hope that, when we debate the order next year, we shall consider transferring some meaningful powers back to local government in Northern Ireland. It is important that when people stand for election they are able to undertake responsibilities and shape their local community, and there are many who would like to do that in Northern Ireland.

It is wrong not to debate how people are governed at a local level and the processes of the health boards and authorities in Northern Ireland. There are important health matters throughout the Province and these are not discussed in the Chamber. There are great black spots of unemployment. Yet we are being asked to extend the order without even a report about how things have gone over the past 12 months.

There are 1.75 million people in Northern Ireland, as the hon. Member for Belfast, South (Rev. Martin Smyth) said, and the way in which they are governed deserves debate. We hope that progress will be made, but if not, we fall back on the order. Important issues are involved, but we have not had the opportunity to address them.

I hope that I have made a serious point, in the early hours of the morning. There are 1.75 million people who deserve decent government. I hope that we do not have to fall back on the order. I would support it if there were a vote, because the Province's services must be provided. That would be the line for us, as responsible politicians, to take.

If progress is not made on the political front, I hope that we will not simply nod the order through year after year, without addressing the real issues: how Northern Ireland is governed; how local politicians can be given responsibility; and how the degree of accountability can be increased not only at local level in the Province, but through the House, the Northern Ireland Grand Committee and other methods.

I have spoken to one or two people who have been elected to the Assembly in Northern Ireland. They say that one of the best things that have happened since that occurred is that civil servants who work in the Northern Ireland Office have telephoned them and asked their opinions. They feel more included in the process.

If the political process does not work and we fall back on the order, we should try to embrace those within existing democratic structures in Northern Ireland by integrating them far more in the decision-making process. It is a common criticism in Northern Ireland that civil servants and representatives from south of the border are consulted more than some of our democratic politicians from north of the border. I have concerns about the order, but I will support it in a Division. The future of 1.75 million people is important and is worthy of debate.

12.57 am

Rev. Ian Paisley (North Antrim): I entirely support the remarks of the hon. Member for Poole (Mr. Syms) on the government of Northern Ireland. In the earlier debate, I wanted to mention the Royal Ulster Constabulary. The House owes a great debt to the RUC. During the period of direct rule, the independent commission to deal with the RUC was set up.

It seems strange to the people of Northern Ireland that we are told by the general in charge of so-called decommissioning that all decommissioning of terrorist organisations will be by mutual consent, yet terrible attacks have been made on the Royal Ulster Constabulary as a result of the setting up of the independent commission. The independent commission became a sounding board for protests from IRA-Sinn Fein. Instead of proper communications from the general public, there was a campaign to attack and discredit members of the RUC.

People in Northern Ireland say that, before there is any change in the policing of the Province, there should be a rigorous campaign to deal with the terrorists who are still carrying out terrorism in Northern Ireland.

I salute the members of the RUC and the Royal Ulster Constabulary reserve. I salute their mothers, their wives and their families, who every day send their loved ones out to work and do not know whether they will return in safety.

The force, which has done its best in difficult times and has had a terrible job policing the Province because of the acts of terrorism carried out there, seems to have been the butt of attack because of the setting up of the commission.

Recently, we had a visit from representatives of the Congress and the Senate in Washington, which I deeply resented. It was led by two prominent Senators and a Congressman and the most vicious attack was launched on the RUC. I did not see any defence made of the RUC by any Minister of the Crown. That most scurrilous attack called for its complete abandonment and said that all it did was discriminate against the Roman Catholic population of our Province. I say, "Hands off the RUC." Mr. Patten has become the Foreign Secretary of the European Union; his work is over and he has drawn up his report. We are waiting for it, and I understand from the information that it will be very damaging and will help to forward the republican agenda in our Province. I say to the Ministers of the Crown that they should be taking a stand for those who are seeking, in difficult circumstances, to police our Province.

I should like to raise one other matter—a long-service medal for the firemen of Northern Ireland. There was—

Mr. Deputy Speaker: Order. It is a perfectly good thing that the hon. Gentleman has brought up the question of a long-service medal for the firemen, but perhaps it would be more appropriate to raise it in another debate. We are discussing an order that covers a multitude of matters, but he is going into specific detail.

Rev. Ian Paisley: I have taken part in such debates for many years—perhaps for more years than you,

Mr. Deputy Speaker. This debate was held every year and it used to be a proper debate. If any Minister of the Crown had stood by and said, "Formally," he would have had his head taken off. With respect, all that I can say to the House is that, tonight, I am entitled to roam over every part of the government of Northern Ireland—from Dan to Beersheba—because it is all included in the order.

Mr. Deputy Speaker: Order. The hon. Gentleman must recognise that I have allowed him to roam—*[Laughter.]* I have allowed him to roam, but he is going into great detail about a specific subject relating to Northern Ireland. I suggest that perhaps he finds another time to raise that matter.

Rev. Ian Paisley: It is not often that anybody sends me to roam, Mr. Deputy Speaker. My hon. Friends have told me to come home quick; they must think that I would be contaminated.

The fire services of Northern Ireland have done a magnificent job in protecting everybody's property. There was a move to strike a long-service medal for the firemen of Northern Ireland, but it was rejected when a head of steam was raised by a republican lobby. Ministers know something about this matter—I ask them to remember that those men deserve that medal, which is what they would receive if they worked on this side of the water—and I trust that it will be resolved satisfactorily and those who have served the people of Northern Ireland in that capacity will be the proud wearers of long-service medals. I thank you for your indulgence, Mr. Deputy Speaker.

1.4 am

Mr. William Ross (East Londonderry): I see from the Order Paper that the draft order has not yet been considered by the Joint Committee on Statutory Instruments. As it happens, for a good many years, I have been a member of the Joint Committee on Statutory Instruments. I was struck by the fact that the order has not been laid within the normal time scale. It may have been considered by the Committee today, but, due to my presence on these Benches, I was unable to attend that meeting. If not, it will come before the Committee in due course. When it does, no doubt we shall ask the usual questions. Such questions are all too frequent, because, through either incompetence or neglect, Departments often fail to produce statutory instruments in the proper time, so hon. Members do not have an opportunity to table motions either to condemn them, to commend them or to demand a debate on them. Occasionally, the Order Paper contains prayers asking that orders or statutory instruments be rescinded or withdrawn.

This order is defective in a number of ways. The proper time scale has not been observed. It has come before the House before it has been considered by the Joint Committee on Statutory Instruments. We have not had an opportunity to consider whether it meets the proper standards and falls within the power delegated to the Minister by the main legislation. Furthermore, it has not been signed by the Secretary of State, as it should be. I should be grateful for an explanation of why that has been neglected. It refers to

"One of Her Majesty's Principal Secretaries of State",

but there is nothing above that, so we do not know which Secretary of State it should be. Any of them can legally sign it, but that has not apparently been done.

The draft order states that it

"shall come into force forthwith".

Draft orders are usually laid some considerable time before the application date. The fact that this order must be brought into force forthwith shows that the Government have got the time scale wrong, as they have on a number of occasions. They were wrong over the time that it was to take before the new arrangements for the Government of Northern Ireland came into force. They clearly expected that the Northern Ireland Act 1998 would have been in operation by now.

Mr. Hogg: The hon. Gentleman has had a great deal of experience as a member of the Joint Committee on Statutory Instruments. Will he confirm to the House that one of the advantages of a draft statutory instrument being considered by that Committee is that it can make a report to the House, which would inform our debate? As a consequence of the Committee not having considered this draft order, we do have the advantage of a formal report.

Mr. Ross: The right hon. and learned Gentleman is correct. These instruments are carefully considered by the legal advisers to the Speaker, so that we can be certain that they fall within the law. That has clearly not happened in this case, and that is a matter of regret. No doubt, the Joint Committee will report to the House on this order in due course. As is far too often the case, it may castigate the Department concerned for its failure in this matter.

As I was saying when the right hon. and learned Gentleman intervened, given the fact that this order has had to be introduced at the last minute, it is clear that the Government intended that the 1998 Act should be in operation by now, but it is not. Why not? That has been debated at some length today, and it is purely the fault of the Provisional IRA and the other terrorist organisations that have held on to their weaponry. This order has appeared in such great haste because it has become apparent to the Government that the IRA has no intention of co-operating on the surrender of weapons.

That is also the reason why Mr. Ahern, the Prime Minister of the Republic, is now trying to make everyone believe that Sinn Fein and the IRA are two separate organisations. That is like saying that the yolk and the white are not part of the same egg. No one in this place, and no one in Northern Ireland, would accept Mr. Ahern's description of the two organisations. They are one and the same. They have been using the laws and rules of this country; they have been using the system to destroy the system. The sooner people understand that, the better.

This is the interim period extension, for the 25th year in succession. Actually, we are talking about rather more than 25 years: the arrangement has existed since 1972, in its previous incarnation. The late Enoch Powell used to say that there was nothing so permanent as the temporary, and I think that this piece of paper proves the accuracy of that observation.

There is no good reason why Northern Ireland should have had to suffer the problems associated with direct rule over the past 25 years, under Governments of both parties. The matter could have been resolved long ago. Means were set out whereby it could have been resolved—not least in the manifesto commitment given by the Conservative party at the time of the 1979 election,

[Mr. Ross]

to which I often hark back. If implemented, it would have resolved the situation: we would have had some form of local administration at an early stage in that long period of Conservative administration of the nation. The Conservatives, however, broke that commitment when they were bombed.

I well remember being out with Gerry Fitt and Airey Neave—whose crest is above the door of the Chamber—the day before Airey Neave was killed. We did a television interview; then we came back, and I talked to Airey. I was the last Ulster person who talked to him before his murder in the precincts of this building. It was clear that he understood what had to be done. The House, and the two principal parties in it, have assiduously avoided doing what is necessary for the last 25 years.

In the last few months, many billions of pounds have been spent on bombing Kosovo in an attempt to get gunmen off the back of citizens there. We have spent the last 16 months trying to put gunmen on to the backs of the citizens of Northern Ireland, as rulers over them. That is repugnant to me; the whole legislative process in regard to this has been repugnant to me. I have seen and heard nothing today—or, indeed, at any time during the past 16 months—to make me change my mind. There are means of improving the government of Northern Ireland without any great difficulty. I hope and pray that, if there is a new Secretary of State, he or she will consider the ways in which the government of Northern Ireland can be improved, and avoid all the nonsense that we have had to suffer for many years which has cost us so dear.

It has already been pointed out that Ministers have not given an account of how they have cared for the Province of Northern Ireland in the last year. I wish that they would. There will be other opportunities, but I think that, in this debate, Ministers should be prepared to say what has been accomplished to improve government, to improve the lot of the people of Northern Ireland, and to ensure that law and order is enforced throughout the Province. We know that there have been murders. Murders have been committed by the IRA, and by other terrorist organisations, but principally by the Provisional IRA—not only in Northern Ireland, but in the Irish Republic.

I read in the paper that a drug dealer had been killed there a couple of weeks ago, with two barrels from a shotgun in his back. He was not the first, and I suspect that he will be the last. We all remember the so-called Direct Action Against Drugs organisation, which was so good at murdering drug dealers. In fact, it is nearly as bad as north London now.

I suspect that if Ministers really put their minds to what can, should and must be done over the 26th year of the direct rule legislation and system in Northern Ireland, they will find ways to improve the government of Northern Ireland without engaging in what my former party leader used to call high-wire gymnastics, and summits that lead to nothing but many more newspaper sales the next morning and a lot of people staying up late, watching, and listening to, commentators make a very good living out of what they say on radio and television.

If the two principal parties in the nation had done their job, those things would have long since been consigned to history. I hope that it is the last such order.

Mr. Wilshire: On a point of order, Mr. Deputy Speaker. At the start of the debate, I raised with the Deputy Speaker who was then in the Chair the fact that no copies of the original Act were available in the Vote Office for us to consult. I raise as a matter of order the fact that the Vote Office has very helpfully found some copies. Hon. Members who were restrained from joining in the debate may wish to obtain copies, so that they can be better informed and then contribute.

Mr. Deputy Speaker: I thank the hon. Gentleman for the information.

1.16 am

Mr. Malcolm Moss (North-East Cambridgeshire): I am greatly surprised and somewhat disappointed by the way in which this important order was presented to the House. I was surprised on two counts. First, the Minister who moved it formally normally affords a courtesy to the House by explaining the order. Secondly, it has been taken on the Floor of the House, not in Committee, where we usually take such orders.

I should like an explanation from the Minister. It is incumbent on him to answer some of the points in the debate, but, principally, to say why the order has been taken on the Floor of the House late at night after a long debate on other Northern Ireland business. We have two orders in Committee this week. The one on Thursday has been moved from 10 o'clock in the morning to 9 o'clock. There is no reason why the order that we are discussing could not have been taken in Committee.

Mr. Öpik: Just to clarify the matter, had the hon. Gentleman not been informed before the debate began that the Government intended to take the order formally? My understanding was that he had been so informed.

Mr. Moss: No, I had not been informed. That information was not passed to me. I can honestly say that that was not communicated to me.

My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) asked a question about the wording on the Order Paper, which says:

"The Instrument has not yet been considered by the Joint Committee on Statutory Instruments."

How significant is that?

The Minister of State, Northern Ireland Office (Mr. Paul Murphy): Not at all.

Mr. Moss: Not at all, the Minister says from a sedentary position.

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) asked a question about the next business on the Order Paper, which relates to a statutory instrument that may be laid this Friday. The date, 16 July, seems to be significant. It appears in the order that we are discussing and in the

next business of the House. Without notice, a motion for approval of the said instrument at the sitting that day will be laid and taken without debate.

Mr. Deputy Speaker: Order. The hon. Gentleman will know that we cannot discuss business that is not before us. We must dispose of the business that is before us before we mention any other business on the Order Paper.

Mr. Moss: I accept that, Mr. Deputy Speaker, but there is some significance in the date appearing in both the orders on the Order Paper.

The Minister owes it to the House to give some explanation of why the order has been tabled today and moved formally without any explanation. It has been a long debate, and many questions have been asked. Obviously, it is important that the extension goes through. We will not oppose it because we recognise that we cannot have a vacuum in the governance of Northern Ireland, but the Minister should get to the Dispatch Box and explain why we are debating it tonight and the significance of that.

1.19 am

The Minister of State, Northern Ireland Office (Mr. Paul Murphy): There is a difference between what we have done for 25 years and what we are doing today. Before I come to the reasons for that, there are a couple of technical points with which I should deal.

The first point relates to the Joint Committee on Statutory Instruments. Today, the order went to the Joint Committee, which has been approving exactly the same order, without comment, for a quarter of a century. Hon. Members will find that the Joint Committee's report is in the Library with the Northern Ireland Act 1974, to which hon. Members have referred.

The hon. Member for East Londonderry (Mr. Ross) asked why the order has not already been signed. It has not been signed because it is an affirmative order and cannot be signed by the Secretary of State until the House has approved it.

Mr. Hogg: I may have misheard the right hon. Gentleman, but I think that he said that the order went today to the Joint Committee on Statutory Instruments. If the order was laid on 7 July, why was it not sent to the Joint Committee on 7 July?

Mr. Murphy: I shall have to write to the right hon. and learned Gentleman on that matter, as it does not come within my purview.

The order is usually taken on the Floor of the House; the hon. Member for North-East Cambridgeshire (Mr. Moss) was therefore mistaken about that. In addition, the order has been taken on the Floor of the House, not in Committee, because of the requirement that it be passed no later than 15 July.

Mr. William Ross: Surely the right hon. Gentleman will admit that the reason for the time scale of the all such orders is to ensure the protection of the citizen. The Minister may very well argue that that does not matter in relation to this order, but in relation to other orders it might matter a very great deal to the citizen. For that reason, the Joint Committee on Statutory Instruments insists that proper procedures should be observed. Why will not the right hon. Gentleman observe them on this occasion?

Mr. Murphy: Obviously, that is a matter for consideration by the Joint Committee.

I should like to try to explain to the House why we are dealing with this order differently from previous ones. Northern Ireland Members will certainly recall that, previously, our consideration of this order provided an opportunity to have a general, state of the nation debate about Northern Ireland. Today, however, we have already had plenty of debate; moreover, this order is rather specific.

The order would extend the period of direct rule in the event of what we hope will occur, in two days, as devolution is passed to Northern Ireland. As the House will know, if the d'Hondt procedure is run on Thursday, an Executive will be established in Belfast. The intention is that, on Friday, a devolution order will be passed in this place and in the House of Lords, so that devolution will pass to Northern Ireland at midnight on Saturday-Sunday.

Therefore, from the passing of that order on 16 July to Sunday, there will be two days in which, technically, there will be no Ministers of either the United Kingdom Government or the devolved Administration in Northern Ireland. Consequently, we shall have to cover two days, and that is what the order is all about.

If all that does not occur—I sincerely hope that that is not the case—the order will continue, and direct rule will continue until such time as devolution is passed. Therefore, this order is very different.

I am sure that all hon. Members want devolution to occur in Northern Ireland. The Government want it to happen as quickly as possible, and the plan is that it will happen this weekend. However, for those two days to be covered, it is necessary for this order to be passed. If it were not, we should have to govern by emergency procedures and without Ministers. That is the simple purpose of the order. There is nothing sinister about it: it is something that has to be done. I commend it to the House.

Question put and agreed to.

Resolved,

That the draft Northern Ireland Act 1974 (Interim Period Extension) Order 1999, which was laid before this House on 7th July, be approved.

BUSINESS OF THE HOUSE
(Statutory Instrument)

Motion made, and Question put,

That, if a Statutory Instrument relating to a Northern Ireland matter be laid before the House on Friday 16th July, a Minister of the Crown may, notwithstanding the practice of the House, make without notice a Motion for the approval of the said Instrument at the sitting that day.

Hon. Members: Object.

DELEGATED LEGISLATION

Motion made, and Question proposed,

FOOD SAFETY

That the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Amendment (No. 2) Regulations 1999 (S.I., 1999, No. 1585) be referred to a Standing Committee on Delegated Legislation.

Hon. Members: Object.

Motion made, and Question proposed,

NATIONAL HEALTH SERVICE

That the National Health Service (General Medical Services) Amendment (No. 2) Regulations 1999 (S.I., 1999, No. 1627) be referred to a Standing Committee on Delegated Legislation.

Hon. Members: Object

Motion made, and Question proposed,

That the National Health Service (General Medical Services) (Scotland) Amendment (No. 3) Regulations 1999 (S.I., 1999, No. 1620) be referred to a Standing Committee on Delegated Legislation.

Hon. Members: Object.

PETITION

Poole Hospital

1.25 am

Mr. Robert Syms (Poole): I wish to present a petition of more than 16,800 names.

The petition states:

To the House of Commons in Parliament assembled.

The petition of the patients, parents, relatives and supporters of patients and residents within the catchment area served by the Poole hospital cleft team

Declares that the recommendations of the clinical standards advisory group for the relocation of the surgical and nursing care provided by the Poole hospital authority cleft lip and palate team to a centre in Bristol would be detrimental to the quality of care provided locally.

The Poole team has been established for some 14 years under the guidance of a maxillofacial surgeon who is renowned internationally for his work in this field. This unit is already meeting the criteria as set out in the CSAG report and uses surgical techniques that minimise frequency of surgical intervention and produce excellent results.

Therefore your petitioners request that the House of Commons urges the Secretary of State for Health to review the recommendations of the clinical standards advisory group to prevent the relocation and loss of service to the local community of this outstanding facility.

And the Petitioners remain etc.

To lie upon the Table.

National Air Traffic Services

Motion made, and Question proposed, That this House do now adjourn.—*[Jane Kennedy.]*

1.25 am

Dr. Desmond Turner (Brighton, Kemptown): NATS has considerable problems, but those problems are in no way a reflection on the highly professional body of people who operate the service. They provide a wonderful service, which is highly regarded internationally and has a good safety record, and are doing so under difficult conditions; they are struggling with outdated equipment and an ever-increasing burden, while managing the most dense air traffic in the world.

Those are real problems, and they are compounded by the delay in the completion of the new air traffic control centre at Swanwick and in financing the replacement of other outdated equipment that is needed for control centres.

There are perceived problems also—I call them perceived because they are, in a sense, artificial. They are financial problems and problems of governance. The principal problem is the restriction of Treasury rules on making available the capital needed urgently for investment in the system. That is creating great difficulties for the service.

There is no question of the service being in financial difficulty, and its financial performance is extremely good. It does not cost the taxpayer a cent. In fact, in 1997 it made an operating profit of £70 million—so it actually provides an income stream to the Government. However, it does not have the capacity to invest, and that is a serious problem. The volume of traffic is mounting and the chances of breakdown in the system are increasing; investment is needed urgently.

This ought to be a matter of grave concern for the Government, and I believe that it is. It is noteworthy that, in the weekend opinion polls, the Government were well ahead on every aspect tested except transport, where only a minority thought that the Government were doing a good job. I find that sad, knowing the amount of effort that this party and this Government are putting into transport and the importance that we attach to it. It is vital that we get such issues right.

The Government have come up with one suggested solution for the problem, in a consultation paper which suggested a public-private partnership. I find the use of the words "public-private partnership" semantically puzzling in this context, because it would involve the sale of 51 per cent. of the service. That is not a partnership: it is selling control of the service.

I suggest that the Government consider alternative propositions that have been put forward. The principal one is for a publicly owned corporation. The Government have set a precedent with last week's statement on the future of the Post Office.

I shall now undertake a somewhat simplistic exercise by running two propositions past a few tests and seeing how they measure up. When we consider privatisation, we should note that there is no other example in the world that I have been able to discover of an air traffic control system that is operated on a private, for-profit basis. It would be unique.

It is true that privatisation would provide a windfall income for the Government to reinvest in other transport projects. However, the income would probably fall far short of the real asset value of the air traffic control system. Set against the fact that the Government would lose the income stream that they currently enjoy from the ATCS, that suggests that privatisation would be neutral in financial terms.

The most important criterion has to be safety, because that is the ethos of the entire service. Nothing else matters.

Laura Moffatt (Crawley): I thank my hon. Friend for introducing the issue of safety. Does he agree that airports such as Gatwick, which has 27 million passengers a year—projected to rise to 40 million—need to be assured that we have the safest system in the world? Privatisation may not be the way to give them that assurance.

Dr. Turner: I could not agree more with my hon. Friend. Gatwick will have 40 million passengers a year. I have lost count of the numbers at Heathrow, but its figure is double Gatwick's. The system is already on the edge at times. Privatisation will not help it to deal with those problems and will not give the public confidence in the safety of the system.

Mr. Martin Salter (Reading, West): Is my hon. Friend aware of the leaked memo from the Civil Aviation Authority's privatisation unit, which made it clear that whole or partial privatisation involved a substantial risk of a trade-off between profit and safety considerations? Does he agree that it is almost inherent in the proposals that the drive for profits and dividends could be a compromising factor in the all-important issue of aircraft and air traffic safety?

Dr. Turner: I thank my hon. Friend for that intervention, because I was just coming to that point and he has made it for me. The income of the ATCS is, essentially, fixed for years ahead, so the only way in which dividends can be found is by cutting costs. However it is done—by reducing staff or some other means—cutting costs could only compromise safety. Safety would no longer be the service's guiding ethos because commercial considerations would play a significant part, and they do not increase safety.

The potential for generating accidents in an air traffic control service is worth pondering. Two fully laden jumbo jets colliding over a densely populated area of London would cause horrendous carnage. Any suggestion that such an accident resulted from a failure of an air traffic control system under privatised governance would lead to very serious questions being asked of the Government who had imposed that governance. I urge the Government to think very carefully before taking such a step, as safety has to be paramount.

We all know that the proposed new airport at Swanwick is way behind schedule. If the system were put into private ownership, there might be a temptation to commission Swanwick prematurely. That facility is behind schedule at present in part because National Air Traffic Services will not commission it until it is 100 per cent. confident of its safe operation. A commercial enterprise could be tempted, for reasons of public relations or of cutting costs, to bring it into operation before it was completely ready and safe.

Ms Sandra Osborne (Ayr): Is my hon. Friend aware that the proposed new Scottish centre at Prestwick in my constituency has already been delayed for a number of years? It is possible that private interests would cause the new centre's operational capacity to be changed and thus cost many jobs.

Dr. Turner: I am aware of those difficulties, which make up another specific element of the problems faced by the service.

The regulation that would be required is another factor against privatisation. Railtrack provides a truly dreadful example of how poorly regulation works. The company is under severe criticism for failing to invest adequately in track maintenance and for its poor safety record. Meanwhile, its profits and dividends have increased.

What about the criteria of value and fairness for passengers? Privatisation would not lead to greater safety for passengers, nor any cheaper flights, but it would disadvantage them by compromising their safety. Passengers would not feel too good about that.

Finally, there are international considerations to take into account. Air traffic control is not limited to national boundaries. It has to operate in collaboration with the other European systems, all of which are in public control. A private operation would be in conflict with them.

None of the negative factors that I have described would apply to a public corporation, which would offer many positive advantages. The public will know that safety is a public system's only ethos, and will therefore have greater faith in it. They will know that they are getting best value. There will be no need for a separate regulator, and no problem with international collaboration. On those simple criteria, the only possible conclusion is that a public corporation wins hands down.

The Government have shown their willingness to adopt such a policy for the Post Office—probably because they realise how much we love the Post Office—by giving it its commercial freedom through the agency of a publicly owned corporation. That is marvellous, but much as we love the Post Office, we all love our own skins better and would feel more confident of their safety if they were in public rather than private hands.

I speak on behalf of air traffic controllers, many hon. Members, and the vast majority of the travelling public in appealing to the Minister to look to a publicly owned corporation rather than towards privatisation.

1.41 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): I congratulate my hon. Friend the Member for Brighton, Kemptown (Dr. Turner) on obtaining this debate and on choosing such a vital topic.

Air traffic control is profoundly important. One of our key international obligations under the Chicago convention is to ensure the provision of air navigation services in national airspace. National air traffic control is a strategic activity with implications for the economy, security and public safety. Not only must it be done, but it must be done better than well.

[Ms Glenda Jackson]

When the Government came into office in 1997, National Air Traffic Services' front-line staff were—they still are—doing a first-class job of moving traffic around safely and expeditiously. NATS's management was doing its level best on a furious catching-up job to compensate for underinvestment a decade earlier. However, the new en route centre at Swanwick was already late, and the proposed new Scottish centre at Prestwick seemed to be in jeopardy.

It was apparent that Government financing procedures and the need to keep a tight rein on public expenditure were likely to pose problems for the delivery of NATS's investment requirements. NATS's customers were demanding high levels of investment in order to increase capacity and minimise delays but that charges should be kept as low as possible. NATS needed certainty of access to investment funding and sought greater management and commercial freedom to develop the business. The national interest required a safe and efficient air traffic control system that could underpin the national economy and meet the nation's security needs without prejudice to the United Kingdom's international relationships and other commitments.

We clearly needed to look at how NATS was financed and managed, but we also had to take account of NATS's desire for freedom to expand in the longer term into European and worldwide air traffic control markets. NATS's technical expertise and ability to manage traffic went a long way towards making that aspiration realistic, but development clearly requires more than opportunity, commitment and excellence, and more than guaranteed access to capital to undertake major investment; it requires world-class financial, project and commercial management.

We wanted a solution that would let us maintain and build on the excellent record of aviation safety in the UK; ensure that NATS had adequate funding for investment; provide NATS with commercial freedom and the skills to make best use of it; continue to meet the needs of commercial, military and leisure users in peacetime; and, where necessary, protect national security.

The status quo was not a runner. Allowing borrowing freedom within the public sector—the independent publicly owned corporation which my hon. Friend mentioned—would meet the funding need, but not much more. A non-profit-making entity, be it public or private sector, would again meet some of the need, but not all. We looked again at the model originally proposed by the previous Administration—the so-called "privatised contractor"—and concluded that they were, for once in their life, right not to pursue that course.

However, we thought it right to examine a public-private partnership, which could secure a genuine partnership between public and private sectors to deliver a safe, modern and efficient air traffic control system for the future. The proposal on which we consulted envisaged a continuing role for the Government through a 49 per cent. shareholding, a stake of up to 5 per cent. of the shares for NATS's staff, and a 46 per cent. private sector shareholding. It was designed to free NATS from the constraints of public ownership and allow important investment and management decisions to be taken on commercial grounds, so the new company would be able to invest for the future to improve capacity and service standards, which would benefit the travelling public and the national economy.

Economic regulation would provide the right structure of incentives and disciplines to maximise efficiency and ensure more transparency in charges, which would benefit air users. It would separate regulation from service provision, and the Government's retained shareholding would bring financial benefits to the taxpayer, through the payment of dividends, plus the assurance that NATS would continue to act in the public interest.

Therefore, the proposed public-private partnership offers a range of benefits to NATS, its staff, airspace users and the taxpayer. We understand the concerns expressed by NATS's staff. The prospect of change is always unnerving and the future of NATS has been in question for too long now. Staff have voiced concerns over safety and again, understandably, over their pension rights and job security.

We have assured all employees that we are considering advice from our financial advisers on the options for the proposed employee shareholding. We announced on 14 June key principles for ensuring that the private finance initiative and PPP will secure fair treatment of the pensions of public servants transferring to public sector employees. The Government want employees' existing contractual terms and conditions of employment to be maintained, and welcome the commitment of the Civil Aviation Authority and NATS's management to full and proper consultation with the work force.

Mr. John McDonnell (Hayes and Harlington): Air traffic control West Drayton is in my constituency. What factors or arguments have been brought into play since a Labour Front Bencher at a Labour party conference stood up and said that we would not "sell the air"? If it is the spurious argument about introducing commercial management to make the system more effective and competitive in the international market, surely we have learned the lessons from Railtrack about how commercial management can undermine not only a service but safety.

Ms Jackson: I am grateful to my hon. Friend for touching on that issue, as did my hon. Friends the Members for Crawley (Laura Moffatt), for Reading, West (Mr. Salter) and for Ayr (Ms Osborne) because that is the issue that was rightly at the forefront of people's minds.

Our safety standards are some of the most stringent in the world. Our skies are safe despite the fact that air traffic is increasing by about 7 per cent. a year. In the main, that is a tribute to the CAA, which sets and monitors those standards and to NATS, whose ability to move traffic safely and expeditiously is arguably the highest in the world.

NATS is subject to testing safety targets set by the Government and continues to meet those targets, and we are totally committed to maintaining and improving the United Kingdom's safety standards. Indeed, in view of the relentless rise in traffic levels, which is expected to continue in the foreseeable future, actual safety levels must increase. That is the overriding priority of our aviation policy, and I can tell my hon. Friends who have raised concerns about that issue that this Government would not have contemplated institutional change if we had thought that safety might be jeopardised.

NATS's staff and some hon. Members have argued that a private sector NATS would put profits before safety. My hon. Friend the Member for Kemptown made that point forcefully. It is our view that it would not. The safety culture within NATS is very strong at all levels and the Government, the regulator and NATS together would ensure that that remained the case.

One of the benefits of the PPP would be to ensure the separation of safety regulation from the provision of ATC services. That is something that airspace users would welcome and which the Environment, Transport and Regional Affairs Committee and the former Monopolies and Mergers Commission have been recommending for some years. It would make a major contribution to NATS's ability to deliver our ATC projects both now and in the future, enabling us to continue to handle safely the increase in flights that we expect. Correctly structured—and it would be—it would give NATS greater access to private capital for investment and the skills to use that capital to best effect.

NATS would be the first to admit that mistakes were made with Swanwick. However, I hope that my hon. Friend the Member for Kemptown will be reassured to know that the centre is now on schedule to enter operation by spring 2002. Technical transfer—the point at which the system development is complete and satisfies its initial requirement—was achieved on time at the end of March. The new system is now being integrated into the rest of the UK ATC infrastructure; that should be complete by late next year. The year 2001 will be taken up with training controllers on the new systems before the centre enters operation.

Prestwick and Swanwick are the pillars of NATS's two-centre strategy. NATS's commitment to the strategy is unwavering, as is that of the Government. I trust that my hon. Friend the Member for Ayr will take comfort from the fact that NATS plans to bring the new Scottish centre into operation in the winter of 2005–06. In April this year, we approved the negotiation of a multi-phase contract for the NSC with Sky Solutions. We expect agreement on phase 1—the detailed design of the building and systems, and some software development—this summer. We are appointing external project management experts to assist NATS.

My hon. Friend the Member for Kemptown touched on the future of national air traffic control, not only on the future of NATS. He is right not to be too parochial; aviation is an international business. European air traffic levels continue to rise, and delays due to ATC causes are affecting the European ATC system at an alarming rate. The Kosovo conflict is part of the problem, even though combat activity has ceased. Capacity seems to be inadequate in some parts of Europe. Happily, the situation in the UK is much better; the UK is currently responsible for only 6 per cent. of the total delays across Europe. That is remarkable considering that traffic is at record levels in some parts of our airspace and well beyond forecast levels.

Nevertheless, the UK is part of a whole, and we suffer knock-on effects from delays elsewhere. We believe that it is in the UK's best interests to seek an overall European solution to ATC delay problems. We think that political initiatives already under way should be strengthened. We are co-operating fully with European states at ministerial, official, technical, and operational level to develop solutions through harmonising and integrating national systems, in order to maximise the available capacity in the short term, and create more capacity in the longer term. The results of co-operation over about 10 years are feeding through to capacity increase, but traffic growth is rapidly outstripping the rate at which demand can be accommodated. We need to explore new and innovative measures.

The introduction of radar after the second world war obviously vastly improved the controller's ability to retain an overall picture of his traffic and to effect safe separation between them. However, the basic principles remain: individual aircraft are separated from each other manually, and aircraft are obliged to fly predetermined routes through the skies.

The European organisation for the safety of air navigation—EUROCONTROL—of which the UK is one of the most active members, has brought together all interested aviation parties, including the military, to develop a strategy for the future of air traffic management. Entitled "ATM 2000+", it looks at the period until 2015 and approaches air traffic control in a new light. Safety will always be paramount, but we can harness new technology. New developments can enhance the dialogue between pilot and controller. They can replace voice transmissions with data transfer, take full advantage of air navigation systems for ATC use, and utilise airborne safety net systems. In the ATC system of the future, the controller will take on a more strategic role, allowing airborne routing and flight profile freedoms, thereby gaining greater overall airspace capacity. Safety levels will be enhanced, and the controller will be able to intervene where necessary to maintain proscribed separation standards.

For the future, we need an ATC system that can respond positively to rising traffic levels, improve safety levels to meet the requirements of increased volumes of traffic, and deliver a cost-effective service at a price the airlines are prepared to pay. That is the background against which we proposed a public-private partnership for NATS. What we want goes beyond financial freedom, important though that is. UK air traffic control must be a safe, effective and efficient part of the global system. We have not yet come to a conclusion on the precise future form of NATS, although we hope to do so shortly. However, the future of air traffic control is no small issue; we must be sure that we have the right answer, and we will.

Question put and agreed to.

Adjourned accordingly at five minutes to Two o'clock.

House of Commons

Wednesday 14 July 1999

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Iran

Motion made, and Question proposed, That this House do now adjourn.—*[Jane Kennedy.]*

9.33 am

Mr. Steve McCabe (Birmingham, Hall Green): I am grateful to have this opportunity to raise matters concerning our current approach to relations with Iran. I realise that other hon. Members wish to speak in the debate, so I shall not speak for overlong.

My own interest in events in Iran really began in the early 1980s, when I got to know some young Iranians who had come to the United Kingdom to pursue their academic studies, but suddenly found themselves trapped, unable to return to their home. Many of them were unsure of what was happening to their friends and relatives. I do not think that I need dwell on the horrors that took place in the aftermath of Iran's revolution—suffice it to say that there has been much suffering, which has continued now for more than 20 years.

My question is whether things are really improving in Iran, and whether we should adopt a more relaxed approach to President Muhammad Khatami. When Khatami came to power, there were high hopes in some quarters; but I contend that Iran is still a rogue state. It is a state with no respect for human rights and no respect for other religions, but it is prepared to acquire and use weapons of mass destruction. It is a state that demonstrates outright hostility to women and rejects the basic tenets of democracy.

Iran's record in human rights is a disgrace. It is a regime that glories in public executions—420 since Khatami came to power; and goodness knows how many more executions in private. It is a regime that delights in stoning people to death, even girls as young as 13. It is a regime in which, in a two-week period, more than 20 people might have their hands cut off. It is a regime that could easily rival General Pinochet's Chile in the number of people who mysteriously disappear.

Recently, we witnessed the spectacle of members of Iran's Jewish community being arrested on trumped-up spying charges. We await guarantees of their safety, the protection of their religious beliefs, and their right to a fair trial. Today, can the Minister offer any assurances that those people will receive a fair trial, and that international observers will be allowed to oversee that trial?

In April 1999, the United Nations Commission on Human Rights passed a motion of censure on Iran: the 44th such censure of the mullahs. Where, therefore, is the evidence of a new approach by the new regime?

We have been told that there have been concessions on the fatwa threatening the life of the author Salman Rushdie. Can the Minister say what those concessions are? Is he aware that, on 24 September 1997, the mullahs' Foreign Minister, Mr. Kamal Kharrazi, told CNN:

"The death decree against Rushdie will never be rescinded"?

Is it true—as Mr. Ansari, the chargé d'affaires in London said in October 1998—that the fatwa cannot be revoked, and that the British Government have accepted that? Is it true that, as far as Mr. Khatami is concerned, Salman Rushdie's life is just as much at risk as ever?

One argument used to support Mr. Khatami's regime was that terrorism, and support for terrorism, would subside once he was in power. Why, then, have 35 Iranian dissidents, in countries around the world, been murdered by Iranian Government-sponsored hit squads during the reign of Mr. Khatami? When will Mr. Khatami's Government respond positively to requests from various Governments for information on the murders of Professor Rajavi, in Switzerland; of Mohammed Hossein Naghdi, in Italy; and of Zahra Rajabi, in Turkey?

Why, on 10 June 1999, did the Iranian Government launch a Scud B missile attack, in violation of United Nations Security Council resolution 598, on an Iranian resistance camp?

When Iraq acquires and threatens us with weapons of mass destruction, we take action to control that threat. Yet, in Iran, we have a regime that has already successfully test-fired the Shahab 3 missile, which could hit every major city in the region. They are a Government who are working to perfect intercontinental missiles.

Mr. Tom Clarke (Coatbridge and Chryston): I am very grateful to my hon. Friend for giving way, and congratulate him on raising such an important subject at such a crucial time. Those of us who were on the 1988 delegation seeking the release of Terry Waite, John McCarthy and Brian Keenan at least got the impression that—despite what my hon. Friend absolutely rightly describes in his excellent analysis of what is still happening in Iran—a small candle was still burning, and that there was still an opportunity to move towards pluralism. Does he agree that the new president would be well advised to consider what the students are trying to say, to take on board their message, and not to give the impression that there is the possibility of another Tiananmen square?

Madam Speaker: Order. I was just going to inform the right hon. Gentleman that his intervention was an enormously long one.

Mr. Clarke: I apologise, Madam Speaker.

Mr. McCabe: Thank you, Madam Speaker. I agree with my right hon. Friend's comments and certainly agree that we should be concerned about what is happening with regard to students at the present time.

In Iran we have a regime that has successfully tested the Shahab 3 missile. The Iranian Government are working to perfect intercontinental missiles that are capable of hitting European capitals. They have devoted $1.5 billion to missile development over a 10-year period—nearly $300 million in the past financial year. There is reason to believe that the regime also has a stockpile of chemical and biological weapons.

[Mr. McCabe]

Is it right that we should ignore the use of Scud missiles by the Iranian Government? Why should they have any immunity when they launch an unprovoked attack on the sovereign territory of a neighbouring country? When Libya stands accused of sponsoring terrorism, we break off diplomatic ties and impose sanctions. Why are similar standards not applied to Iran? How confident can my hon. Friend the Minister be that the Iranian Government are not engaged in acts of terrorism, in sponsoring terrorism and in the acquisition and production of weapons of mass destruction?

Why do the British Government believe that Mr. Khatami is worth supporting? Does the Minister accept that Mr. Khatami draws his political strength from the clerics? Is he not a son of the theocracy? Is there anything in his words or deeds to suggest that he is not about preserving that tradition and that corrupt, rigid interpretation of Islamic law which suppresses his people and subjects some 70 million people to the obsessions and fantasies of the clerics?

Mr. Khatami has yet to show any respect for democracy. He could, for example, allow free elections under universal suffrage. Instead, what we saw under his much vaunted city council elections was democracy Khatami style. Only supporters of the mullahs are accepted as candidates. In his version of democracy, there is no room for dissidents, different religions, agnostics or political opponents.

Many Members of the House support the Iranian resistance movement. In February of this year, some 330 Members showed that support by condemning the lack of publishing freedoms in Iran and supporting the right to form political parties in Iran. There was a time when the resistance could quite clearly number the British Labour party among its friends and allies. What now is the attitude of the Foreign Office to the National Council of Resistance of Iran?

I make it clear that under no circumstances would I be willing to support a terrorist movement. However, I do not regard the Iranian resistance as a terrorist group. I believe it to be a broadly based coalition, whose public statements and publications eschew terrorism and violent attacks on innocent civilians.

Like many resistance movements, the national council does, of course, have an armed wing. In this country, we usually support freedom fighters. That is presumably why we have supported the KLA, the mujaheddin in Afghanistan and, of course, Nelson Mandela's African National Congress. I ask you, Madam Speaker, to consider what our relations with South Africa would be like today if we had heeded the advice of those who put trade before principle and sought to end our support for the ANC.

The freedom fighters of the Iranian resistance do carry out attacks on military targets and centres of repression. They freely admit that they attack the revolutionary guards and the perpetrators of murder and torture, but they do not set off bombs in residential areas. They do not blow up buses and kill and maim innocent civilians, as do the henchmen armed and financed by Khatami's regime.

The National Council of Resistance of Iran has a history of condemning attacks on innocent civilians. It spoke out against the February 1996 bombings in Jerusalem, the 1995 Oklahoma bombing and the 1998 Pan Am bombing over Lockerbie.

The NCRI has made clear its willingness to participate in free and fair elections.

Now is not the time for us to desert our friends, especially as what we may be witnessing in the current demonstrations in Iran and the violent response to them by the authorities may well be the death throes of a corrupt, violent and profoundly anti-democratic regime.

On May day, tens of thousands of Iranian workers defied the regime and held protests and marches in Tehran, Isfahan, Khorramabad and several other cities. Fifty thousand people protested in Sanandaj, the provincial capital of Kurdistan, in February 1999. The regime responded by attacking them with helicopter gunships.

Even as I speak, large-scale demonstrations are taking place throughout the country. This may have started with students at Tehran university objecting to media restrictions, but the attack by the revolutionary guards on the student residences and the violent murder of innocent students have ensured that this is now much larger and is now a confrontation with the clerics—not just factions, not support for Khatami and his alleged reforms, but an all-out attack on the whole system.

Our Labour Government have rightly called for an ethical dimension and respect for human rights to be part of our foreign policy. The United Nations special representative on human rights, the General Assembly of the United Nations, Amnesty International and the International Human Rights League have all expressed their concern at events in Iran, yet the Foreign Office has argued that under Khatami there have been significant changes. What are those changes?

It is true that Khatami has worked hard to have the NCRI labelled a terrorist movement. That manoeuvre is part of an older and sordid affair, which has its origins in the secret negotiations with the Americans leading to the Iran-Contra affair. Can we really today want to be part of such politics? Do not ethics demand that we ask much more of Mr. Khatami?

Why do we want to trade with, and have improved relations with, a regime that may well be on the verge of collapse? There is a real danger that we may be about to repeat the mistakes that occurred in the last days of the Shah. Just as Prime Minister Bhakteyar's promises and concessions were too little, too late to save the Shah, so too are Mr. Khatami's smiles and promises. He has had two years to show us his liberal credentials. If he is still unable to do so now, why should we continue to help him to shore up his crumbling regime when our real friends and the real representatives of the Iranian people may be only weeks or months away from assuming power?

The mullahs have demonstrated over 20 years, irrespective of leadership, that they support violence, murder and terror. They have a complete disregard for democracy and human rights.

I believe sincerely that it is time for the Foreign Office to change tack and to adopt a policy which judges Mr. Khatami and his supporters by their deeds, not just their words. It is time to adopt a policy that makes

abundantly clear our outright rejection of state-sponsored terrorism and our total commitment to the right of the Iranian people to participate in free and fair elections, and to enjoy a Government who respect human rights and religious diversity and support a pluralistic society.

The resistance movement offers a much better prospect for such an outcome than does the present regime. It deserves much greater support than is currently on offer from the British Government.

9.50 am

Sir Sydney Chapman (Chipping Barnet): The House will be grateful to the hon. Member for Birmingham, Hall Green (Mr. McCabe) for his choice of subject this morning. He spelled out the violence that exists in Iran, and my contribution to the debate can be all the briefer as I do not have to echo all the statistics that the hon. Gentleman gave.

I remind the House that, under Mr. Khatami's regime, there is continued violation of human rights on an unparalleled scale. More than 400 executions have taken place, including four people hanged for the offence of being insulting to the leader. There have been at least 10 cases of stoning to death in public, and the House will know that, last March, 13 members of Iran's Jewish community were arrested on charges of espionage. Sadly, terrorism is a characteristic of the Khatami regime. Yesterday's events—when the students demonstrated in favour of democracy—are just another case of the brutal actions of the regime.

The hon. Member for Hall Green told us about 44 United Nations and other international organisation resolutions condemning Iran. There is no evidence of moderation. We all want to promote trade wherever we can—that is in the interests of both parties. However, if an ethical foreign policy means anything, it is not seeking closer ties with Iran, given the present regime there.

I had an opportunity to speak briefly to the Minister a little time ago, and he readily agreed to see me. We are now trying to arrange a time. However, I want to put on record my deep concern about Iran Aid, a charity whose London office is in my constituency. I am told that the charity has been able to help up to 15,000 Iranian children, mostly children whose parents have, in one way or another, suffered at the hands of the brutal regime.

I am concerned that there seems to have been a persistent attempt to discredit Iran Aid. The Minister may know of information that I do not have, but I understand that some people have accused Iran Aid of links with terrorism. More certainly, Iran Aid has been subject to a inquiry by the Charity Commissioners, and a receiver manager was put in. It is worth reminding the House that this is the second inquiry by the commissioners, and that Iran Aid was cleared following the first inquiry in 1996.

There is a deep feeling among some of my constituents that the Charity Commissioners have intervened only because of trumped-up allegations by two ex-volunteers of the organisation. Have the people making the allegations to the Foreign Office, the Home Office and the commissioners been checked out for probity?

The Iranian Government treat the relatives and children of so-called dissidents as infidels—they are being shut out of Iranian society, abused and even killed. I have a great fear that the information that Iran Aid holds about those children may be passed to the Iranian authorities. Action could then be taken against them and their families. I am anxious that information gleaned by the Charity Commissioners should not be passed on to the Iranian regime. That would have tragic consequences—indeed, there is evidence that it has had such consequences already.

I realise that there are things that the Minister may prefer not to say on Iran Aid this morning, but I hope that he will be prepared to say them to me when we have our hoped-for meeting.

9.55 am

Mr. Robin Corbett (Birmingham, Erdington): As we speak this morning, the reality, rather than the rhetoric, of the regime in Iran is clear. Students and others are demonstrating in their thousands in Tehran and several other cities for the freedom and democracy that they have been denied, and which have been stolen from them, for the past 20 years, in the face of the brutality and organised thuggery of the mullahs, who are so fearful of change. That is the background to this short debate.

When human rights were discussed in the other place on 22 June, my noble Friend Baroness Symons said:

> "It is important to note that some important changes have already taken place under the reformist government of President Khatami. That government remain committed to building a civil society based on respect for the rule of law."

That claim now lies in tatters, smashed by the so-called reformist president who, around midnight last Thursday, sent security forces to attack students in their dormitories at Tehran university, injuring at least 1,000 and killing at least one. So much for the rule of law. How little has changed since January 1962, when the Shah did exactly the same thing to trigger his demise.

The president is a claimed reformer whose Government hanged four people—as the hon. Member for Chipping Barnet (Sir S. Chapman) said—for insulting the leader. His is a reformist Government, who have allowed 420 executions, 10 public stonings and the organised murder of 47 opponents of the regime at home and 35 abroad. That speaks volumes about being

"committed to building a civil society".

In the debate, my noble Friend the Under-Secretary made more claims:

> "Progress with that commitment is most evident in the unprecedented freedom of expression which the press now enjoys."—[*Official Report, House of Lords*, 22 June 1999; Vol. 602, c. 866.]

This is a regime that has just banned the daily newspaper *Salam*, after it published a report that hardliners were planning new restrictions on the press. This is a Government whose Parliament only last Wednesday approved new press laws which severely restrict the freedom of expression of an already circumscribed press. Never have the claims of a Minister turned to tears so quickly, as this president has shown himself to be more mullah than moderate.

Meanwhile, my hon. Friend the Minister of State—whom I am pleased to see here this morning—was telling readers of *The Guardian* on 1 July:

> "Thanks to British action, the ILO has passed an emergency resolution penalising Burma for its record on forced labour . . . We have persuaded the UN to pass a series of resolutions slamming Burma's human rights record. We have suspended government support for British companies doing trade with Burma."

[Mr. Robin Corbett]

Congratulations. Will the Minister now tell us whether he will do the same in the case of Iran? Will he withdraw the support of his Department, and that of the Department of Trade and Industry, for the 25th Tehran international trade fair, from 1 to 9 October, or will that still go ahead, despite current events in Iran? Whoever in the Foreign Office wrote the document on the trade fair deserves a medal, as it is headed, "New Optimism in Iran."

I hope that the Minister will not argue that somehow Burma's human rights record is worse than that of Iran, so that we can, in effect, turn a blind eye to what the mullahs are doing and go ahead with participation in this international trade fair. I hope, too, that the Department of Trade and Industry will withdraw its support for a chamber of commerce mission from Northampton to Iran later this year.

Earlier this year, 330 Members of Parliament—half plus one—signed a statement on Iran which said:

"For Britain to change its policy now over Iran, without evidence to support claims of greater freedom of expression and better human rights, is to run the risk of repeating the mistakes in the last days of the Shah."

The events of the past six days in Iran give me no reason to change that view. There is no evidence of change by Tehran, or willingness to change.

I am grateful that my noble Friend at least seemed to retract the view that the National Council of Resistance of Iran is a terrorist organisation. It is no such thing. It represents a coalition of interests determined to offer the people of Iran a democratic, secular state that respects human rights and the equality of every citizen. The armed MKO with which it is associated is there precisely because there is no other democratic way in which the mullahs' regime can be opposed. It claims the support of the universal declaration of human rights for the right to

"rebellion against tyranny and oppression."

I hope that the Government will recall our ambassador to Tehran and follow the lead of the United States in issuing a statement like that of State Department spokesman James Foley, who said:

"The rule of law cannot be achieved through repression of fundamental freedoms, including freedom of expression, association and assembly."

That is surely the least that we can offer to the people of Iran as they reach out for freedom and human rights.

10.1 am

Mr. David Heath (Somerton and Frome): I, too, congratulate the hon. Member for Birmingham, Hall Green (Mr. McCabe). Not even he can have realised how topical this debate would be when he applied for it. This is an especially opportune moment to be discussing Iran.

There was some optimism when President Khatami was elected about two years ago, and a feeling that at last there would be a shift in the dynamics of Iran, with a move towards greater democracy. I join others who have spoken in questioning whether that has happened. Has there been increasing democracy? To understand the level of democracy in Iran, one must realise that parties in favour of secular government were not allowed to stand for election, so the country was already committed to the prevailing mullahism. In Iran there could be no Labour, Conservative or Liberal Democrat party.

Has there been an increase in openness and freedom of expression? The hon. Member for Birmingham, Erdington (Mr. Corbett) has already shown that there has not. The press legislation was passed in the Majlis by 125 of the 215 members. What view is taken of independent journalists? Ayatollah Khamenei says that they are mercenaries who defend the position of the enemies of Islam and the Islamic revolution.

There is no press freedom in Iran. The decision of the clerical court on 9 July to ban *Salam* clearly shows what is happening. It was banned for

"violating Islamic principles, endangering national security and disturbing public opinion,"

even though it was an organ produced by reformist clerics who were seen as allies of President Khatami.

Is there increasing liberality? The fatwa against Salman Rushdie has been mentioned, but the position of the 15 Khordad foundation—a Government-organised non-governmental organisation that has recently increased the bounty on Rushdie's head—has not. We have heard about the suppression and oppression of groups such as the Bahais and the Jewish community, but not about the position of women and the repression that they still suffer in Iranian society.

What is the right level of engagement with the current Government of Iran? What can we do economically, culturally or diplomatically to promote human rights and influence Iran in the right direction without providing succour to a regime that has not shown the degree of liberality for which we had hoped?

Mr. Tam Dalyell (Linlithgow): The hon. Gentleman makes thoughtful speeches and is a careful man. What evidence does he have of the repression of women in Iranian society?

Mr. Heath: There is a considerable amount of evidence, not least from those women who are in exile from Iran purely because they cannot live under the regime. I know that the hon. Gentleman has great experience of the region and understands well the differences between the Islamic fundamentalist way of doing things and the western way. I appreciate that there are many ways in which we can be misled about the repression of women by overt symbolism rather than the genuine condition, but I believe that there is abundant evidence that Iranian society represses women.

We must recognise Iran's precarious geopolitical position. It sees itself as surrounded by enemies. Iraq is an ever present threat on its borders. I hope very much that the Government of Iraq will not take the present troubles in Iran as an opportunity to renew hostilities. Iran sees a Turkish-Azeri-Turkmen axis developing on its northern border and regards it as potentially hostile. It is also worried about Afghanistan.

Even taking all that into account, we must ask whether our Government's policy of constructive engagement is yielding the desired results. Are there ways in which we can encourage the small moves towards greater liberality without giving sustenance to the conservative elements in Iranian society?

I do not agree with the hon. Member for Erdington when he says that we should recall our ambassador. I think that Nicholas Browne has an important job to do and I welcome the fact that he is there. At this moment

above all, we need a British presence in Tehran to express our view about liberalisation and human rights. I do not by any means underestimate his task; he has an extremely difficult job, especially in the current circumstances.

There was a cartoon in *Le Monde* last week of President Khatami with one foot on a minaret and the other on a demonstrator's placard. That shows the position that he is attempting to adopt. It is a precarious and unsustainable position. The Government of Iran must decide where their future lies and whether they want to maintain a policy of suppression guided by the reactionary impulses of the mullahs or to embrace greater liberalism and democracy.

The test for our Government is whether the current policy is yielding results. That is always the test of constructive engagement. We now have annual human rights reports so that we can see the effects of our policies. The test for the Minister in replying to this debate is to show that we are getting results in Iran, and I suspect that he may find it difficult to do so.

The hon. Member for Chipping Barnet (Sir S. Chapman) made an important point about the position of Iran Aid, and I have had constituents write to me about that. At first sight, it is a puzzling situation. I would like it to be pure coincidence that, on 20 July, the Minister's predecessor announced a crackdown on Iranian dissident groups and three days later we had the action of the Charity Commissioners in the case of Iran Aid. Many people find it puzzling that, almost a year to the day later, there have been no replies from the Charity Commissioners about the alleged problems.

I hope that the Minister will be able to shed some light on the position of Iran Aid, because many people feel that something is not right about its treatment. It may be that the Minister cannot do that in the context of this debate, but I hope that he will find a way of letting the hon. Member for Chipping Barnet know the true position.

10.11 am

Mr. Tam Dalyell (Linlithgow): I am out of tune with virtually all that has been said in this debate and I had better present my credentials for saying that. Eighteen months ago, my wife and I went to Iran on holiday. In the circumstances, I should say bluntly that I accepted not a penny from the Iranian Government. The trip was organised by the British museum travel company. The deputy head of the western asiatic department of the museum was the guide to the party, and there were other Parsee speakers.

The hon. Member for Somerton and Frome (Mr. Heath) mentioned the position of women. My wife had to wear the chador the whole time, but the Iranians are a warm and hospitable people and we were able to speak to many women. It is an oversimplification to say that women are repressed in Iran. They are emerging quickly to positions of much responsibility, both in business and the public service, besides teaching. If comparisons are to be made with Pakistan, for example, it is clear that Iran is a very different society.

We must be careful about blanket condemnation of the mullahs. Terrible things may have happened in the past, and I do not doubt that recent events have been heart-rending. I can report to the House only my personal experience. I was involved in long conversations in the holy city of Qum with the mullahs. Some of them spoke English and we had translators for the others. Their attitude can be summed up in what one of them said to me. He said, "We love your Virgin Mary and we respect your Jesus Christ. It is only the British Government that we do not trust." That is a result of unfortunate relations between the countries that go back to the time of Dr. Mussadeq and the whole history of relations between Iran and the west.

Some of us hoped that there had been a great improvement. Since his name has been mentioned, I pay tribute to Mr. Ansari for the work that he has done in trying to bring about better relations, which have received approval in various Foreign Office statements. The Minister will know from his briefings that the late Derek Fatchett was becoming optimistic about relations with Iran.

I do not want to say that everything that my colleagues have said is wrong, but I will put one point to them. Iran has enormous problems. It is a very young society, with more than half the population under 15. On recent events in Iran, I just reflect that it is one enormous megalopolis. Given the heat in sweltering July—it is one of hottest Julys that they have experienced—one can understand why tempers are tinder-dry. That does not justify everything that may or may not have happened, but it behoves us to show some understanding.

I agree with the hon. Member for Somerton and Frome that the last thing we should do is withdraw our excellent former chargé d'affaires, now the ambassador in Tehran. I was on a private visit and did not meet our diplomatic staff, but their reputation among the non-political people we met in Iran is extremely good. The Foreign Office deserves all credit in that respect.

I say "in Iran" because we should be careful about distinguishing Tehran from the rest of Iran. Isfahan, Sharaz, Hamadan, Kashan and Tabriz are totally different from the capital city. It is a huge country and we should be careful about generalisations.

I have one request that may seem trivial in the face of the events reported today, but it is important. Iran contains some of the greatest remnants of ancient civilisations in the world. We had the good fortune to visit Persepolis and Passagardae in the south and Sulamaniyah in the north, and, because it was a cultural visit, we saw many of the old mosques. They are in a serious condition and anything that Britain can do to help to save them from road and pollution problems would be welcome. One of the tragedies of the awful Iran-Iraq war was that the oil refineries near the Iraq border had to be hastily moved to an area between Sharaz and Isfahan. The result was that Persepolis had never known pollution like it. In those circumstances, technical help from the west is urgently needed to save part of the history of Persia and of the world.

10.18 am

Mr. David Atkinson (Bournemouth, East): I congratulate the hon. Member for Birmingham, Hall Green (Mr. McCabe) on initiating this debate on Iran, which is timely in view of the student revolt taking place in Tehran, which may—as he suggested—prove to be a defining moment for that country. This debate enables me to refer to a parliamentary visit I made to Iran nearly four years ago. The conclusions I reached then are, I believe, even more correct today in the light of what is taking, and has taken, place in Iran.

[Mr. David Atkinson]

My conclusions, like those of the hon. Member for Linlithgow (Mr. Dalyell), are different from the negative approach that the hon. Member for Hall Green and others have adopted to our response to the political situation in Iran.

Like other hon. Members, my interest in Iran has been longstanding and was motivated by the appalling atrocities perpetrated by the ayatollahs' regime which overthrew the Shah, by its promotion of Islamic fundamentalism, its support for international terrorism, its intolerance of other religions and, especially, by its failure to protect its Christian citizens. In particular, I have been appalled by the testimonies of the members of the Bahai community, including some of my constituents who have sought my help over the years in obtaining visas for their families to be reunited in this country.

Because of my involvement with the Christian human rights organisation, Christian Solidarity Worldwide—it is well known to many right hon. and hon. Members, including the right hon. Member for Coatbridge and Chryston (Mr. Clarke) and my hon. Friend the Member for Southend, West (Mr. Amess)—I was approached four years ago by the then Iranian chargé d'affaires, Mr. Ansari, who has already been mentioned and is now the ambassador, when he told me that I should be aware that the regime was moderating its policies. I told him that I wanted an all-party group to go and see the situation for itself. He arranged for us to receive an invitation from the Majlis, the Iranian Parliament.

In the end, only two of us went. Others were warned off by the MKO, although our visit was welcomed by the Foreign Office. Our chargé in Tehran accompanied us to most of the meetings, to which he would not otherwise have had access.

Our programme was as we had requested. We wanted to pursue issues including human rights, women's rights, protection of Christians, the persecution of the Bahais, the Salman Rushdie affair, support for international terrorism, and so on. We met political Ministers, religious leaders, women's leaders, representatives in the Majlis, people from the media and business, and many others.

We did not mince our words with the regime. We said that as long as the Majlis was subject to scrutiny and veto under the law of shariah, as interpreted by the council of guardians, there could be no tolerance, freedom or democracy in Iran.

We were also surprised to find that embryonic party groups had established themselves in the Majlis, and that there existed an organisation for defending victims of violence and prisoners of conscience. There was a growing role for women in all walks of life, including the legal profession and the judiciary. There was also a tolerance—within limits—of Armenian Orthodox Christians, who make up the largest Christian community and who are part of Iranian heritage and tradition.

I concluded that what we found had the potential and momentum for considerable progress to be made, given the right climate. Although we perceived no tolerance for the Bahais, we obtained invitations for CSW and other human rights organisations to make fact-finding visits similar to ours, and for Amnesty International to investigate internally the veracity of its reports on behalf of the MKO.

Everyone we met in connection with the issues that were of importance to us emphasised that dialogue and contact were more conducive to change than is international isolation. That is why I urge support and encouragement for those internal forces pressing for reform in Iran.

I also wish to press for a visit by the all-party British-Iranian parliamentary group, which I believe is chaired by the hon. Member for Leominster (Mr. Temple-Morris), to develop contacts with the Majlis. I found that there was an interest among the Majlis in establishing an Iranian-British parliamentary group. I also urge support for fact-finding visits to be undertaken by CSW and Amnesty International on their own terms, as I was promised.

Moreover, minorities such as the Armenians, Roman Catholics and the evangelical Christians need to be supported and shown that they are not forgotten. Personal contact in Iran and in Britain is the best way to achieve that. Visits for religious conferences, for example, should be classified as acceptable for the issuing of visas to Britain. However, I agree that, as long as Iran discriminates against and persecutes the Bahais and those who convert from Islam to Christianity, it cannot be fully accepted into the international community.

Since my visit four years ago, there has been some encouraging progress, most notably that achieved since the election of President Khatami, who promised to make Iran a more democratic and pleasant place. He has used his popular support cautiously to test the limits of the clergy's tolerance, although regrettable problems still arise—the mayor of Tehran was imprisoned, there was a clampdown on the Bahai institute of higher education—an organisation similar to our Open university—the leading liberal newspaper *Salam* was closed, and recently there have been arrests of Iranian Jews.

I have signed early-day motion 712 on the Jewish community in Iran, but it would be wrong to make judgments until all the facts and evidence are known. In any case, I do not consider that the continuing pressure for reform in Iran and for the introduction of liberalisation—to which I believe President Khatami is genuinely and courageously committed—will be better served by boycott, sanction, isolation and support for the MKO-NCRI.

We should encourage Iran to expand its economy, increase its trade and open up to the real world. That will allow prosperity to grow and will extend the western influence so long denied by the Ayatollah's regime. I urge the hon. Member for Hall Green and those who have supported him in the debate to go to Iran. They will then see for themselves that although the country that they describe remains unacceptable in many ways, it is moving in the right direction. Such visits can only add to the momentum for change.

10.25 am

Mr. David Amess (Southend, West): I seem to have won the booby prize in this debate, as my hon. Friend the Member for Bournemouth, East (Mr. Atkinson) is a very great friend of mine. We did not compare notes beforehand, and it is clear that our views are rather different. However, I recognise that he is an expert on the question of human rights, and I shall certainly not dismiss what he has said.

I congratulate the hon. Member for Birmingham, Hall Green (Mr. McCabe) on securing this debate. I offer him my sincere praise for his splendid and brave speech, and I agree with every word that he uttered. I also thought that the hon. Member for Birmingham, Erdington (Mr. Corbett) made a splendid speech: he and I had the privilege some weeks ago of addressing a conference on these matters.

I do not want to get involved in the politics of the matter, but the new Labour Government flagged up—in a most immodest way—the notion that their foreign policy would be different from that conducted in the 18 dreadful years of Conservative Government. The new Government said that they would adopt an ethical foreign policy, and although the Minister of State is fairly new to his job and may make some barbed comments about policies that I have supported, I seek from him a defence of the Government's approach.

The hon. Member for Linlithgow (Mr. Dalyell) disputed the suppression of women in Iran, but how can the Government's foreign policy be considered ethical in the light of what it condones in Iran? We are approaching the millennium, but in the four years of President Khatami's rule there have been 420 executions and 10 public stonings. Women are suppressed and religious minorities persecuted. There have been 47 political killings, in Iran and abroad. In crackdowns on Tehran university students, several have been killed and thousands wounded, while 1,000 have been arrested. In the past month, the number of fingers cut off men amounted to 21.

What has any of that disgraceful story got to do with the Government's ethical foreign policy? I am sure that the Minister of State will argue that the new regime should be encouraged, as my hon. Friend the Member for Bournemouth, East suggested, but I do not accept that.

I hope that the Minister will explain why the Labour party has changed its view on the matter. There is no dispute that the Labour party formerly practically recognised the National Council of Resistance as the democratic alternative to the clerical regime. In 1984, the NCRI's representatives were official guests of the Labour party. The council's president, Massoud Rajavi, visited the UK at the invitation of the then leader of the Labour party, Mr. Neil Kinnock. In 1985, Mrs. Rajavi was officially invited to the Labour party conference, where the Labour leader declared the party's support for the NCRI, and specifically lauded Mrs. Rajavi's efforts towards the establishment of democracy. That cannot be disputed. It happened, and although there was a huge intake of new Labour Members at the general election, many of those involved in those events are still Members.

Relations continued until 1997; that, too, is indisputable, because the Labour conference adopted a resolution that condemned the Iranian regime and Khatami and supported the Iranian people's resistance. The Foreign Secretary was in the chair when the resolution was discussed, and it was later endorsed by Labour's national executive committee. Given the Government's style, I cannot believe that they had not carefully thought through what the NCRI was all about. The Foreign Secretary, at least, must have known.

What has changed since Labour came to power? I am puzzled. I am perhaps lowering the tone of the debate by saying all this—

The Minister of State, Foreign and Commonwealth Office (Mr. Geoffrey Hoon) *indicated assent.*

Mr. Amess: The Minister seems to think so, but why should I not lower the tone? The Labour Government support an ethical foreign policy, but there is nothing ethical about events in Iran over the past four years, and nor is Labour's change of policy ethical.

We are told how splendid it is that political parties, including the Servants of Construction and the Islamic Iran Participation party, were licensed in 1998. But my research shows that those parties are factions of the ruling regime. To wheel them out as examples of improved democracy is a load of garbage. We are told that the Islamic Council's elections are a sign of change in Iran. The Government peddle the official line that the first local elections are due this month to put power in the hands of the people. But there is plenty of evidence to confirm that the elections are not free, and they cannot be construed as restoring freedom or transferring power to the people.

I fully accept all that my hon. Friend the Member for Bournemouth, East said, and he and I may discuss these matters privately. However, regardless of what hon. Members may wish, the situation on the ground demonstrates that the Iranian Government are unstable. The hon. Member for Hall Green did not know when he asked for this debate that the current events would be happening in Iran, and he has given the Minister a wonderful opportunity to put his feelings on the record. It would be a mistake to believe that our support for Khatami will save or moderate the Iranian regime. That approach would merely tarnish our relations with the Iranian people and drive them towards more anti-western radicalism.

Some of my critics may say that my highly partisan contribution has lowered the tone of our debate, but I am glad to have put on record the paradox that the Government who believe in an ethical foreign policy are not pursuing one in Iran. For the sake of decency, will the Minister say something supportive about the resistance movement?

10.34 am

Mrs. Cheryl Gillan (Chesham and Amersham): I congratulate the hon. Member for Birmingham, Hall Green (Mr. McCabe) on obtaining this debate. He speaks from the heart, and I can take something from his speech, and from all the others that we have heard, even if I do not agree with all that has been said. The hon. Gentleman has given the Minister of State a golden opportunity to set out the Government's attitude to current events in Iran. On the press wires this morning, I read that the United States of America has called on the Iranian Government to protect the student demonstrators against repression, and I hope the Minister can tell us what action our Government are taking in response to the alarming reports and frightening pictures of the past 48 hours.

My hon. Friend the Member for Chipping Barnet (Sir S. Chapman) spoke briefly but powerfully about Iran Aid, the charity based in his constituency which helps children. The attempt to discredit it is well known, and I

[Mrs. Cheryl Gillan]

hope that the Minister will tell us what he knows about that. The hon. Member for Birmingham, Erdington (Mr. Corbett) also spoke forcefully about what he sees as a lack of progress in Iran, particularly the retrograde step of legislating to curb the press that has resulted from recent events. Will the Minister comment on our Government's attitude towards that legislation?

The hon. Member for Linlithgow (Mr. Dalyell) makes a measured and thoughtful speech in every debate in which he participates. He speaks from great personal experience; unlike him, I have not travelled to Iran. I always listen carefully to him, but he and I must part company on the subject of women. I had some ministerial responsibility for women during the previous Government, and I know from my extensive reading that the treatment of women in Iran is reprehensible. Adultery is still punished by stoning. In a court of law, the testimony of a man is automatically taken over that of a woman. It takes two women to challenge the statement of a man. That cannot be right in a modern society in the modern world.

I should like to know whether in his visits to Iran the hon. Gentleman saw separate entrances for men and women to government institutions, universities and airports. Women are often searched for cosmetics, and it would be interesting to hear whether the hon. Gentleman can confirm what I have read. If those things happen, they must be condemned out of hand. I could give many more examples.

Unlike some hon. Members, I believe that there is much reason for hope in Iran. Two years after his election victory, President Khatami has indicated that he would like to move towards the tolerance and political liberalisation which could form the bedrock for transition to an Islamic democracy. There is much room for progress, although the hon. Member for Linlithgow was right to say that women have moved into senior managerial positions and that the doors have been opened a little, if not yet enough. That is a glimmer of hope.

The United Kingdom has improved its bilateral relations with Iran, not least because of the progress made in the holding of elections and in the regime's move from confrontation towards international tolerance and reconciliation. Relations with Saudi Arabia have been rebuilt, which amounts to a striking difference from the policy of previous regimes. The fatwa imposed on Salman Rushdie was a major stumbling block for the UK, but its lifting resulted, rightly, in a symbolic upgrading of diplomatic relations to ambassadorial level.

I would however like the Minister to comment on the points that hon. Members have raised about the fatwa on Salman Rushdie. President Khatami has certainly tried to change direction, not least because he recognises the need for foreign investment and the fact that it will not be forthcoming unless there is radical change. There has been some increase in press freedom, despite recent events, and certain powers have been decentralised in the President's attempt to reposition Iran both regionally and internationally.

Therefore, on the whole, I want to be optimistic; but I certainly do not want to be less than realistic about the barriers that still exist and which hon. Members have touched on today.

Iran has huge assets of oil, gas and other minerals, a reasonable education system and a significant business and industrial base. However, as the hon. Member for Linlithgow (Mr. Dalyell) said, Iran is a young nation. The population has doubled in 20 years and to improve the standard of living for Iranians will require some drastic economic reforms and ambitious targets.

There have been some moves towards privatisation—the buy-back contracts for oil and gas, for example—but the process is not far advanced and will certainly need to be progressed to attract investors. I want the Minister to tell us how he sees the economic future for Iran and the trading possibilities for this country with Iran.

Despite the progress that I have mentioned, there are still some dramatic questions about Iran, not least major human rights issues. An article by a journalist called Adam Indikt last week started with the recollection of a conversation that he had had with an Amnesty International worker. When he asked for the most recent report on human rights in Iran, the worker replied, "What human rights?"

One of the most prominent cases has been the arrest of the 13 Jews from Shiraz and Isfahan in southern Iran, who were accused of spying for the Zionist regime and world arrogance. I want to know what the Minister has done about those arrests. What representations has he made to the Iranian Government? Benjamin Netanyahu, in association with Prime Minister Barak, has contacted the Prime Minister on the issue, but I hope that the Minister will be able to tell us what progress our Government have made in making representations about the arrests, and whether the Prime Minister has made any representations to the President of Iran.

Obviously, there are questions concerning the outcome of any trial, but the Minister is on record as saying:

"Clearly, if they"—

those Jews—

"are . . . put on trial we and other members of the international community will be monitoring that trial very carefully."

If possible, I want the Minister to say today how he anticipates such monitoring taking place and how he will make strong representations on behalf of those detainees and their families, as he and the Prime Minister have been requested to do.

In my constituency I have a community of Bahais. The attitude of the Iranian authorities towards the Bahais is no secret. Hon. Members mentioned that today—not least my hon. Friend the Member for Bournemouth, East (Mr. Atkinson), who made an excellent speech that was both optimistic but critical and realistic, and my hon. Friend the Member for Southend, West (Mr. Amess). The Bahais are a gentle people. They do no harm to anyone. They are good people and yet they suffer the most amazing oppression and are harassed solely on religious grounds. Again, I hope that the Minister will tell us what progress he has made with representations on behalf of Bahais who are so concerned about their relations in Iran.

There is an awful lot for the Minister to pick up and I am conscious that time is moving on. Although I would like to mention weapons of mass destruction, the development of the nuclear programme and the security of the region, I want to give the hon. Gentleman time to respond to the various questions from both sides of the Chamber.

I expect the Government to pursue all avenues that are of interest to British citizens and are in the interests of this country. However, I hope that the Government will not lightly dismiss the serious issues of human rights, the proliferation of weapons in the region, and the freedom of information and speech; and that they will have the courage to speak out whenever necessary, using their new-found diplomatic status with Iran. I hope that the Minister will be able to give us the comfort that we have all sought in this debate.

10.45 am

The Minister of State, Foreign and Commonwealth Office (Mr. Geoffrey Hoon): I am grateful to my hon. Friend the Member for Birmingham, Hall Green (Mr. McCabe) for this opportunity to discuss the Government's policy towards Iran and I congratulate both him on the topicality of his choice and other hon. Members on their contributions.

The Government pursue a twin-track policy towards Iran, in line with our European Union partners, encouraging the reforms under way there while maintaining significant pressure on areas of concern. We believe that it is right to pursue a better relationship with Iran, but recognise that there will be obstacles to be overcome.

Events overnight give further cause for concern and we will continue to monitor the situation closely. Notwithstanding those concerns, there have been positive developments in Iran in the past two years. The Iranian Government under President Khatami have undertaken a programme of significant change—enforcement of the rule of law, facilitation of freedom of expression and a more open and co-operative foreign policy.

The Iranian Government have made significant progress with that programme. The effort to establish a civil society based on the rule of law has also made progress. Democracy has been extended. The first local elections took place on 26 February and showed overwhelming popular support for the reforms that are taking place. The Iranian Government are steadily improving their relations with their neighbours, in particular in the Gulf, which is an especially welcome development. Iranian co-operation is vital for future stability in that region.

The views of my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) notwithstanding, real progress is being made towards freedom of expression. I hope that he will accept that that is exemplified by the profusion of hundreds of new publications dealing with a range of previously sensitive subjects. About 200 new publications opened between May 1997 and December 1998. There has been a significant increase in their circulation and the clear majority support reform.

Mr. Tom Clarke: When I last spoke with the late Derek Fatchett, I got the impression that he had the possibility of a ministerial visit in mind. Has my hon. Friend had the chance to think about that possibility?

Mr. Hoon: That possibility is still in mind and we will consider it carefully, depending on the circumstances and when appropriate dates can be arranged.

The trend towards more open press discussion is apparently irreversible. My hon. Friend the Member for Erdington mentioned the closure of certain publications, but many of those reopened under a different name, so a vigorous debate is taking place in the press. Any examination of those publications demonstrates that previous issues, including human rights, which could not have been discussed are now openly discussed in a vigorous and lively way.

Reference has been made to the local elections and I am sorry that my hon. Friend the Member for Erdington was rather disparaging about them. The reality was that they were vigorously contested. There were real candidates on both sides and male and female candidates participated, offering a lively political debate to the Iranian people.

Mrs. Gillan: Before the Minister moves from the subject of the press, will he comment on the reasons for the court closing the liberal *Salam* newspaper on 7 July and the new legislation that has been introduced to curb Iran's free press? That is a retrograde step and I want to know the attitude of the Minister and our Government to it before he leaves his passage on the media.

Mr. Hoon: I am grateful to the hon. Lady for those observations. I will not pretend—nor will the Government—that all developments take the same direction. Some developments are positive, but I realise that, in a fast-moving situation—especially recently—there are retrograde steps, as the hon. Lady says. However, there is also progress; I want to get that message across.

There is a debate. Candidates were elected because they represented reformist views and because they stood against candidates who represented more conservative views. The political parties established in Iran will not be of the kind that we are used to in this country, but that does not mean that there is not a vigorous debate between those who want greater reform and those who take a more conservative approach. Reformist candidates won about 70 per cent. of the votes in the local elections.

A matter of great symbolic significance is the arrest last year of a number of officials from the Ministry of Intelligence for the alleged murder of some intellectuals. The Minister of Intelligence was dismissed, and a senior police officer was tried on allegations of torture. That demonstrates that the Iranian Government will not tolerate extra-judicial murder or activity outside the framework of the law. It is right to mention those matters because their symbolic significance cannot be overestimated. In recent weeks, the Iranian Government have again stressed the importance of building solid political and civil institutions to underpin their domestic reform agenda.

Several hon. Members have rightly expressed concern about the demonstrations in Iran during recent days. Pro-reform demonstrations led by students began in Tehran last week, and spread to other cities in Iran. Attacks on those largely peaceful demonstrations were condemned by the Iranian Government at the time. However, tension has increased and, overnight, there has apparently been a regrettable increase in violence.

I hope that hon. Members will accept that it would not be wise or sensible of me to comment on those fast-moving and complex events. I emphasise that it is

[Mr. Hoon]

primarily a matter for the Iranian people to resolve within Iran. However, we urge all groups in Iran to refrain from violence. Today, I have been in touch with our embassy in Tehran, and we have been kept informed of events as they developed. The picture is far from clear, but the Foreign Office will be issuing updated travel advice for Tehran.

That is one side of the picture. I accept that outstanding concerns remain about Iran's human rights record. The Government believe that human rights are an important component of our foreign policy. Our policy towards Iran takes full account of the human rights situation there. Both in our bilateral dealings and in the EU's dialogue with Iran, we support and encourage change and, whenever appropriate, take up particular human rights issues.

Most recently, we have been anxious about the detention of several members of the Jewish community on espionage charges. As my hon. Friend the Minister of State told the House on 5 July, we and our EU partners have raised those concerns with the Iranian authorities. Before that news broke on 7 June, the German EU presidency, on a visit to Tehran on 20 May, had already expressed the concern of all EU member states over those detentions. That was followed up by a formal EU representation in Tehran on 30 June. On 10 June, I made a statement expressing the Government's concern about the detainees. On 1 July, I invited in the Iranian ambassador, and pressed for a fair trial, access for visitors, and legal representation. I understand that visits have now been allowed.

Many of our EU partners have taken similar action. Our ambassador in Tehran has also raised our concerns bilaterally with the Iranian authorities. We welcome the Iranian Government's recent confirmation, following those arrests, that they are responsible for individuals of every religious persuasion in Iran—specifically including the Jewish community—and for guaranteeing a fair trial. We shall continue to monitor the situation, and will take further action as necessary. Our priority will be action that is most likely to help those who have been detained.

The hon. Member for Bournemouth, East (Mr. Atkinson) raised the position of the Bahais. Persecution of the Bahai community in Iran has been of serious concern for some time; I assure him that that remains true. We and our EU partners have raised those questions with the Iranian authorities on many occasions. Persecution of individuals on religious grounds is totally unacceptable. The EU-sponsored United Nations Commission on Human Rights resolution on Iran, adopted on 23 April, once again reaffirmed international concern about the plight of the Bahais.

The hon. Gentleman also spoke about the Christian community in Iran. Like the Jewish and Zoroastrian communities, that community is recognised under the Iranian constitution and represented in the Iranian Parliament by a dedicated deputy. Christians are free to practise their religion. However, they have faced persecution in the past, and we and our EU partners continue to monitor developments.

The hon. Member for Somerton and Frome (Mr. Heath) mentioned the position of women—as did the hon. Member for Chesham and Amersham (Mrs. Gillan). There have been some important developments for women in Iran. Despite some legal constraints on the jobs that women can undertake, they play an increasingly visible and active role in Iranian politics and society. Over the past two years, we have seen the appointment of Iran's first four women judges and the first woman vice-President. Female candidates were particularly successful in the local elections on 26 February; in Tehran, two women won the third and fourth largest number of votes—recording more than 700,000 votes. There has been some progress. Women were also elected in several other cities.

However, it is important to emphasise that much work remains to be done. We and our EU partners will continue to encourage Iran to resume co-operation with human rights mechanisms, especially through the UN. We are keen that the visits of the UN special representative, Maurice Copithorne, should be resumed. We shall continue to maintain pressure on Iran through UN resolutions, where appropriate. Such resolutions record progress, but they also point out abuses.

Mr. Corbett: Will my hon. Friend comment on the point that I made in relation to his Department's support for the 25th international trade fair in Tehran, given his magnificent withdrawal of support for trade between this country and Burma?

Mr. Hoon: My hon. Friend is too experienced a Member of the House to believe that it is possible to make neat comparisons between different countries. The hon. Member for Chesham and Amersham raised the question of trade, so this is an appropriate time to deal with it.

Iran is already an important market for many UK companies, especially those involved in the manufacture of capital goods. There are substantial exports and a considerable interest in trade with Iran; several outward trade missions and exhibitions will take place during this financial year. That benefits UK companies, and will go a long way towards rehabilitating the UK-Iran relationship.

My hon. Friend the Member for Hall Green and others have spoken of Salman Rushdie. Last September, the Iranian Foreign Minister made an unequivocal statement of the Iranian Government's position on the threat to Salman Rushdie, and made it clear that his Government will take no action whatever to threaten the life of Salman Rushdie or anyone associated with his work; nor will they assist or encourage anyone else to do so.

The hon. Member for Chipping Barnet (Sir S. Chapman) raised the subject of Iran Aid. That is a matter for the Charity Commission, which has been conducting a statutory inquiry into the charity. Although it is not a matter for Ministers, I shall of course be delighted to discuss it in more detail with the hon. Gentleman.

The Government remain committed to the development of our relations with Iran, and we find encouragement in the reformist policies of the Government of President Khatami. We will continue to encourage those reforms, while pressing for improvements in those Iranian policies that cause us particular concern. We believe that policy to be right, and intend to continue to develop our relationship, to the benefit of both nations.

Urban Renaissance

11 am

Mr. Anthony Steen (Totnes): Here we go again: the same Minister, and the same hon. Member trying to persuade the Government to do better, to do more and to do it quicker. I am glad that the Minister for London and Construction has heard my previous speeches because we have known each other for a long time and he knows that I hold his job in high regard, and him in relatively high regard too.

We must congratulate the Government on commissioning "Towards an Urban Renaissance", and Lord Rogers on a tour de force. The report contains the same aims and ideals to which we all aspire and which were well rehearsed at the Rio Earth summit in 1991, where "sustainable development" and "integration" became the new buzz words.

Many of the conclusions in "Towards an Urban Renaissance" are similar to those in my book "New Life for Old Cities", which I published in 1982. My book only received coverage in the leader in *The Daily Telegraph*; it was not launched as dramatically as the Rogers report, and I did not have such a distinguished team of advisers. However, much of the report draws comparisons with my work of the early 1980s. During the intervening 17 years, the problems, strangely, have remained, and solutions still need to be found.

I was an inner-city Liverpool MP for nine years and have been an MP for south Devon for 15 years. In addition, I have worked as a social worker, community leader, youth worker and director of two national charities, one of which was launched by the then Prime Minister, Harold Wilson, in the late 1960s. The House may therefore feel that my experience has some relevance.

Every Government, for as long as I can remember, have launched urban initiatives with a fanfare of trumpets and announcements from the Front Bench. In the '60s and the '70s, there were social programmes. I believe that the Minister worked in the voluntary sector at the time, and he will remember the urban aid programme and its good work; the community development project; educational priority areas; and 1,001 other schemes with similar names.

The '80s saw a shift from social schemes such as the community development project to economic schemes. There were public-private partnerships to assist in urban regeneration. "Partnership" was the buzz word of the '80s. Free ports, development corporations and enterprise zones were dotted all over the country. In the early '80s, we saw my right hon. Friend the Member for Henley (Mr. Heseltine) swinging—if that is the appropriate term—into Merseyside, where he sought to inject new private finance. I remember that he frequently held breakfasts with the leaders of all the political parties. As I was the sole Conservative there, I always felt slightly left out because I was not asked to those breakfasts. If my right hon. Friend cannot achieve an urban renaissance, who can?

The Rogers report highlights the fact that in England, urban areas account for 90 per cent. of the population, 91 per cent. of the economic activity and 89 per cent. of the jobs. Unemployment in the inner cities runs at almost double the rate elsewhere, and 1.3 million residential and commercial buildings are currently empty. It is no wonder that, according to the report, one in four people living in urban areas thinks that things are worse there. The problem of lack of public transport is well rehearsed and it is high on the agenda.

In the late '80s, the cry went up, "Let's utilise derelict public land for urban regeneration." Our Government introduced the public land register to identify land for that purpose, and about 200,000 acres was identified. However, privatising the major public utilities—British Rail, gas and the water companies—to which much of that land belonged meant that land passed from public to private ownership overnight, so the public land register figures decreased dramatically as the privatisation of those utilities went ahead. We do not have much idea of the extent to which there is private vacant land because there is no register for that. We do not know exactly how much public vacant land there is—although we have a very good idea—because the register was closed in 1996.

One way to ensure that land is used, whether it is public or private, is to penalise financially those who hold on to it for commercial gain, rather than commercial use. Business rates could be doubled every year as long as the land remained unused without good reason. Although that sounds a draconian suggestion, the only way to ensure that private and public vacant, derelict or dormant land is used is to take a stick to the landowners to encourage them to develop their land. The best way to do that would be to use the business rate mechanism to punish them. There are so many thousands of acres of under-used land in cities that the idea strikes me as fitting in well with the Government's policy that 60 per cent. of all new house builds should be on brown-field sites.

The Rogers report is a wish list of things that cannot be achieved without political will. Regeneration cannot take place only with public money. Partnerships between the public and private sectors are a start, but without the political will, they are not enough. In addition to having the political will, we must lift the restrictions and burdens that suppress enterprise. We cannot change the location of Liverpool, which faces the United States, not the European Union. Nor can we change the pattern in which freight now comes by air rather than sea. The real change is to cultivate and sustain the enterprise culture, while protecting the community from possible abuses.

If our principal cities are to be places to which people will return to live and work, we must do more than tinker with the edges of council estates or refurbish listed buildings. If we are to inject enterprise so that our cities buzz like Hong Kong, we have to start by changing the attitude of the people living in those cities. There must be fewer rules, fewer regulations and fewer restrictions to inhibit enterprise. In effect, I am calling for a cultural sea change. The Government can provide the basic infrastructure and the climate in which city regeneration can and should happen.

Approximately 50 per cent. of the population of Liverpool, Newcastle, Manchester and Glasgow has poured out of those cities since the end of world war two. The principal reason for that was the demolition of the inner-city slums and the cry that we must provide "homes fit for heroes". As the bulldozers smashed slums in the inner [illegible] new slums were being built on the outer edges of c[illegible] e inner city remained a repository for the old, the une[illegible]oyed and immigrant communities, whereas the outer city was [illegible] upwardly mobile, younger people who moved there from the inner city but created new slums on

[Mr. Anthony Steen]

the arc of council estates that surround many of our principal cities today. London may be the exception, but by and large people prefer not to live in inner cities, regarding the new towns and green-field sites as attractive places to bring up their families. If we want to make our inner cities comparable with Boston, Baltimore and Atlanta, there has to be more than the will; we need a financial carrot so that if the developers develop inner cities, they get the cream and strawberries, but if they build on green-field sites, they pay a financial penalty. There has to be some incentive.

The whole House—certainly the Conservative party—was disappointed that the Chancellor did not include that in his Budget, as we were all looking to him to carry out what we thought was the Government's policy towards urban regeneration and give people incentives to build in inner cities. The Rogers report also makes that point.

Local authorities cannot be expected to put the cities right. Their track record, however well-meaning, has been rather lacklustre. They are capable of spreading butter on the bread, but they have no idea about the ingredients or about how to bake the bread. It is not their fault; it is simply not their job.

Lord Rogers's report lacks the political dimension without which the possibility of many of his recommendations being put into practice is unlikely.

Urban regeneration will not happen without a cultural and economic sea change. That entails a shift from increasing centralisation and enforcement to spreading responsibility and opportunity across an entire community. Downtown Atlanta is exciting and vibrant because the neighbourhoods hold real political clout and power and the mayor, who is the chief executive as well as the political leader, has maintained strong links with business communities, enabling him to drive through billion-dollar programmes to rebuild Atlanta. Did any of the money come from central or local government? I think not. It came from lifting restrictions and offering incentives to private enterprise. Britain lacks the climate in which cities can revive themselves.

The United States has offered real tax breaks and virtually no planning constraints, bar certain regulations ensuring that new buildings are safe. By constraining developers, British planners have unwittingly colluded with bad design and, in addition, have imposed their limited vision on our entrepreneurs, innovators and developers. If developers were given free rein, they would not build ugly buildings, because ugly buildings do not sell. They would build attractive buildings with high-quality design, because bad design does not sell. The market will see to that. Good design will sell. In any case, one can hardly imagine any of our major cities looking any worse if they did not have planning restrictions. Some of them look disgraceful despite all the planning restrictions that have been passed down over the years.

Each year, the Scrutiny Committee, on which I have the honour—I am not sure that it is a privilege—to serve, approves around 2,200 rules and regulations from Brussels, each of which has some tiny impact on our daily lives. Those rules and regulations add layer after layer of additional bureaucracy. Additional fire, health and hygiene regulations make the regeneration of our cities that much more difficult, and there is no limit on public funds to be found if one shouts any of those three buzz words. There is always public money to deal with a fire risk, a health hazard or unhygienic conditions.

Cities such as Liverpool cannot be revived so long as there are competitors that are better placed to attract new enterprise. The Chancellor had an opportunity to offer in his Budget incentives linked to regeneration. The Rogers report relies heavily on local authority initiatives, assuming that local authorities are the engine for regeneration. Local authorities cannot take on that burden, largely because their traditional and accepted role is that of agents of Government. They merely do what they are told and the Government pay them. They have very little scope for enterprise, as they have very little money left over. Their hands are tied by central Government and they have very little spare cash, as most of their resources are spoken for by salaries. They may have a few bob left over, but they cannot fund massive change and city regeneration.

Where neighbourhoods are revived, it is usually because of a few exceptional leaders or an injection of special help such as the projects in the 1960s and 1970s initiated by Labour and Conservative Governments. Regrettably, people in the poorest areas have become too dependent and expect the state to do whatever is necessary to look after them. What I call the council estate mentality presents a problem for urban regeneration. In the inner cities and elsewhere, it robs people of the emotional ability to change the location and environment in which they live. They are totally unhelped by their local authority, often for good reasons.

Instead of public officials in town halls dealing with thousands of people in the community, we need those thousands of people to be active and fewer officials. In fact, if local government were scaled down, with correspondingly less bureaucracy and fewer rules and regulations, that might be sufficient to kick-start urban regeneration and self-help. Creating an elite to deal with urban regeneration and ordering change, as Rogers has proposed, is unlikely to do very much, but if planning regulations were lifted and taxation dramatically reduced, inner-city regeneration would occur spontaneously.

There is a new joker in the pack, and I am not referring to the Minister—although, if the hon. Gentleman plays it properly, it could be the catalyst for urban regeneration and inner-city revival: it is the 4.4 million new homes that were planned to be built by 2011. The Government have quite rightly reduced that number to 3.8 million, and I welcome that. The last place that such homes should be built is in the countryside, however; they should be in urban areas. That is why I welcome the Government's commitment to building 60 per cent. of new homes on brown-field sites—the sites that I identified in another of my excellent publications in the late 1980s, called "PLUMS—Public Land Utilisation Management Schemes". I proposed a glorious auction whereby every bit of vacant public land would be sold to the highest bidder with a covenant that they had to develop it within two years. Sadly, that did not happen, although it nearly did, as I shall explain in a moment.

Mr. Adrian Sanders (Torbay): Before the hon. Gentleman moves on, I have read his booklet, "PLUMS". What he suggests is very close to the idea of site value rating. Does he consider that the taxation of the value of sites in a number of cities overseas ensures that

brown-field sites are developed? Will he also congratulate the local authority, a quarter of which is in his constituency, on achieving well over 60 per cent. of new house building on brown-field sites?

Mr. Steen: The hon. Gentleman always has a little dig. It is clear that he would like me to congratulate the Liberal local authority on achieving 60 per cent. brown-field site development. Whatever the political complexion of a local authority, if it achieves 60 per cent. it has done very well. However, local authorities must do a little better. I hope that with the hon. Gentleman's help—and a quarter of mine—we might be able to get the Torbay unitary authority up beyond 60 per cent.

A problem with site valuation that is tied up with all the rules and regulations is historical value. A great deal of land has a value on it which it cannot command. If the Government and local authorities remain committed to historical value, they will not be able to get rid of it. I have a feeling that it is not possible to write down values at local authority level if they have reached an astronomically high level as a result of historical increment. That may need to be considered in the context of brown-field site development. Is that what the hon. Gentleman was considering?

Mr. Sanders: No. This is becoming quite an interesting debate—certainly between the hon. Gentleman and me. Putting a tax on the value of land to ensure that it is properly developed is a way of reducing the number of derelict sites in inner cities. I have in mind particularly taxing boarded-up shops, which are subject to a council tax reduction. Yet that reduction in footfall affects neighbouring businesses. That seems unfair to businesses that are still trading.

Mr. Steen: On this occasion, the hon. Gentleman has made rather a good point. All devices need to be considered to ensure that urban regeneration is occurring in the round and not only where there are individual Government projects. I welcome the hon. Gentleman's intervention in this instance and I hope that the Minister may be able to throw some light on the point that he has made.

I have mentioned the need for 60 per cent. of new developments to be on brown-field sites. I move on to the Government's consultation paper, planning policy guidance note 3. The new word is PPG3. As I walk down the Corridors in this place I hear colleagues asking, "What is going on with PPG3?" I hope that the Minister will tell us what is going on with it. There is a high level of expectation that any day now—I hope that it will be today—he will say something meaningful about the implementation of PPG3. I think that it is an excellent document. It was discussed widely throughout the country by interest groups, forums and focus groups. Many groups throughout the country were concerned that the Government should get PPG3 right.

The document contains a rather unusual idea—a sequential approach to building. I have never seen it before and it is extremely interesting. If the Government pull it off, it could be the beginning of a 20th-century urban renaissance. The idea is that green-field development would be halted until city sites had been used up. That would force developers to fill unused, under-used, vacant, dormant and derelict land in both the public and private sectors. If that was accompanied by tax incentives, urban regeneration would really take off.

If anyone doubts that successive Governments have failed, they should study the population shifts in our major cities. In the 1950s, Liverpool and Manchester were each represented by 11 Members. At the 1997 general election, that number had declined to five. The populations of Manchester and Liverpool declined by more than 50 per cent. between 1950 and 1997. Other principal cities throughout the country showed similar trends.

Developers need to be directed both to the inner city and the outer city. Some of the worst conditions remain in the outer city. There needs to be a central Government commitment to renew antiquated infrastructure. Rail links are only just able to cope and they are often unreliable. Main downtown stations are not properly served. If people are to flood back to the cities, the public sector must dovetail with private enterprise to provide the necessary schools, hospitals and recreational facilities. I am at a loss to understand why the Government have gone on talking—perhaps they have not, but we have—about road building. Why do we not have new rails? Instead of having new roads planned, why do we not ensure that in the next 10 years new railways appear throughout Britain? That is what I would like to see.

Mr. David Drew (Stroud): Is that the new deal for the motorist?

Mr. Steen: Let us not worry about that. Let us worry about a new deal for the railways.

There is no point in building in the inner city if people have to commute to the outer city, to motorway intersections where many of the new business parks are located. The mismatch is a national problem. People criss-cross cities throughout the country and beyond, spending hours travelling in opposite directions, when the job could be just down the road. Jobs should be closer to home or people should be working at home.

Some say that high-rise flats are things of the past. However, high-rise, high-density housing can be beautiful and can provide alternative high-quality living. It is to be found throughout Europe and in the capital cities of the world. Middle-income earners will buy such properties, even on the 18th floor, if the flats are properly managed and there is a swimming pool and, particularly, a gym. Such housing needs to be well designed and made of high-quality materials and located in a community that is vibrant, exciting and safe.

Every Government, from Wilson's to Thatcher's, and including the new Labour Government, have initiated an urban inner-city strategy. However, they have been piecemeal and have succeeded only spasmodically because they have been based on small projects rather than on the social and economic regeneration of our cities. The best way of regenerating run-down cities is to offer special incentives to developers as well as additional financial incentives to those who choose to live in areas such as Brixton in London, Toxteth in Liverpool and Moss Side in Manchester.

There are fairly radical views that could be laughed at, but I do not see why. For example, what I said in the 1980s about selling off derelict land was laughed at. I wrote my book "New Life for Old Cities" 17 years ago.

[Mr. Steen]

People said that what I advocated could not be done. Seventeen years later, however, people are now asking, "Why cannot we give tax incentives to those people who live in the poorest parts of a city?" Instead of paying 20 per cent. tax, they would pay 10 per cent. There would be an incentive for them to make money. There might be the problem of the yuppies returning, and so on, but we would be regenerating the areas about which we are all complaining.

Planning policy guidance note 3 could provide the rocket fuel by changing priorities and refocusing development from the countryside to the cities. I accept that there are problems. We have a problem with structure plans, which are fixed and are the basis for local authority local plans. I invite the Minister to advise district councils that, in preparing their local plans, they should be calculating the figures for new house build on the basis not of 4.4 million units but of 3.8 million. He has got himself in a bit of a fix. He has reduced the national figure from 4.4 million to 3.8 million, but county structure plans have already been fixed on the basis of 4.4 million. Local authorities are making local plans on the false original figure. The Minister should make a little adjustment so that local authorities do not continue planning for a figure which the Minister says is unsustainable nationally.

Unless PPG3 forces county councils to reduce the present projections in line with the Government's new target, we shall not even start to change thinking on numbers. We need to find the political will, which must go beyond one Minister and one Department—however good their work may be.

The vision of urban regeneration which Lord Rogers's report favours should herald a Cabinet commitment to a city pincer movement to squeeze out poverty and bad housing from down-town areas and out-of-city council estates, and replace them with new modern buildings for upwardly mobile young people, who can resettle in the area with their families—rather like settlers in the holy land in the 1950s and 1960s—as part of the urban regeneration dream.

This country has produced fine reports over the past 30 years, but little has changed. When I spoke in successive debates in the 1980s on these matters it was like preaching in the wilderness. When I suggested the privatisation of public land, everybody thought that I was mad. But they were wrong. When I suggest the privatisation of public land now, everyone thinks that it is a jolly good idea. I pay tribute to my right hon. Friend the Member for Henley who had the vision of urban regeneration necessary to take it forward, and to my hon. Friend the Member for West Worcestershire (Sir M. Spicer), who was on the verge of implementing my proposals on the auctioning of public vacant land when he was promoted.

Cities remain sad places. In her book "The Life and Death of a Great American City", June Jacobs focused on how America has reformed its ailing north-eastern cities, rebuilding them as places where people where people want to live and work. Professor Alice Coleman of King's college has done amazing work in this country on how to rebuild safe inner city council estates. I pay tribute to both of them, and I warmly welcome Lord Rogers's report.

The aspirations of the report would largely be killed off if it were placed in the unimaginative hands of local government for action. I have explained why. City councils often reflect the deprivation of the people living within their boundaries, rather than having the people needed to rebuild run-down communities and restore confidence by attracting new investment and funding. Only Government can provide the climate and fund the infrastructure. A pilot scheme for the city, with low taxation for those who return to live in it and incentives for those who build in it, could produce a Hong Kong mentality in microcosm across an entire population.

I am sorry that my party never ran with the ideas that I formulated and proposed to the House time and again. As a practising community worker, I thought I knew what I was talking about. Let us hope that the new Labour Government seize the opportunity for real regeneration of our cities, while also recognising the importance of protecting our rural heritage and our countryside.

11.31 am

Mr. David Drew (Stroud): I am delighted to take part once again in a debate initiated by the hon. Member for Totnes (Mr. Steen), who deserves a prize for persistence, if nothing else. Given his wonderful self-justification and explanation of why his books did not sell as well as they should have done, and why his ideas were not taken on board as they should have been, perhaps his time has come, and the Government will reread some of his proposals.

The hon. Gentleman was a little churlish in some of his remarks about the impact of the report by Lord Rogers and the other members of the task force. I pay tribute to their work, which is a blueprint for the way forward. Their ideas could produce valuable work. The report contains more than 100 recommendations, and it is easy to say that many of them will fall by the wayside, but I hope that each will be considered by the Government in due course.

Although I was unable to attend the launch of the urban task force report, I know that there were slightly different interpretations in the press of what my right hon. Friend the Deputy Prime Minister said. From what I have read, I think that he gave the report a warm welcome. The Government are committed to an urban White Paper and, linked to that, a rural White Paper, so they will have to be judged by what they do.

The Government certainly intend to make a start on the biggest national issue—the decline of our cities. That affects everything that we do, whether we live in the city, in a village, or, as I do, in a market town, because they are all inextricably linked.

I invited the task force to visit two of my market towns, Stroud—the main market town of the constituency—and Nailsworth. It was an enjoyable day. Members of the task force were open-minded and they listened, and I hope that the evidence that they took back helped to make the report the weighty document that it is. Unfortunately, we seem to have slipped out at the final editing stage, but I am assured that the ideas that we presented to the task force played an important part in its considerations.

We should not deal with the report in isolation, or see it merely in relation to the inner city. It has much greater resonance than that. The welcoming remarks of the

Council for the Protection of Rural England sum up why it is such an important document:

"Urban renewal is essential if we are to tackle effectively the problems and pressures facing our rural areas. We now have a route map towards an urban renaissance. The Government as a whole needs to follow it with vigour and determination."

The CPRE's director, Kate Parminter, said:

"Paradoxically the renewal of our towns and cities is the key to tackling some of our most pressing rural problems."

I heartily concur. My main purpose in inviting the task force to visit the Stroud area was to enable its members to study problems on a different scale from those of our cities. Market towns, too, have experienced decline and face problems of their own. It is increasingly recognised that if we are to deal with the problems of the cities, we must deal with the problems of the market towns, and that we ignore rural decline at our peril.

I shall make five points—briefly, as I know that other hon. Members want to speak. My starting point is the urban-rural connection. If we adopt the report's recommendations, we must appreciate their knock-on effect on rural Britain.

As the hon. Member for Totnes said, housing development is a central issue, although it should not be seen as the only one. I myself could be accused of being obsessed with housing development and housing numbers, but other factors, such as where jobs, shops and leisure facilities are located, are important, too. Our postbags are full of letters from people who do not want a particular housing development, or do not want it on the proposed site, and so on.

The report revisits the questions of how we will achieve the goal of 60 per cent. of development on brown-field sites, how we will introduce a sequential test, and how we will manage the land supply more successfully than in the past. All those aims require us to get the relationship between urban Britain and rural Britain right. It is generally accepted, as the hon. Gentleman argued, that that relationship has been unsatisfactory for a generation, if not longer.

My second point is that to put matters right, we must revise and improve the planning mechanism. That is central to Rogers's argument. It is easy to cast aspersions, but we know that the planning process has been misused and even abused. People are dissatisfied. They think that it has been over-centralised and that local decisions do not hold sway.

The hon. Gentleman was a little unfair to local authorities. I agree with him that they do not have the means of reforming the planning process, but they can provide community leadership, which is vital to the Government's aim of making local government fit for the 21st century. That community leadership must work with the private sector, the public sector and the independent and voluntary sector.

Mr. Steen: I am a great supporter of local government, and would not want anyone to think otherwise, but I just do not think that it has the tools to do the job. If it had, it could make some progress, but unfortunately, local authorities' track record is not as good as the hon. Gentleman or I would like.

Mr. Drew: I do not disagree with that. We must renew local government, not in its traditional role as the only funder, but in partnership with other sectors. We must get the planning process right. I am pleased that the Minister for London and Construction and the Minister for the Regions, Regeneration and Planning have spent time on issuing consultation documents. People might say that that is a cop-out and avoids action, but I do not agree. We must take people along with us by ensuring that planning proposals are, if not universally popular, as consensual as possible. We all want the same outcome; the question is by which means we achieve it.

Given his interest and background, it is not surprising that Lord Rogers has a lot to say about the role of urban design in successful planning. I welcome much of what the report says about the need for that design factor to be paramount to make people want to live in our urban centres. We all know why they do not want to live there, and we must turn that round. Britain's cities are, if not unique, at least unusual by comparison with many continental cities that we all visit from time to time, which seem to be able to attract people to live in them. Even if those people have places elsewhere, their main residence is still in the city. As the hon. Member for Totnes made clear, the outward drift of people has become a torrent in Britain. We must turn that round, because we cannot afford to go on as we are.

Fiscal mechanisms are important. The criticism of my right hon. Friend the Chancellor was a little premature, because we have been waiting for the report for some time. It would have been wrong to introduce legislation, and certainly to introduce changes through budgetary mechanisms, beforehand. One is always open to criticism if one makes one's mind up in advance of a report. I hope that the fiscal measures suggested in the report are treated seriously. They do not involve a green-field tax, which some would feel is not a particularly adventurous decision. None the less, it is right to make it more difficult to develop green-field sites, whether by way of impact fees or any other means.

In addition, it is important to harmonise the VAT regime and ensure that developers and owners have real incentives to use the more urban settings and bring contaminated land back into use. So much of our inner-city landscape has been blighted, and putting it right will cost real money. It is no good talking as if that will occur as a matter of course. There are significant problems, and we must offer incentives.

I also welcome the renaissance fund of £500 million over 10 years. The hon. Member for Totnes said that it was small beer—unfortunately, it is—and he talked of the need to put in place some form of catalyst. The fund is a start, but much greater resources will be required. We are trying to solve the problems of our cities for the next millennium.

If I have a criticism of the report, it is that, although I agree that planning is the key, it looks more at structural approaches than at people. To encourage people back into our cities we must get the schools and the health service right. Therefore the social and economic environment—and, dare I say, the political agenda—must be put in place. The report was intended to consider the planning agenda, so it would be daft if it did not concentrate on that, but I hope that the two White Papers will ensure that there is an underlying emphasis on how people's lives can be improved. If that is done, the outward drift will at least

[Mr. Drew]

be slowed down, and eventually it will be turned round. That is a criticism, but I understand why there is not much in the report about that aspect.

Planning is at the forefront of the way in which we genuinely want to turn things round, but more central to achieving that than anything else will be the way in which we improve transport, not just in the urban centres but in the rural areas. Transport is crucial to everyone's lives, and if we do not get that right, everything else will fall by the wayside, regardless of whatever wonderful new plans are put in place, and regardless of our attempts to improve design.

I welcome what the report says about planning for a different transport system. Some of its proposals, such as home zones, may be a little zany, but there is genuine evidence of the need for people to accept reductions in the number and use of cars—for example, by accepting parking space for one rather than two, three or even more cars. That seems a fairly minor matter, but try persuading planning authorities, let alone the people who submit plans, that it is the right approach.

We must change attitudes. We have the ambitious target of reducing car journeys by 65 per cent. That will be difficult to achieve. We know the problems and the pain that it will cause, and we know that people must be encouraged to consider alternatives. It is important to encourage rather than to make people take action, because people must have a choice. But we cannot pretend that our cities can survive into the next millennium unless we consider the thorny problem of transport and ensure that people have alternatives—not just those who live in the cities but those who travel there to work or for other reasons.

I welcome the report. I hope that it will do more than see the light of day and cause a bit of pzazz for a few hours. I hope that it will genuinely form the basis of the urban and rural White Papers, and help people to understand that this debate can affect their lives for the better. I hope, too, that it will ensure that appropriate resources will be provided. We are all grateful to Lord Rogers and everyone else involved for what they have done.

11.48 am

Mr. Richard Allan (Sheffield, Hallam): I congratulate the hon. Member for Totnes (Mr. Steen) on securing the debate. He has inspired me to look up his books in the Library. If they refer to concepts such as site value rating, they will be excellent bedtime reading for a Liberal Democrat, as we find such things fascinating in the extreme.

Mr. Sanders: Better than mogadon.

Mr. Allan: Indeed.

The report is an excellent contribution to the debate on urban policy. I have been conducting an urban policy review for my party, and often, while reading the report, I wished that I had thought of something that was in it. We may have to review our review.

Cities have had a bad press. Many people love living in cities. Most people in Britain do so. I love Sheffield, and I think that I speak for most Sheffielders when I say that I live in Sheffield because I want to. Nobody forces me to stay there. We can overdo the suggestion that cities are a zone of desperate flight out when in fact they are tremendously attractive places in which to live. I hope that we can move the agenda on to talking up cities a little more, talking about their advantages, particularly in terms of access to facilities.

Within striking distance of my home I have two excellent universities, two large and comprehensive hospitals offering a full range of services, two professional theatres and any number of amateur theatres to provide me with entertainment, and I can walk down Ecclesall road near my house and choose between 15 and 20 good restaurants. Not many rural dwellers have access to such a range of services. Those are real things that affect real people. To be able to walk out of one's door and have access to such a range of services is one of the principal attractions of living in a city. The real challenge is how to extend those advantages to everyone throughout the urban areas, and how to deal with some of the problem parts of those urban areas.

There is a huge difference between one part of a city and another. I am fortunate enough to represent the relatively well-off part of my city, but I know that, in terms of all the indicators—such as educational expectancy, and even life expectancy—there is a huge disparity between my area and other areas. We need to spread the advantages of living in some parts of a city across the whole urban area.

I want to discuss some key elements in the report. Mixed-tenure housing is crucial. Sheffield contains large estates where there is single-tenure housing, meaning that there is only one kind of tenant—the council tenant. It also contains housing association areas, where virtually everyone receives housing benefit. One problem is people's inability to stay in their areas; as soon as they can trade up, they get out. We should adopt some of the report's suggestions and bring about more imaginative sets of housing tenure. If we can do that, as people move up the social and economic spectrums they will choose to stay in their own areas, rather than fleeing to attractive suburbs.

Most cities suffer from the same inability to retain people in deprived areas as they move up the social spectrum. That is largely because the quality of housing that people expect as they move up the income scale simply is not there. Not many areas blighted by deprivation contain four and five-bedroomed homes with gardens. Sheffield has bold plans to redevelop some of the larger areas. I think that when cities redevelop they should concentrate on mixed tenure, rather than simply providing new housing with the same tenure as before.

A particularly bizarre scheme involves housing associations paying tenants to move out as soon as they have jobs and can afford their own housing. When those people are able to contribute to the local economy because they are in work, the housing associations want to replace them with people on housing benefit. That makes sense in terms of the housing association's role as a social housing provider, but I do not think that it does the areas concerned any good to bribe people to move out as soon as they become financially active.

Density is another important issue. The hon. Member for Totnes mentioned high-rise living. As we redevelop, there is a trend towards lower-density housing, but there

is now scope for us to consider, for instance, new urban terraces. Terraced houses were very attractive in Georgian times: people do not think of terraces in Bath as being deprived housing. I think that we can move back towards higher-density housing if we can overcome some of the other problems, such as transport and parking. If we simply redevelop all inner urban areas with much lower-density housing to make them more attractive, we may miss some of the benefits of being able to absorb extra housing stock in urban areas.

Attracting jobs into cities is vital. In terms of job creation, the north-south divide is very evident, but I think that it can be reversed. There was a fair amount of scepticism when the Midland bank—or HSBC, as I think we are now supposed to call it—moved its headquarters to Sheffield and began shipping in people from other parts of the country, but I understand that the staff love it there. They do not want to move away from Sheffield, where they have a tremendous quality of life.

If firms are bold enough, they can put jobs into cities in the north, in particular, without experiencing the problems that some may fear. EDS, the computer company, has just brought several hundred jobs in information technology into Sheffield. It understands that Sheffielders love Sheffield. It knows that if it recruits Sheffielders it will keep them for a few years, whereas if it sets up a business in the south-east—as it has in the past—it will train people, and a year later they will be gone. Urban areas, especially those outside the south-east, have a great deal to offer in terms of recruitment and retention. We should take advantage of that, rather than simply tipping the whole population out of the north and into the M4 corridor—where I am sure they are often unwelcome, because of the extra development requirements that they impose.

As the report points out, new technology is a key aspect. I hope that we can take advantage of the universities that are generally found in our urban areas. Cambridge is a leading example of the university cities that have introduced science parks. York is trying to do a similar thing with its "science city York" initiative, using the university to add value to the local economy. I hope that the Government will encourage that trend and work with universities to enable them to add value in that way. Such action can give us a leading market edge. It will be easier for us to attract jobs into urban areas if there are high-quality universities producing high-quality graduates who can offer the industrial marketplace something that other areas cannot. Our cities need unique selling points, and universities can provide them.

The brown-field site development initiatives are welcome, but, as has been said, they require incentives. I would look favourably on a green-field development Act, especially if it enabled us to absorb the extra money from such development and recycle it into the brown-field clean-up. The absence of such a virtuous circle often presents a barrier. British Gas sites, for instance, are often left empty because of the phenomenal costs of cleaning them up. Not everyone can put up a dome to help with those costs.

As the report suggests, compulsory purchase orders need looking at. We need to assemble attractive packages of land, but new development is often prevented by the holding of "ransom strips", which means that developers cannot secure the attractive packages that will make their developments viable.

We should also examine the role of city centres. Sheffield has a famous—or infamous—shopping centre, Meadowhall. It was recently sold, and I understand that some of the proceeds will fund the anti-euro campaign—courtesy of Mr. Paul Sykes, one of the developers of the site. Given that many shopping facilities have moved out of the city centres, we should consider their future role.

There are some very hopeful signs. I do not often praise the former city council regime in Sheffield, but I praise it for having introduced a new redevelopment scheme to make our open spaces in the centre more attractive. There is, I think, a significant role for the city centre as an area of public open space, offering entertainment and service facilities of every kind and, perhaps, moving away from the model of the centre as primarily a shopping area. Of course we need shops, but we should accept that time moves on and that city centres can provide more than a monoculture of retailing. Certainly Sheffield is trying to provide more attractive facilities to bring people in.

As has been said, public transport is important, and mistakes have been made. I hope that the Government will think about that, and also that they will consider the issue of equalisation of VAT on refurbishment and redevelopment. There is also the question of local authorities and the repairing of listed buildings. Authorities are often scared to act because they fear that they will not be able to recover the money. I hope that the Government will consider ways of supporting local authorities wishing to serve repair orders on the owners of listed buildings who allow them to fall into disrepair, and guaranteeing the money if the authorities fail to recover it.

I commend the report and hope that the Minister will tell us that the Government intend to act on its recommendations.

11.58 am

Mr. Shaun Woodward (Witney): I congratulate my hon. Friend the Member for Totnes (Mr. Steen) on securing this important debate. I also join others in congratulating Lord Rogers and the members of the urban task force.

There is no doubt that it is right for us to consider this issue—albeit, as my hon. Friend said, yet one more time. The question is, what will now be done? Hon. Members have rightly praised aspects of the report, but where do we go from here? The report contains 105 recommendations, and yesterday the Government proudly claimed that they had already implemented one of them. That leaves 104. At that steady rate of progress, the Government should have worked through the report by 2003.

The Minister is clearly anxious for the White Paper to be published soon. It will be interesting to see whether the Deputy Prime Minister is prepared to take on what are undoubtedly powerful political interests. The crucial question is whether he will win the battle for money from the Treasury—and, indeed, where the extra money will come from for investment in public transport and housing. Is the right hon. Gentleman prepared to tackle local authorities, and ensure that their planning powers are loosened? Hon. Members have rightly mentioned that. The need for urban regeneration arises from the need to find 3.8 million extra homes in the next 25 years. Again, the crucial question is: where will they be?

[Mr. Shaun Woodward]

In some respects, the report makes uncomfortable reading for the Government. Lord Rogers highlights the failure so far to meet the Government's targets on brown-field sites. As he says:

"Our model leads us to estimate that on the basis of current policies, just over two million dwellings will be developed on recycled sites over the 25-year period of the housing projections. This equates to 55 per cent. of the projected 3.8 million extra households being accommodated on brownfield sites. In other words, if we continue on the current path, we will fall short of the Government's target."

The Deputy Prime Minister's response to that was interesting:

"We shouldn't become obsessive about the figure."

That is an extraordinary signal for him to send. It is precisely the wrong signal to send to local authorities and to those involved in planning. As long as such sloppy signals are sent, green field will be built on and brown field will remain vacant. Such indifferent sloppiness from the Deputy Prime Minister will have a continually devastating impact and the targets will be missed.

By the same token, as we can see from the report, if the Deputy Prime Minister were to adopt a more rigorous, exacting attitude, enormous benefits would accrue and many areas of the countryside would be saved. Indeed, if he had read the report in detail, he would have seen that the potential for things to get worse in relation to the proportion of housing to be developed on previously developed land is considerable. We could fail to hit not just the target of 60 per cent. but the target of 55 per cent. Even worse, it could easily fall to 47.4 per cent.

By the same token, if the Government were to discount their sloppiness and go for a rigorous approach, as Lord Rogers rightly points out, increasing average density of new development on previously developed land by just 10 per cent. would allow them to hit the 60 per cent. target. He recommends other ways in which the Government could improve on their appalling record.

The report makes uncomfortable reading for the Deputy Prime Minister for other reasons. Despite Government claims, the report shows that Government spending on inner-city regeneration is behind Conservative levels when we left office. As the report says—*[Interruption.]* The Minister nods.

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Nick Raynsford) *indicated dissent.*

Mr. Woodward: Let me refer the Minister to page 286 of the report, which is headed, "The big numbers". It states:

"Following the Government's Comprehensive Spending Review . . . the Government promised to increase its regeneration expenditure over each of the next three years. In real terms, however, the increase in expenditure only means that by 2001/02 we will have just overtaken the amount that the previous Government was spending in 1993/94."

Mr. Raynsford: What happened after that?

Mr. Woodward: The report shows that the levels in 1995, 1996 and 1997–98 were above the Government's level in 1998–99. If the Minister doubts it, he should turn to page 286 and see for himself.

The Deputy Prime Minister must know the trouble that he and his Ministers are in with the report. Schemes to cut VAT rates on construction will not endear him any more to the Treasury. His disastrous transport policies will not win support in the country if he adopts the report's proposal to cut road spending. Perhaps the Minister could tell us this morning whether he intends to cut road spending further.

The hon. Member for Stroud (Mr. Drew) rightly drew attention to the report's emphasis on the importance of public transport, yet the Deputy Prime Minister continues to preside over some of the worst transport chaos in decades. If we had to take just one example, we would take London. Let us look at investment levels on the tube in London. In 1996, the Government put in more than £1 billion. This year, it is half that: £564 million.

People cannot get to work in London. They cannot get from work to their homes in London. How on earth does the Minister intend to persuade people to follow the report's recommendation and to come to live in the capital when the Government have engineered chaos on its public transport?

People do not need Lord Rogers's report to tell them the truth. The Government have cut spending on the tube and it is getting worse by the day. The Deputy Prime Minister still has no proper agreement and implementation date for his PPP—the public-private partnership. He will almost certainly not be able to hand over London Underground to the mayor next April or May. He still has no agreement for extra money to finance the tube next year and beyond.

The report rightly highlights the fact that it is no use adding to all the derelict land throughout the nation and demanding that it be covered in new houses if no one wants to live there. Houses follow jobs, as all those Ministers who live in Admiralty Arch and Dorneywood know.

The report does not confront directly the fundamental loss of jobs in the north, which has led to the north-south migration. People are leaving the north in huge numbers. The Government continue to preside over that tragic collapse of northern urban areas. After two years, there is still no clear policy on how to reverse it.

At the heart of the report lies the following question: who will pay to halt the decline in our inner cities? Where will the money come from? It will be interesting to see whether the Minister even begins to answer that question.

Briefing before the report was published—unfortunately, as always with the Government, there is a fair amount of leaking before reports ever find their way to the House—estimated that, net, it would cost between £1 billion and £2 billion a year to implement the report's recommendations. The report believes that inner-city regeneration could best be achieved by, among other things, cuts in council tax in inner-city areas, cuts in stamp duty and, crucially, cuts in VAT on conversion properties.

In addressing that crucial question—it is crucial; it will be interesting to see whether the Minister addresses it this morning—the report says on page 255:

"Refurbishment or conversion of existing residential properties carries full VAT at 17.5 per cent. New housebuilding incurs no VAT, nor does conversion of commercial buildings for housing. There is therefore a strong case for harmonising the different rates, preferably by removing VAT on refurbishments or conversions of residential buildings, or introducing zero-rating."

Therefore, as the report says:

"It is essential that the UK presses the European Commission to enable harmonisation to occur without the need to impose VAT on new build housing development."

The crucial question for the Minister is: are the Government pressing the European Commission to enable harmonisation to occur without imposing VAT on new houses? If they do not, if the Treasury does not make extra money available and if the Minister's only solution is to cut VAT on converted property and to raise VAT on new houses, anyone who wants to buy a new home, any young couple, any starter group embarking on a new home, had better realise that the report carries a serious probability—unless the Minister will tell us today that he rules it out: a 5 per cent. tax on new homes over the next 25 years. Perhaps he will tell us whether the Government have plans to introduce that 5 per cent. tax, or say categorically that there will be no 5 per cent. tax on new homes, now or in the foreseeable future

There is no question but that harmonisation at 0 per cent. across the board would be welcomed by everyone. However, how will that be paid for? *[Interruption.]* The Minister rightly says, "Dream on." We look forward to seeing the White Paper, but can he tell us when it will appear? Will it be like his Department's Railways Bill, which was cancelled last year by No. 10 and delayed this year by No. 10? It is now anyone's guess when it will arrive, let alone be implemented.

Sadly, the true fate of the report rests in the hands not of the Minister or the Deputy Prime Minister, but of the Chancellor of the Exchequer. In the Deputy Prime Minister's extraordinarily unwieldy and stagnant empire, it is not he but the Chancellor who makes the decisions. The Chancellor will decide which, if any, of those policies can be implemented. He will make the money available and he will tell the Deputy Prime Minister whether he can have his report.

From where will the money come, if not from the Treasury? The Minister nods, but perhaps he will answer that question. Will it come from current revenues—if so, [illegible] will be cut? Will it come from new taxes—if so, on whom will they be levied?

As so often, the success of the Deputy Prime Minister's policies rests in the Chancellor's hands.

Mr. Steen: My hon. Friend is, as usual, making a very powerful speech, for which we are grateful, but I think that he needs to deal with one point. He is going down the track—successive Governments have gone down it, as has been apparent in all the projects—of thinking in terms of injecting funds into bits of the inner or outer city. I was talking about creating an entirely new climate in which cities will regenerate themselves, rather than about pushing in bits of money to create an action area here or a rejuvenation or regeneration there. Although I support my hon. Friend's argument entirely, could he deal with that matter too?

Mr. Woodward: My hon. Friend makes an important point, on which he expanded at length in his speech. He is also quite right. However, that matter is not the report's fundamental tenet, as that wonderful new Labour document is all about going to the Chancellor for money—or going to the taxpayers and finding new ways of fleecing them to pay for regeneration. The report is not about enabling individuals to be free from the planning miasma that has developed, and it will be interesting to hear whether the Minister has anything to say about that.

I ask the Minister: what will be the report's fate? As *The Independent* recently inquired:

"But action? For all his bluster, it is hard to point to many of the Deputy Prime Minister's achievements. This is either Mr. Prescott's chance to show his worth, or, more likely, the final proof that nothing concrete will emerge to help our inner cities without a change of minister."

12.12 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Nick Raynsford): I congratulate the hon. Member for Totnes (Mr. Steen) on raising this issue and, above all, for his tenacity, over a long time, in expressing his concerns about the importance of urban regeneration.

The hon. Gentleman mentioned his own two books on the subject—"New Life for Old Cities" and "PLUMS"—and, rather wistfully, commented that the first of them was published 17 years ago, when he found himself preaching in the wilderness. I am sorry for that, but, hope that, as I make my speech, he will realise that the Government are committed to pursuing policies designed to give effect to many of the ideas that he has expressed. Although I cannot accept all those ideas, many of the views that he has expressed today and in those books chime very closely with the Government's approach to regeneration.

The urban task force's report has attracted great interest, and I very much welcome hon. Members' comments on it today. The report has been widely welcomed, and the welcome that has been extended to it outside the House has been reflected in the comments made today by hon. Members on both sides of the House. I add my congratulations to my noble Friend Lord Rogers and all his team on a very comprehensive and detailed analysis of one of the most crucial issues confronting our society.

The hon. Member for Totnes mentioned London's relative success, but some northern cities—such as Manchester and Leeds and others—have also shown relative success. The nub of the issue is that, although some urban areas are successful, in past decades others have suffered serious decline. There has been an exodus from inner cities, driven by a lack of confidence in schools, fear of crime, an unhealthy environment, economic setbacks—such as loss of industry—and poor housing. One of the key challenges facing us is to make Britain's towns and cities not only fit to live in but thriving centres of human activity in the broadest sense, comprising economic and social activity, and other activity enticing people to move to and live in those locations.

The Government are trying to promote new thinking in reaching that objective, which is why we asked Lord Rogers and his team to undertake the study. The task force was asked to consider the reasons for urban decline and to recommend how to breathe new life into urban areas.

The task force's report was published on 29 June, setting out its vision for the future of our urban areas. It called for well-designed, more compact and better connected cities that support a range of diverse uses

[Mr. Nick Raynsford]

within a sustainable urban environment, with good transport links, and within a framework that is adaptable to change. We welcome the task force's broad vision and the various forward-thinking recommendations in its report.

It would be premature now to provide a full response to the task force's specific recommendations—of which, as all hon. Members will know, there are more than 100—as they merit detailed consideration. However, we shall be doing that in the next few months, before we publish a White Paper on urban policy.

The hon. Member for Witney (Mr. Woodward) and others have asked when the White Paper will be produced. The Deputy Prime Minister has made it clear that we shall be producing it within the next 12 months. As it will be the first urban White Paper for 20 years—and should be prepared thoroughly and carefully so that it addresses all the issues—we are not committed to a fixed publication date. It would be a mistake to rush out a White Paper simply to give a quick response on an issue that really does merit thought and care.

We have, however, been able to respond immediately to one of the task force's recommendations—to create urban regeneration companies. The day after publication of the task force's report, my right hon. Friend the Minister for the Regions, Regeneration and Planning launched the "Liverpool Vision". As the hon. Member for Totnes, in an earlier life, represented a Liverpool constituency, I am delighted that the city of Liverpool has benefited first from the Government's response to the task force's recommendations.

We also have invited a proposal for a second pilot, in east Manchester. We expect early results from the pilots to provide valuable information to feed into the urban White Paper and to provide a model for similar urban regeneration companies in other towns and cities across England.

The urban White Paper will deal with the challenges that must be met if we are to secure an urban renaissance. We must have cities that are prosperous, sustainable and socially cohesive, and offer attractive living and working environments. The urban White Paper will provide a framework showing how policies can be integrated effectively to achieve those objectives.

The task force rightly emphasised that there is no single solution to the problems faced by urban areas: we have to deal with economic, social and physical problems as a whole. The hon. Member for Totnes spoke, perfectly reasonably, about the limitations of local authorities' ability to achieve on their own a turnaround of urban areas. Although they have an important contribution to make, their contribution must be part of a wider partnership—and there must be the full engagement of the business sector, the voluntary sector and local communities. It must be a broadbrush and holistic approach.

I also noted that the hon. Gentleman mentioned the achievements of some American mayors. It is an interesting issue, as it suggests that there may be models of local government that may be more successful than others in helping to galvanise those partnerships and creating impetus for change. He will be aware that the Government are seeking to promote innovative thinking in local government on how best to meet the challenges facing local authorities. He will also know of my own role in creating a framework for London where there will be a directly elected mayor who we hope will perform exactly the role of acting as a leader for London, bringing together all the parties and helping to galvanise London in various ways.

Mr. Steen: I take the Minister's point, but the problem in London is the candidates.

Mr. Raynsford: I shall make no comment on that.

Planning is an essential tool in turning the vision for urban areas into reality. The hon. Member for Totnes rightly focused on planning issues, in which he has shown particular interest over the years. The Government have started work on modernising the planning system and welcome the overall direction proposed in the task force's planning proposals, many of which reflect our "Modernising Planning" initiative.

There is widespread support for our policies from a surprisingly diverse range of bodies, including the Confederation of British Industry and the Council for the Protection of Rural England. A recent CPRE press notice said:

> "The Government's new planning policies begin to put teeth into its commitment to protect the countryside and revitalise the towns. They should have a significant impact on the geography of new building and help to contain urban sprawl."

I quote that press release, bearing in mind the comments by the hon. Member for Witney, who used several selective figures, combined with a certain amount of political bluster, to imply that all the problems have arisen in the past two years and that nothing that went on in the previous 18 years, when the Conservatives were in government, contributed to the problems. A brief study of history will reveal that the impact of economic decline during the recessions of the early 1980s and early 1990s, and of the "let it rip" development mania of the 1980s, in which developers were encouraged to develop wherever they wanted—green-field site or not—entirely gives the lie to his extraordinary claim that the problems are associated with the present Government. I am not making a party political point when I say that we are seeking to deal with problems that have a long history. We are seeking to tackle them in ways that genuinely address the economic, environmental and social problems, to try to ensure a more sustainable and better basis for future planning.

We have already taken several steps. "Planning for the Communities of the Future" marked a break with the past and set out our objectives for an urban renaissance. It signalled a departure from the days of "predict and provide" in planning.

The hon. Member for Totnes mentioned the transfer from the previous arrangements to the current ones. That must be handled in an orderly way, taking into account the fact that structure plans and local plans in different parts of the country differ in their preparedness, but we are making that transformation. PPG3, which the hon. Gentleman mentioned, is an important part of that process.

I very much welcome the very positive support that the hon. Gentleman has given to PPG3. We believe that it is the right way forward. It will help to encourage

redevelopment in urban areas and to focus on quality, both of which are vital. We should be thinking as much about the quality of new development as about the numbers, because in the past one of the great banes of housing and planning policy was thinking mechanistically about numbers instead of thinking about quality and creating environments that people would want to live in and enjoy living in.

Mr. Steen: I think that we agree about PPG3. The only snag is, when will it happen?

Mr. Raynsford: As the hon. Gentleman knows, the procedure in respect of issuing planning policy guidance is that the document must be issued first for a period of consultation. We are considering the responses to PPG3, and we shall make a more definitive statement in the relatively near future. However, PPG3 is a material consideration already, as a draft document, and authorities may have regard to it in considering appropriate planning matters. Once the process of issuing new planning guidance starts, that becomes an influence on future planning decisions, so the impact of PPG3 policies, which the hon. Gentleman welcomes, should already be starting to be felt.

Mr. James Gray (North Wiltshire): I presume that the Minister will wait to hear the outcome of the consideration by the Select Committee on the Environment, Transport and Regional Affairs of PPG3 before he comes out with the final version.

Mr. Raynsford: The hon. Gentleman, who is a member of the Select Committee, is well aware that we consider Select Committee reports very carefully. We do not always agree with everything that they say—he would not expect that—but we will look carefully at the Committee's conclusions.

Mr. Steen: Assuming that PPG3 comes into effect, whether or not it reproduces the original consultation document, the implication is that local district councils—planning authorities—will be able to refuse planning consent on green-field sites. If they do not have a city in their district, can they point to the neighbouring town and tell the developer, "Develop there"? What happens if the developer who wants to develop on the green-field site in the district council area appeals to the Secretary of State? Will the Secretary of State be able to turn down the appeal, pointing to PPG3 and saying, "Look in the city next door"?

Mr. Raynsford: The hon. Gentleman will be aware that, under the plan-led system, we are seeking to encourage an approach in which sites are identified in advance—in which there is a more proactive approach to planning—so that developers are encouraged to consider appropriate sites. As I shall mention, the national land use database is designed to make it easier to identify brown-field sites in urban areas for development.

However, the hon. Gentleman must accept—as we all do—that, even if we achieve the 60 per cent. target, a certain proportion of development will continue to take place in non-urban areas. Indeed, there is a need, for the vitality of rural areas, for some development to take place in many of those areas, to provide employment and opportunities for people who must live there. A balance must be maintained. We cannot have a mechanistic approach which automatically refuses any green-field development. The purpose of the sequential approach that we are adopting is to steer development towards brown-field areas wherever possible.

I mentioned the national land use database. The hon. Member for Totnes highlighted the lack of knowledge about the extent of vacant urban land. We must have a better understanding of where the land is and where it is available. The national land use database published its first results on 20 May. I find it slightly shocking that that is the first effort of its kind to identify such land. Obviously, it must be developed. Although we only have the initial findings at the moment, it is a step in the right direction and will help us to pursue our policies.

In all these initiatives we are attacking the causes of urban decline and people's tendency to look for alternatives to urban sites for development. We want to reinvigorate cities and encourage people to return to and develop in cities. If we can reverse the decline—if we can make our urban centres more vibrant, exciting and pleasant places in which to work, live, and play—we shall have gone a long way to protect the countryside from unreasonable pressures for development.

I stress, therefore, that the Government are not only focusing on urban areas. We shall publish a rural White Paper to express our concerns for the countryside and the need for appropriate policies relating to rural areas.

My hon. Friend the Member for Stroud (Mr. Drew) made several very pertinent comments. He has taken a serious interest in the subject of development in both urban and rural settings and the inter-relationship between the two, which is rarely the subject of the careful thought of which he gave us the benefit this morning. From his perspective, the inter-relationship between urban and rural areas is hugely important.

The hon. Member for Sheffield, Hallam (Mr. Allan) spoke about the benefits of city life and the need for more diverse tenure patterns and for more diverse mixed developments in city centres. I wholeheartedly concur with him. We believe that a greater diversity in tenure patterns and a mixture of residential, commercial and retail activities in city centres helps to keep vibrancy and avoid their going dead at night, which was often the problem of mono-tenure or mono-activity cities where all the business closed in the evening, people left and the areas were often very unwelcoming and sometimes crime-ridden. Bringing people back to live in the city centre can help to create greater security and vitality. There is an enormous amount to be said for that.

The hon. Member for Witney raised several issues, including that of fiscal instruments. The task force did make several recommendations on fiscal instruments, which the Government will want to consider carefully before replying. As he knows, final decisions on taxation are a matter for the Chancellor of the Exchequer, but it was always thus, even under Conservative Governments. I have no doubt that the Chancellor of the Exchequer will want to respond on several of those issues in due course.

The future is about harnessing growth to promote a better quality of urban living and to bring back life to the hearts of our towns and cities. Achieving an urban renaissance goes hand in hand with relieving pressure on the countryside. The task force's report is a challenge to

[Mr. Raynsford]

the Government, public agencies, the private sector, local neighbourhoods and individuals. We must all play a part in ensuring that cities and towns become places where we are proud to live and to work. We need to think positively and work across all sectors to make an urban renaissance a reality. This is not a short-term programme—it is about long-term sustainable development.

The task force's report sets out the task before us. It has already started a major public debate about the quality of life in our towns and cities. The Government will continue to work in taking up that challenge.

St. Vincent's Hospital, Middlesex

12.30 pm

Mr. John Wilkinson (Ruislip-Northwood): I am grateful for the opportunity to raise the subject of the future of St. Vincent's hospital, Eastcote, Middlesex. The hospital lies in an ideally peaceful location—at about the highest point in my constituency—on Haste hill, on the edge of Ruislip woods nature reserve. From the windows of one of its sadly now-unoccupied wards, one can look down across the broad sweep of Middlesex towards London airport at Heathrow.

St. Vincent's has been in this perfect setting for some 75 years. It is a religious medical charity, registration No. 1014889, and a company limited by guarantee, No. 2721809, under the auspices of the Sisters of Charity of the order of St. Vincent de Paul. Their tradition of devoted, selfless care of patients has been St. Vincent's enduring characteristic to this day, and that tradition is maintained by the admirable clinicians and staff who work there.

That is exemplified by the inspiringly radiant photograph and the warm tribute to three St. Vincent matrons in the May 1999 newsletter of the hospital's dedicated league of friends. The newsletter says:

"Our Photograph shows three generations of Matrons who between them have served St. Vincent's for 56 years. Sister Angela Murray first came to St. Vincent's in 1943, and was appointed Matron in 1959. She was later followed by Sister Carmel Cussen who first came to St. Vincent's in 1964, and was Matron for 20 years, until Jacquie Scott took over from her at the beginning of last year."

I pay tribute to Jacquie Scott and all those under her who are driving the process of change forward and seeking to ensure a long-term viable future for the hospital. The newsletter continued:

"Sister Angela and Sister Carmel have guided St. Vincent's through many great changes in both the world around them, and in the services provided by the hospital. Jacquie Scott, who, in keeping with the times, has the title of Director of Nursing rather than Matron, has also been appointed Head of the Hospital, and she will undoubtedly be guiding the hospital through many more changes in the coming years.

Sister Angela is at last retiring to her native Lanarkshire, where we wish her well, while Sister Carmel will continue to be available to us, as she resides in the Sisters' home at the hospital and is now able to devote her time to pastoral care. So, although Sister Angela's departure undoubtedly marks the end of an era, it is all part of the continuous process of evolution of the service that our hospital provides, under the care of the Sisters of Charity of St. Vincent de Paul."

It is instructive to give a brief outline of the hospital's history. At the turn of the century, Archbishop Bourne, who later became Cardinal Bourne, set up a home for 25 boys, mostly victims of tuberculosis and polio. Without this home, their chances on the streets of London—as hopeless incurables and social outcasts—were slim.

In 1906, the fate of the home and the children was in jeopardy through lack of funds, as the Archbishop failed to obtain financial support. The future looked bleak until, in 1907, an old coaching house was found in Clapham, and the Sisters of Charity of St. Vincent de Paul agreed to take over its running. This was founded as the St. Vincent's home for crippled boys.

Three years later, Mr. McCrae Aitken, a surgeon, visited the home and treated 19 of the children. As a result of his skill, 12 were earning their own living within three

years. The work expanded and, in 1912, the home moved to Eastcote, Pinner, and became known as the Eastcote cripples home. That is its present location. An operating theatre was built and a physiotherapy department added in 1923.

In 1923, St. Vincent's adopted the name of St Vincent's orthopaedic hospital, becoming only the second orthopaedic hospital to be opened in this country. In 1925, a ward of 20 beds was opened for girls, and this was followed by yet another ward in 1930, which accommodated a further 25 patients. St. Vincent's continued to treat children and it was only during the second world war—when it had to care for casualties—that it first began to admit adult patients as part of the emergency medical service.

In the post-war period, the hospital's orthopaedic work has, until recently, continued on a major scale, although, as I will explain, it has had to be phased out to a large degree. The hospital has had a high reputation and was always immensely appreciated by the local community, which has selflessly supported the hospital's summer fetes and other activities and has recently helped to finance the opening of a shop on the site.

The range of services provided by the hospital includes work on joint replacements, care of the young chronically disabled and treating patients with severe multiple sclerosis and those who have had strokes or brain injuries. In 1996, the name was changed to St. Vincent's hospital to reflect the fact that orthopaedic surgical work was being phased out and to demonstrate that the hospital had a wider role as a community hospital.

Following a joint fund-raising appeal by the hospital and the Alzheimer's Disease Society, a specialist unit day centre for Alzheimer's patients called the Templeton centre was opened in 1997. The Holding Hands appeal did a wonderful job, and the Templeton day centre—named after its inspired promoter, Hazel Templeton—has as its object to provide high-quality care for those with dementia and to provide assistance and facilities on the site for their carers.

In 1998, a change of Government policy insisted that NHS patients should be treated in NHS hospitals where possible, and not in so-called private hospitals. Although St. Vincent's is a wholly charitable institution, it was considered a non-NHS hospital, and that led to the decision to phase out orthopaedic surgery.

The board and management at St. Vincent's agreed to continue serving the community, and that work continued in its current community hospital role. It is worth looking at the circular issued on 3 September 1997 from the NHS headquarters in Leeds and, in particular, paragraph 17—which, paradoxically, comes under the heading, "Ensuring Fairness." The paragraph said:

> "In preparing for the new approach, Health Authorities, GPs and NHS trusts should explore the scope to make maximum cost-effective use of local NHS capacity before contemplating recourse to private sector hospital provision. Where care is nonetheless commissioned from private hospitals, the reasons must be reported to the Regional Office."

This is an extraordinary ideological predilection to support NHS hospitals, regardless of local circumstances and the cost-effectiveness of other institutions such as St. Vincent's, which is a wholly charitable hospital whose profit—when there is one—is always ploughed back into the care of patients.

With the demise of the internal market, change and adaptation have been uppermost in health care planning, and never more so than at St. Vincent's hospital recently, which has had to adapt drastically and fast.

GP fundholding ended this March and was replaced by primary care groups on 1 April. Both systems were set up to arrange health services for all local residents. They were intended to work with the providers of local health services to ensure that local people receive the best possible treatment and care, but, in the transition from fundholding to the new PCG approach, St. Vincent's suffered and, whereas once there was a thriving orthopaedic surgical unit providing care at operative, post-operative and rehabilitation and discharge stages, the hospital can now provide only non-surgical care management.

In 1998, orthopaedic surgery ended at St. Vincent's, and the Hillingdon health authority decided to build up the orthopaedic surgical facilities at Mount Vernon hospital nearby. Anomalously and strangely, surgical work is being reduced at Mount Vernon overall; the rationale between the first decision and the second is hard to fathom, especially as the other hospitals in the area to which orthopaedic patients are referred have historically had long waiting lists whereas St. Vincent's has always been short.

In November 1998, 48 members of staff were made redundant, extending right across the board to clinical, medical, surgical and ancillary staff. The hospital has only two wards open: a busy physiotherapy service and an X-ray department, which is also likely to close in the very near future. We do not know what services will be commissioned by the NHS at St. Vincent's. The future is extremely bleak unless favourable decisions are taken. Very little time is left if this cost-effective and dedicated institution is to survive.

St. Vincent's has a small contract with Northwick Park Hospital NHS trust to provide in-patient services focusing on post-operative rehabilitation for orthopaedic or trauma patients who have had surgical procedures and require more time to get back on their feet or are waiting for social services decisions. Many people have to wait many weeks for decisions about residential or nursing home places, so the service at St. Vincent's is very relevant and worth while, enabling Northwick Park to free precious beds that would otherwise be unnecessarily occupied.

St. Vincent's also offers respite beds, but they are not NHS funded. Physiotherapy is an expanding service, which St. Vincent's has provided for the local population since its inception. The service is immensely appreciated and the physiotherapy department, which has contracts with both Hillingdon and Harrow, has a waiting list, on average, of only two weeks, whereas the district general hospitals in the area have waiting lists of about six months.

The Government have made it clear that NHS patients are to use so-called non-NHS establishments only if there are no NHS facilities available for the service required. That is wholly illogical. St. Vincent's is cost-effective, with the lowest possible overheads. There are double standards involved, as about 98 per cent. of the work done at St. Vincent's has always been for the NHS.

[Mr. John Wilkinson]

The community services development plan for Hillingdon for the financial year 1999-2002 for services for older people is due for publication on 23 September. The content of that crucial document will decide much of the future, if not the eventual viability, of St. Vincent's.

I know that the hospital's geographic location in the north of the Hillingdon borough poses certain problems, because we have the excellent Northwood and Pinner cottage hospital—which was already in existence as a great war memorial hospital—and Hillingdon health authority is determined to build up Mount Vernon as a community hospital and to run down its burns and plastics unit and its oral and maxillofacial unit, which did greatly admired cleft lip and palate work that was prized by local people.

St. Vincent's can make an invaluable contribution to the health service in many sectors, including the care of older people and respite management; physiotherapy and occupational therapy; radiography; the provision of a healthy living centre; locality phlebotomy; post-operative rehabilitation; in-patient provision for those waiting for residential or nursing home placement; out-patient services in chiropody and rheumatology; and day-care surgery.

St. Vincent's is exactly the kind of small unit that the Government should support if they genuinely believe in a wide range of health care provision for our people. In the whole period from 1979–97, I had occasion to request only one Adjournment debate on hospitals in my constituency: I asked in 1979 about the future of the accident and emergency department at Mount Vernon. In this Parliament, I have had Adjournment debates on 6 March 1998, on the future of Mount Vernon, and on 27 December 1998, on the future of Harefield hospital. This is the third time that I have had to request such a debate.

It seems that the Government are obsessed with big private finance initiative hospitals, such as the Paddington basin project or the great new hospital project in the west of Hertfordshire whose location we still do not know. If that is to the detriment of dedicated charitable institutions such as St. Vincent's, it will be a great tragedy. With good will and imagination, such a tragedy can be averted. The hospital can continue its admirable work if only it can have the contracts and backing that it and its staff fully deserve.

12.48 pm

The Minister of State, Department of Health (Mr. John Denham): I congratulate the hon. Member for Ruislip-Northwood (Mr. Wilkinson) on his success in securing this debate. I appreciate the importance of this topic to his constituents, for many of whom St. Vincent's is a much-loved and respected local hospital.

I do not believe that there is any connection between the Government's success in getting under way the PFI hospital-building programme—the largest ever in the history of the national health service—and the future of St. Vincent's. Nor do I believe that the connections made by the hon. Gentleman between other policies and what is happening at the hospital will stand examination.

St. Vincent's hospital, which is under the pastoral care of the Sisters of Charity of St. Vincent de Paul, has a long history of serving the community and the public at large. Beginning in the early 1900s, it later began to provide surgery and treatment and in 1925 it expanded further to include facilities for girls as well as boys. The advent of the second world war meant a further change of direction, with services being provided for adults or casualties of the war as part of the emergency medical service. The hospital has continued to develop services over the years.

This debate provides me with an opportunity to pay tribute to the work of such charitable organisations. In the past, and in the present day, they have proven to be beneficial for their communities. I, too, wish to pay tribute to all those who have worked, or are working, at St. Vincent's hospital. It is clear that local people have benefited greatly from their endeavours over the years and the hospital has been, and continues to be, an important provider of local health services. It currently has a reputation for providing an excellent physiotherapy and rehabilitation service, and I am aware that local NHS patients have been very happy with the care and treatment they have received at St. Vincent's hospital.

The House will be aware, of course, that St. Vincent's hospital is a hospital outside the NHS and it might be helpful to set out several aspects of the relationship between the NHS and the private and voluntary sectors. Under the new arrangements for commissioning health services, general practitioners and consultants retain the clinical freedom to refer patients for the most appropriate treatment, and we would not have it any other way. However, it is still the case that health authorities, GPs and NHS trusts should explore the scope to make maximum cost-effective use of local NHS capacity before contemplating recourse to independent sector hospital provision.

When care is none the less commissioned from private hospitals, the reasons must be reported to the regional office of the NHS Executive. That was set out, as the hon. Member for Ruislip-Northwood said, in the planning and priorities guidance for 1998–99, which was issued to the health service in September 1997. The same applies to any hospital outside the NHS, be it a charitable organisation such as St. Vincent's or a voluntary sector provider of health care services.

It is clear that NHS facilities should be utilised where available and contracts with voluntary and private health care providers will be subject to the same standards of quality and effectiveness as NHS service agreements. The NHS has a responsibility to place its contracts with, and to commission, the voluntary and private sector only when it is most cost effective to do so after ensuring that the quality of services provided meets NHS standards. However, we accept that people should be free to choose private health care if they wish.

Ministers' relationship with the NHS is different from our relationship with the private and voluntary sector. We manage the NHS: we regulate the non-NHS sector. There is quite a difference. We have recently brought forward for consultation proposals for the regulation of the private and voluntary health care sectors.

The decision to commission services provided by voluntary and private health care providers is a local one and it will continue to be made locally and in the interests of patients. It is not the case that decisions are taken irrespective of local needs or circumstances. Indeed, two local health authorities currently have service agreements with St. Vincent's hospital. The local health authority of

the hon. Member for Ruislip-Northwood—Hillingdon—has a service agreement with St. Vincent's hospital for physiotherapy and for rehabilitation services. That service agreement covers 8,200 physiotherapy contacts and a rehabilitation service for 12 long-stay residents as well as on-demand respite care. Hillingdon health authority and primary care groups will invest more than £730,000 at St. Vincent's in 1999–2000. The health authority and local primary care groups are of the view that St. Vincent's provides excellent physiotherapy and rehabilitation services and that that investment decision, made locally, ensures that cost-effective, high-quality services are available to Hillingdon residents.

Brent and Harrow health authority and the five primary care groups in Brent and Harrow also have a service agreement with St. Vincent's hospital for physiotherapy services. That covers 3,500 treatments for local patients and means that more than £56,000 is being invested in St. Vincent's. That reflects the high regard with which the physiotherapy service is viewed by many Brent and Harrow GPs and by patients in the area. So far as I can establish on the information available to me, the transition from GP fundholding to primary care groups has had no impact on the utilisation of physiotherapy services by the doctors in the two local health authority areas.

It is true that St. Vincent's used to provide a variety of other services. It used to provide orthopaedic services for both NHS and other patients. It no longer does so following a hospital board decision, taken in summer 1998, to cease offering orthopaedic surgery as one of the hospital's services. The hon. Member for Ruislip-Northwood suggested that that was a reflection of the priorities guidance to which I referred earlier. My understanding is that the hospital was experiencing difficulty in maintaining surgical facilities to modern standards, given the prohibitive cost. That was certainly an important factor in the decision. However, as the hon. Gentleman said, a wide range of services is offered at St. Vincent's, including facilities for younger chronically disabled, post-operative rehabilitation, respite care, physiotherapy, and radiography.

Given that health authorities and primary care groups have a responsibility to ensure that they make the best use of the public money that they receive, Hillingdon and Brent and Harrow health authorities and PCGs have decided that it is more cost-effective and appropriate in terms of ensuring that their populations receive the highest quality of care to look to St. Vincent's hospital to provide physiotherapy and rehabilitation services. I must reiterate, however, that those decisions are made locally. I am sure the hon. Member will appreciate that it would be unfair for Ministers to get involved in such decision making. We want health authorities and primary care groups to have responsibility for local decisions because of their expert knowledge of the health care needs of the local population. Our responsibility as Ministers lies in setting the strategic direction of the NHS, not in deciding which local service is most appropriate.

We are determined to ensure that the NHS in London provides Londoners with top-quality care. That is why better GP premises are being provided, new hospitals are being built, and more resources are being invested in mental health and community services. We also have a London region of the NHS looking at the capital's health needs Londonwide and providing Londonwide plans for improvement. A document, titled "The modernisation plan for the NHS in London 1999–2002", sets out what is planned for the next three years and beyond. So we have targets in place and we need to ensure that they are delivered

The key objectives of the Government policies for health and social services are longer, healthier lives; a reduction in inequalities in health and health care; and an NHS which is modern, dependable and there when it is needed. We want to focus on improving the health of all Londoners, including addressing cultural, social and ethnic diversity, and we want to work effectively with others to reduce inequalities in health. We also want to ensure that all Londoners have fast and convenient access to quality local services and that London continues to lead the way nationally and internationally.

I wish to make it clear to the hon. Member for Ruislip-Northwood that I understand that there are no plans to disinvest from the services that are currently provided at St. Vincent's hospital. I understand that that on its own may not be sufficient to secure its future, and I understand why that is a cause of concern. If the St. Vincent's board were to decide not to offer the services any longer, the local health authorities and primary care groups would need to consider how to ensure that people requiring those services were treated. That would, as I have said, be a local decision.

The Hillingdon health authority, local GPs and patients share the concern about the future of St. Vincent's. Hillingdon health authority has been in regular contact with the hospital, and discussions have been held to try to find a solution for the problems facing St. Vincent's. The hospital is seen as an integral part of the local health economy along with local NHS providers, and the health authority is encouraging St. Vincent's to look at what opportunities may exist locally and has entered into discussions with local social services on how to take that forward.

I am confident that St. Vincent's hospital is being included in local discussions and is viewed as a stakeholder when future service provision is under consideration. A local community conference will be taking place in north Hillingdon on 29 July and St. Vincent's hospital will have every opportunity to be involved and to contribute to that conference. Its role must, however, be viewed in the context of the needs of the local NHS and of other NHS providers in the area.

Employee Share Ownership

1 pm

Mr. Denis MacShane (Rotherham): I am grateful for the opportunity to have this Adjournment debate.

I strongly welcome the proposals in my right hon. Friend the Chancellor's Budget statement seeking to double the level of employee share ownership in the United Kingdom. I should declare an interest. I am an unpaid member of the board of Job Ownership, one of the organisations working in this sector. I have long been a supporter of employee share ownership plans, which I saw in practice in the United States—where about 9,000 firms with about 10 million employees are organised as ESOPs. Some are big, such as United Airlines, the world's fourth biggest airline, which has about 88,000 members in employment, but ESOPs have also saved small steel firms that otherwise might have gone out of business.

In addition, I saw how ESOPs, in the form of care assistant firms, gave employment to black women in the poorer parts of Boston. Those women would otherwise be without work and I was impressed with the way that they were able to make a living and feel that they owned their jobs. Also, as many hon. Members will be aware, the success of silicon valley is based on employee share ownership.

The structure works well: ESOPs have outperformed conventionally owned firms in productivity, share value and overall economic performance, both in the United States and the UK, where there are a small number of such firms. Savings put into employee-owned firms have grown faster than savings put into firms listed in the FTSE or Dow Jones indices.

We need more creativity and entrepreneurship, and more ownership of our economy, but we also need more than one model of ownership. The previous Conservative Government, in their long reign, believed in the public limited company, which is a monopoly form of ownership. I want the UK to adopt the competitive market in forms of ownership that is evident in the US. Giving employees a stake in their company seems to make the firm's success their success. It is a third way between state nationalisation and the plc, in which institutional shareholders own the stock, managers manage and workers who are not stakeholders in their own economic future do as they are told.

In 1969, almost half the UK's marketable wealth—broadly speaking, stocks and shares—was owned by individuals. Today, the figure has shrunk to just 16 per cent., according to the Office for National Statistics. As Prime Minister, Baroness Thatcher sold large chunks of the UK to Sid, but Sid's reaction was to sell on as quickly as possible to cash in the windfall.

Far from creating a share-owning society in the UK, the Conservatives presided over a remarkable concentration of ownership. Today, just three groups—insurance companies, pension funds and overseas investors—own two thirds of all the shares in UK companies. Although I have no problems with overseas investment and ownership, in the next century we should seek to return more of the ownership of Britain's marketable wealth into the hands of more of the British people, so that in the future they can be shareholders in their companies and in the country.

Some UK employee-owned companies offer interesting success stories, and I shall mention just one. I often wonder whether the Sloane rangers and Chelsea shopaholics, for whom the Peter Jones store a little way down the road from here is the sine qua non for shopping dreams, know that they support an employee-owned firm. The John Lewis Partnership is one of the world's most successful trading companies in the retail sector. If it were quoted publicly, it would be firmly in the FTSE 100 index. It owes its success to its ownership by its employees.

Ever since the first employee share ownership schemes were introduced by Lord Healey when he was Chancellor, successive Governments have sought to promote the concept. I have never fully understood why the matter has been exclusively for the Treasury. My hon. Friend the Financial Secretary, in her previous incarnation, was Minister for Small Business at the Department of Trade and Industry. I hope that she will agree, when she replies to my speech, that we need not only tax arrangements to encourage employee share ownership but the active promotion of the concept.

I was disappointed that the recent DTI document on small enterprises contained no reference to ESOPs. In the United States, ESOPs are an important part of the process of handing small and medium-sized firms on from founders or owners who want to get out of the business. Those owners look for buyers, and in this country the buyer too often will be a bigger firm happy to absorb productive capacity to limit competition. The possibility of selling to employees is commonplace in the United States, but it is not part of the culture of business succession here.

When plans are being finalised for next year's Budget, I hope that my hon. Friend the Financial Secretary will consult her colleagues at the DTI and those responsible for regional development agencies and ask them to do some hot gospelling on behalf of employee share ownership.

We have some excellent outfits in the UK. I have already mentioned Job Ownership, and wish also to mention the Employee Share Ownership centre and Pro-Share, which does extremely good work. Capital Strategies was launched a couple of years ago, and the Unity Trust bank has much expertise in the sector. Specialist accountants and lawyers have worked hard to promote different forms of ESOPs.

There is a growing European interest in the concept. The European Commission is now seriously considering promoting employee share ownership in Europe. The EU estimates that up to 700,000 small and medium-sized firms go out of business every year because there is no obvious ownership successor: they simply shut down or are absorbed because the transmission of company knowledge and marketing cannot be assured.

The problem in the former communist countries of central and eastern Europe and the former Soviet Union and its successor states is to create capitalism when there are no capitalists and a market economy when people have no experience of ownership. Employee ownership can help to bridge that gap, as it has already done in some instances in those countries.

I hope that the UK will become Europe's centre of excellence for employee share ownership and that we can export successful models to other countries in Europe.

I appeal to my hon. Friend the Minister, as she goes through the legislative process in the next 12 months, to go in for a little joined-up government on ESOPs.

My right hon. Friend the Chancellor set himself an ambitious target when he said that he wanted to double the number of ESOPs in the UK as a result of the measures to be introduced in the next Finance Bill. I welcome his decision to announce a general strategic policy objective, but then allow a year for discussion and consultation. In opposition, I sat on Finance Bill Committees and I saw how Treasury weevils hollowed out proposals to promote employee share ownership and allowed only miserable little measures to reach the statute book. The new process is more sensible and allows proper discussion and consultation.

It will be difficult to balance all the interests involved, but I hope that the proposals that my hon. Friend will take to the Chancellor for approval will be bold, simple and easy to grasp. The Government should raise the issue of employee ownership to the status of a new theory and practice for ownership and partnership, so that more British firms can be wealth creators, world beaters and job makers.

What needs to be achieved? We need to move the idea of employee share ownership and involvement to firms that are below the level of the big, FTSE-listed companies. Although many such large firms already run good share-save schemes, they are the big fish in our company pond. We must ensure that all employees have access to company shares. In any future privatisation, I should like at least 10 or 20 per cent. of the stock to go to employees. In Ireland, 20 per cent. of Telecom Eireann stock went to employees, and in France, Air France is privatising and 3 per cent. of stock is reserved for employees.

There may be a case for promoting employee buy-outs to form ESOPs in public sector operations, including some in local government. If more public services were delivered by men and women who owned the relevant organisation, there might be fewer scars on our backs and less frustration among Ministers and councillors who pull levers in Whitehall or in town halls without any result.

Partnership and trust are key concepts of British commercial history. I am talking not about industrial relations, but about fiscal relief given for decades, if not centuries, to professional partnerships to help them to promote themselves. The legal concept of a trust exists to protect wealth against too easy or frivolous dispersal. The Treasury should consider providing serious fiscal relief for employees who put part of their existing or future earnings into an ESOP. All successful market economies work on credit—paying back what one borrows from future earnings. That exciting theoretical concept underlies ESOPs as everyone involved in the economic process could take a stake in what would be earned in future rather than finding the money from the limited savings that most ordinary employees can call upon.

We need changes in company law to make it easier to establish and administer a trust as a form of ownership. Will my hon. Friend concentrate on tax relief that could be offered to an employee-owned trust and used to borrow against the company's assets? The Treasury should seek to expand ESOPs into the small and medium-sized enterprise sector. Jointly with the DTI, the Treasury should also organise regional conferences to get the ESOP message across.

Will my hon. Friend be careful not simply to expand schemes in big companies? When in opposition, I helped to expose the scam that profit-related pay became. A perfectly good idea—linking pay to a firm's performance and profits—was turned by clever financial directors of big companies into a tax-reducing dodge that cost £4 million in lost revenue without fulfilling the purpose for which the scheme was intended. The right hon. and learned Member for Rushcliffe (Mr. Clarke) was forced quickly to shut down the scheme, so we must ensure that ESOPs serve the real purpose of involving employees in their firms rather than becoming a tax-avoiding fiddle.

I should like to see made concrete the ambitions of my right hon. Friend the Chancellor of the Exchequer to double the number of participants in ESOPs and firms operating as full ESOP companies. Options are a simple way to provide incentives, especially in start-up firms, but a measured form of options would command wider support if it met three simple criteria: all employees must be able to participate; there must be a balance between options linked to a trust or a permanent form of shareholding and those that can be cashed in immediately; and fiscal relief must be limited to prevent the kind of abuse that would arise if options acted not as a true incentive but as a top-up to the handsome salary and perks of fat cats.

Like you, Mr. Deputy Speaker, and like my hon. Friend, I am a Labour Member of Parliament. By definition, we are poor. However, I have no objection to people becoming wealthy if, en route, they create wealth and spread it among others. The problem is not how many millionaires there are in South Yorkshire or in Hornsey and Wood Green—it is how few there are. If my hon. Friend's new employee share ownership package helps to create and spread more wealth, she will earn a modest place in history.

Employee share ownership could be a significant new step in the economic organisation of our nation. Owning shares in the company for which one works is no substitute for proper pay, and ESOPs do not do away with the need for proper partnership relationships between employees and managers. Evidence from both the USA and the UK implies that ESOPs work best when the workers and trade unions are involved in their creation. We need merely ask pilots or machinists unions in America about United Airlines to see the truth of that.

I strongly welcome new Labour's share ownership policy. I urge my hon. Friend to be radical and bold, and to bring to the House next spring a package that will give as many employees as possible a stake in their own business. Thus will we make employees the owners of their economic destiny.

1.15 pm

The Financial Secretary to the Treasury (Mrs. Barbara Roche): I congratulate my hon. Friend the Member for Rotherham (Mr. MacShane) on obtaining the debate and on the manner in which he has advanced his argument. His knowledge and expertise on these matters are well known, and he has demonstrated them again today. I am grateful for his encouragement on this important matter, and I assure him that we are keen to make progress.

The Government are firmly committed to increasing employee share ownership. Research in both the United Kingdom and the United States of America implies a clear

[Mrs. Barbara Roche]

link between employee ownership of shares in the company for which they work and an increase in productivity, particularly when modern management promotes active participation in the business by employees. Employee ownership schemes and the other policies that the Government have pursued over the past two years provide a package of measures to promote productivity.

Employees who are also owners have a real and identifiable interest in how their company does. They can benefit directly as stakeholders, and that increases commitment and motivation. They become more aware of their companies' aims and objectives because they own part of the companies, even if it is a small part. Quite simply, employee share ownership can bridge the gap between employees, managers and shareholders by aligning more closely the interests of the work force and those of the owners of the company. It offers a way of working in partnership. We are committed to people working in partnership in many different ways. Where employee ownership works properly, the results are wonderful. Employee owners have an incentive to contribute more actively to the development of their business by raising productivity, from which they can benefit directly.

Employee ownership is not supported only by the Government; companies have experienced the benefits. A senior manager from FI Group, an information technology company, has said that its directors believe that the

"cornerstone of workforce share ownership has been a key feature in developing a culture of shared success in the group, helping to foster a high level of workforce commitment and loyalty."

If I had to pick out one word from that quote, it would be "culture", to which my hon. Friend alluded.

The second reason why the Government support and promote employee share ownership is that through the tax system we can encourage participation by all employees, not merely the few senior staff. The current Inland Revenue approved schemes have enabled many lower-paid employees to become shareholders in the company for which they work.

The third reason why we support and promote employee share ownership is that it can be a useful and cost-effective tool for some companies, especially smaller entrepreneurial businesses and start-up companies—again, my hon. Friend has mentioned that today and in previous discussions—to help them attract and retain key employees in an increasingly competitive global market.

The qualifying employee share ownership trust, or QUEST as it has become known, offers tax advantages to companies, particularly small companies, to set up ESOPs. We are looking at a number of representations about QUESTs made by some of the organisations that my hon. Friend mentioned. In particular, there are concerns that QUESTs are not being used for their originally intended purpose, which was, as I have said, to help small family-owned firms transfer ownership to their employees.

At present, three tax-advantaged share schemes are designed to promote employee share ownership in the UK. Those enable employees either to acquire shares free or to buy them through an option arrangement. Although those schemes have been popular with employers and employees, they have not sufficiently harnessed the ability of employee share ownership to encourage corporate vitality, to create partnership in business and, importantly, to boost productivity.

The Government want to reward long-term commitment by employees. We want to encourage the new enterprise culture, in which everyone contributes and benefits from success. The way that we are going to do that is by taking a fresh approach to the whole subject. I take my hon. Friend's point that it is a question not merely of the design of the new scheme, but of being evangelical about the whole concept. I certainly regard that as part of the approach that we will adopt.

My right hon. Friend the Chancellor of the Exchequer has set a target to double the number of companies that offer shares to all their employees. We are not going to do that just by tweaking the existing schemes. Instead, after consulting widely, we have announced a revolutionary new scheme, which unites the interests of employer and employee in a new partnership.

That scheme, aimed to promote shares for all, will for the first time offer employees the opportunity to buy shares in their company out of their pre-tax salary. By owning shares directly rather than simply through share options, employees will have a real opportunity to make the company in which they work succeed. They will also enjoy greater tax benefits the longer that they hold their shares. Companies will also enjoy tax breaks for introducing and operating the scheme. All in all, this will be the most tax-advantaged share scheme ever introduced in the UK.

The Government want to get this right. We want a scheme that meets our objectives and is attractive to employees and companies. To achieve that, I have asked an advisory group, made up of representatives from leading share scheme practitioners, companies, academics and trade union members—some of them mentioned by my hon. Friend—to work with the Inland Revenue to play a key part in the development of the new scheme. Using people in that way is a radical new idea. It is, perhaps, a third way ahead, to echo my hon. Friend. It is one that has been successful so far and I am grateful for the great contribution that we have made.

We are also listening to companies directly though the focus groups that Pro-Share, a leading supporter of employee share ownership, has organised. We are also extending the consultation process across Departments—my hon. Friend also made that point. That includes the Department of Trade and Industry as well as the Revenue and the Treasury. The initiative is a good example of how the Government are bringing private and public sectors together to create policies that work well in practice.

Let me reassure my hon. Friend. We are not merely looking at public limited companies; the Government also recognise the particular difficulties faced by small businesses and start-up companies. I have therefore asked the advisory group to consider the problems that small companies have when operating share schemes to find out what we can do to make this easier for them. They have already made a number of useful recommendations, which will help small companies give shares to all their employees.

At the same time, the Government recognise that one of the key constraints on growth for small ambitious companies is the quality of its management. I know that

that area interests my hon. Friend. It can be difficult for companies to attract high-calibre managers from mature companies to a more risky venture. Therefore, I have also asked the advisory group to consider a specifically targeted scheme, known as the enterprise management incentives scheme. That will help small, higher-risk companies to attract and retain key managers. That is essential for our productivity and growth and for the entrepreneurs of the future.

Of course, we recognise that other forms of employee ownership and participation are also important. Businesses are able to and do operate employee participation policies without shares. The John Lewis Partnership, which my hon. Friend mentioned, is a good example of that.

We will be publishing draft clauses for the new schemes later this year for further consultation. The finished legislation is to be included in next year's Finance Bill.

These measures will give companies new tools to promote partnership with employees and also a means to increase productivity. I am pleased to say that there are clear indications that companies both big and small are excited by the prospect of these new schemes.

My hon. Friend was right to say that we need to bring about a change of culture. He was also right to say that this is an issue not merely for the Treasury or the Revenue, but for the Department of Trade and Industry and other interested Departments.

We have a task—to engage our companies, particularly the new high-growth sector, with possibilities and schemes of this kind that can take the productivity and growth agenda forward. We are determined to do so.

I congratulate my hon. Friend on securing today's debate. It really takes the agenda forward. I can assure him and the House that we will discuss this matter further.

Major Milos Stankovic

1.28 pm

Mr. Martin Bell (Tatton): I am grateful for the opportunity to raise the case of Major Milos Stankovic, MBE, of the Parachute Regiment. I last did this in an Adjournment debate 19 months ago. A great deal has happened since then. The injustices suffered by this serving major of the British Army have continued and intensified. His has been a long and lonely ordeal. At the same time, the excuse available to the Government last time, that this was an operational policing matter, has faded because the Ministry of Defence police have investigated and that phase is over.

What else is new is that there is an increasing awareness in the country, the House and the British Army of the importance of this case and its scandalous nature. In that respect, I am especially grateful to see the right hon. Member for South-West Surrey (Mrs. Bottomley) and the hon. Member for South-East Cornwall (Mr. Breed) here. I pay tribute to them and thank them for their personal and special interest in this case on behalf of Major Stankovic and his mother—an elderly lady, who has suffered immeasurably from the ordeal through which he has been.

Mr. Colin Breed (South-East Cornwall): I reinforce the point that the hon. Gentleman has just made. Mrs. Stankovic is my constituent; she and the whole family have experienced considerable suffering. That should be taken into account when considering the case of Major Stankovic—the matter has had wide ramifications within the family.

Mr. Bell: I thank the hon. Gentleman for that intervention.

Some background is in order. Major Stankovic is a British citizen; he is a serving officer in the Parachute Regiment of the British Army. As it happens, his father was a Serb and his mother is partly Serb and partly Scottish. They both fought against the Germans in Yugoslavia during the second world war, and were lucky to escape with their lives. They came to this country and made a new life. Milos was born a British citizen; and he is a British citizen. He was educated in British schools. He was accepted into Sandhurst and the Parachute Regiment, and embarked, as a captain, on a conventional military career. He undertook tours of duty in Northern Ireland and with the UN force in Kuwait.

In autumn 1992, when the wars of the dissolution of Yugoslavia began, the British Army was looking for someone in its ranks with knowledge of Serbo-Croat. Two officers had such knowledge; Major—then Captain—Stankovic was one of them. He was renamed Captain Mike Stanley by the Army, in order to mask his family's Balkan connections. The other officer was renamed Captain Costello. Together, and in rotation, they acted as interpreters and advisers to General Rose and General Smith—successive British commanders of UNPROFOR in Sarajevo, and did signal service.

Together, they were the key players in a covert operation, known to insiders as Schindlers. At the height of the war, that operation was responsible for spiriting out of Sarajevo 200 people—Muslims, Serbs and Croats—and reuniting them with their families abroad. Stankovic has

[Mr. Bell]

been described as the Schindler of Sarajevo. He served longer in Bosnia than any other British soldier. He was the go-between—the liaison officer—between UNPROFOR and the Bosnian Serbs. His job was to get close to them, to get them to trust him, to understand them and to report back on them. He did that. He unblocked convoys; he saved lives; and he set up the cessation of hostilities agreement in December 1994. He did all that. In December 1993, he risked his life to save a wounded Muslim woman, under fire, in a street in Vitez in central Bosnia. He was awarded the MBE by the Queen at Buckingham palace. In the spring of 1995, he was allowed to return to normal regimental duty with the Parachute Regiment, which he did with distinction. Two years later, he was accepted into the Joint Services Command and staff college, which, as the Minister is aware, is the necessary step to further promotion. It was there, on 16 October 1997, that the Ministry of Defence police came for him. They arrested him under the Official Secrets Act 1911 on suspicion of spying for the Bosnian Serbs.

A word about the Ministry of Defence police is in order. It is a relatively new force and does not seem to share the accountability of other police forces. It had had no previous experience of a case of that kind and no experience of the realities of the Balkans; nor did it possess even those fragments of knowledge that might have illuminated—like a parachute flare—the landscape of its ignorance.

The Ministry of Defence police arrested an officer with a quite unblemished record; they threw him into a cell where they wanted to hold him incommunicado for eight hours while they ransacked his house. From his house in Farnham, they took not only his diaries of Bosnia and his souvenirs, but everything that they could find—an old copy of *Playboy*, Christmas cards and a piece of sandpaper. They did not know what they were looking at, and they did not know what they were looking for.

The police disturbed a collection of medals and photographs that he kept in his home as a shrine to his father. From his mess uniform, they seized and confiscated his medals. When the list of witnesses was made known to us, we discovered that they had interrogated a Ministry of Defence official and inquired of him whether Major Stankovic was entitled to those medals. That was the first instance of the clear prejudice and animus against Major Stankovic. Of course, he was entitled to the medals; there were four of them—the UN Kuwait medal, the general service medal, the UN Bosnia medal and the MBE. All of them were earned the hard way; none of them came up with the rations.

The injustices multiplied. We discovered that the Ministry of Defence police were trying to turn neutral witnesses into hostile witnesses. A distinguished former soldier, who knew Stankovic well, had recently left the service and set up a private business. He was threatened with damage to that business, if he did not co-operate with the MOD police in the way that they wanted. We have documentary proof of that.

Another distinguished ex-soldier, who had held command, testified to the MOD police that, to his certain knowledge, Stankovic had acted in Bosnia with loyalty and propriety at all times. The investigators told him that, in that case, he might be interested to know what Stankovic had written about him in his diary. Stankovic's diary contained the kind of personal assessment that any man might make in his diary of another. I protested personally about that to the chief constable of the MOD police—Mr. Walter Boreham—and pointed out that it was a flagrant attempt to turn a friendly witness into a hostile one. The chief constable could not even see the point. That is what is wrong with the MOD police; they have no sense of the difference between right and wrong.

There was another strange gap in the evidence. A key witness was Lieutenant-General Sir Mike Jackson—a true British hero, who now leads the NATO force in Kosovo, and is the colonel commandant of the Parachute Regiment. He submitted written evidence to the MOD police, stating what he knew about Major Stankovic. However, when we saw the list of witnesses provided by the MOD police, there was a declaration on the front cover that General Jackson had refused to give any evidence. That was a demonstrable lie. The Ministry of Defence police proceeded with their case on the basis of that kind of mendacity, half-truth and lying.

The greatest injustice of all was the length of time taken over the case. From the time of the arrest to the time when the papers were handed over to the Crown Prosecution Service was 13 months and two weeks. During that time, Major Stankovic was left to twist in the wind. The CPS examined the papers for almost five months, concluding, on 23 April this year, that there was no case to answer. Of course, there was no case to answer, because there was never any evidence.

The spotlight now turns on to the Ministry of Defence itself. There are questions that the Ministry and its advisers must answer. Why was Major Stankovic taken out of the staff college, thereby certainly ruining his career? Where was the presumption of innocence? It could not possibly have been on security grounds, because officers from foreign armies, who have no British security clearance, study at the college. No documents with a level higher than restricted circulate at the staff college.

Why was Major Stankovic not allowed a soldier's friend for the first two months after his arrest? That is the basic right of even the humblest private facing the possibility of a serious charge. When a soldier's friend was nominated—Brigadier Andrew Cumming of the 9th/12th Royal Lancers—why did the MOD police try to block that?

Why did a colonel sign a memorandum for internal distribution at the Ministry of Defence, warning serving soldiers who had been asked by the major's lawyer to give evidence on his behalf? The soldiers were warned that they did not have to do so. That means that those serving soldiers had an obligation to give evidence to the potential prosecution—the Ministry of Defence police—but were advised against giving evidence to the defence. We know for certain that some of them felt that they were intimidated and that, if they had given that evidence, their careers would have been affected. This is not a Kafkaesque police state; this is Britain, which is a free country with a loyal Army to defend it.

My next question relates to the cost. I believe that to prepare his defence—which he had to do—Major Stankovic has run up legal fees of up to 10 times his salary as a serving major. I shall not ask the Minister what contribution the Ministry of Defence has made because I know the answer, which is that not one penny piece has come from the legal defence fund.

I assure the Minister that the Army is watching carefully. It is aware of the injustice, and if Major Stankovic is not well treated, that will have serious repercussions throughout the ranks. Yesterday, I received a letter from a serving soldier who knew the major well in Bosnia. He said:

"This case is something that astonishes and angers me in equal measure. I hope fervently that some of those responsible will be held to account for the appalling way he has been treated. Only then will I be convinced that there remains some hope that the rest of us will be fairly treated in future."

Major Stankovic is entitled to answers to further questions. Who were his shadowy accusers in the first place? Did the accusations come from the intelligence service of a foreign power? If so, which intelligence service of which foreign power? Who signed off those accusations in the Ministry of Defence in the summer of 1997? I doubt whether the decision could have been made at a level lower than that of the Chief of the General Staff. Major Stankovic is entitled to an answer to those questions.

What about the rest of the major's career? Where is the apology? Where is the reinstatement? Where is the sense that the duty of care has not been exercised? He is entitled to answers on all those points.

I do not know, Mr. Deputy Speaker, whether you saw in *The House Magazine* last week a perceptive piece by Anne Perkins about this case, in which she drew a very apt analogy when she said that this is the British Dreyfus case. Alfred Dreyfus, a French officer of Jewish origin, was arrested over 100 years ago, also on suspicion of giving information to a foreign power. He was the victim of the anti-semitism of the French army and political establishment at that time. His sword was broken on the square and he was sent to the penal colony of Devil's island.

Major Stankovic's ordeal may not seem that extreme, although I suspect that it seems so to him, but he, too, is accused of not being one of us. It is the very qualities for which he was valued in Bosnia, such as his ability to make the mental leap across the linguistic and ethnic divide and to translate the people as well as the language, for which he is now being penalised.

The time has come for reparations. There are very few people who can act quickly to ensure that there is justice in this case. The Minister is one of them, along with the Chief of the Defence Staff and the Chief of the General Staff. I am sure that they are all aware of the importance of this case.

One other officer has a significant role to play: the major general who sits on the board that oversees the Ministry of Defence police, who seem to me to be unaccountable in a way that no civilian police force is. They are the equivalent of a police authority. Have they been asleep at the wheel for the past year and three quarters? Do they merely rubber-stamp the orders of the chief constable, Mr. Walter Boreham?

Mr. Julian Brazier (Canterbury): Name the general.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order.

Mr. Bell: Last December, I received an assurance from a senior general that when the Ministry of Defence investigation and that of the Crown Prosecution Service had been completed and the case returned to the Army, it would be dealt with very quickly. We have been waiting for 10 weeks, and Major Stankovic was told that he would receive an answer within two weeks. We need clarification.

1.45 pm

Mrs. Virginia Bottomley (South-West Surrey) *rose—*

Mr. Deputy Speaker: Order. The right hon. Lady must have the Minister's permission if she wishes to speak.

The Minister for the Armed Forces (Mr. Doug Henderson) *indicated assent.*

Mrs. Bottomley: The House and my constituent, Milos Stankovic, are greatly in debt to the hon. Member for Tatton (Mr. Bell) for raising this case in an Adjournment debate. Having raised this case myself and having visited Major Stankovic in Farnham recently, I know that it is hard to exaggerate the suffering and distress that he has been caused. This is an appalling case. There are questions to be answered about his career and the uncertainty and lack of information. Those questions have been well set out by the hon. Gentleman.

The case now raises wider questions. How will others be encouraged to serve in such sensitive situations if they feel that they may become vulnerable to accusation and the destruction of their career? More than that, their lives may be destroyed. If it were not for Major Stankovic's courage and fortitude, his situation would be even more precarious.

We have reached a point where the integrity of the Ministry of Defence police is in question. Everyone in the Ministry needs to consider not only how they can make good this matter to Major Stankovic, but how they can work to regain any respect and confidence in the accountability, management and supervision of the Ministry of Defence police. We are all aware that Major Stankovic has acted with great courage. The number of individuals who have been prepared to comment on his integrity, service and ability is formidable.

I have written to the Ministry on numerous occasions in recent months and to the Defence Committee, asking whether it would be prepared to examine the matter. I appreciate its reasons for rejecting that request, but the issue comes back to the Minister and his Department. How can he reassure my constituent, Major Stankovic, and his family—and, furthermore, the House and the country at large—about this matter?

1.47 pm

The Minister for the Armed Forces (Mr. Doug Henderson): I recognise that several hon. Members have a genuine interest in this case. That has been particularly demonstrated by the hon. Member for Tatton (Mr. Bell) and the right hon. Member for South-West Surrey (Mrs. Bottomley), who have spoken in the debate. I am very pleased that the debate was secured. I hope to be able to answer the specific points, most of which were raised by the hon. Member for Tatton. If I run out of time, I will be happy to try to answer his questions in writing.

I want briefly to explain my obligations in this matter. First, I have an obligation to be mindful of the public interest and the security and defence of the nation. I have

[Mr. Doug Henderson]

to be mindful also of the strict application of the Official Secrets Acts. I take that obligation extremely seriously. I also have a responsibility to refer any allegations of a breach of the Official Secrets Acts to the appropriate channels.

It is not my obligation to intervene on investigations undertaken by the Ministry of Defence police. It is their responsibility to investigate allegations, and I know that they do so in consultation with the Crown Prosecution Service, which decides whether charges should be pressed. However, in the case of the Official Secrets Acts, the Attorney-General must also be brought into the calculation.

In relation to Major Stankovic's current situation, it is not my responsibility to decide whether further action should be taken against him. It is a matter for the Army chain of command to decide whether there was a breach of Army regulations or whether it could lead to administrative action.

I am also strongly aware of my obligation to ensure fair treatment for every serving member of our armed forces in whatever service and whatever circumstances. I take that responsibility equally seriously with my other obligations and responsibilities.

I now turn to the points that the hon. Gentleman raised in relation to the activities of the Ministry of Defence police. One allegation was that the MOD police had ransacked Major Stankovic's house. A second was that the MOD police showed prejudice by their action in relation to his entitlement to medals. Another allegation was that the MOD police had tried to convince witnesses who would otherwise have been seen as neutral to support the evidence that they had brought to the case and that at least one individual's business had been threatened if he did not comply.

The hon. Gentleman has made serious allegations. He will know that it is not my responsibility to investigate the details. That would be a matter for the Police Complaints Authority. If the hon. Gentleman and others believe that the MOD police did not act properly, they should know that the MOD police are subject to the same scrutiny as other police forces and I suggest that they raise the matter through the Police Complaints Authority.

Mr. Bell: I accept the Minister's point. Will he ensure that the board to which the Ministry of Defence police is theoretically accountable takes note of those allegations, if necessary, asks Major Stankovic's lawyer to appear before it and holds the chief constable to account, which it has never done before?

Mr. Henderson: I have every confidence in the MOD police. In fact I attended their most recent board meeting.

If there are referrals to the Police Complaints Authority, the results of any investigation would be subject to monitoring by the Minister of Defence board and by Ministers. I give the hon. Gentleman a guarantee that I will do that should those allegations be made through the Police Complaints Authority.

The hon. Gentleman asked why it took 13 months and two weeks before the Crown Prosecution Service decided that no charges should be brought against Major Stankovic. Hon. Members will be aware that, in most democratic countries, legal processes are often slow acting because balances are built in and there is an obligation on those investigating to make sure that they get to the bottom of the evidence. In this case, 88 witnesses were interviewed, some on two or three occasions; 107 statements were recorded and tens of thousands of documents had to be examined, many of which had to be translated into English. I hope that those figures give a flavour of the complexity of the investigation that was undertaken by the MOD police.

In relation to the further delay since April, given the speed with which legal processes operate—as hon. Members will know from personal and constituency experience—it is not an inordinate delay from 15 April until now. After the Crown Prosecution Service decided not to press charges because of insufficient evidence, the Army chain of command then had to decide whether there were sufficient grounds to consider taking further evidence which might lead either to charges that could lead to a court martial or to charges that could lead to administrative action. The consideration was that the Army chain of command needed access to at least some of the documents that were held by the MOD police. It took from 15 April until 13 June before a request was made for those documents. Given my knowledge of legal processes, I do not think that that was an inordinate delay.

On 25 June, just over a week later, Major Stankovic's solicitors were informed of the request for that documentation and, on 30 June, they objected to the release of some of the documents. The MOD police are taking advice on whether to release those documents to the Army chain of command. Hon. Members and serving officers in the Army will understand that until the legal processes have been undergone, it would not be proper for the Army chain of command to take a further decision on what the future holds for Major Stankovic.

I hope that I have explained why there have been delays and that the House will accept that they were not inordinate. There certainly has been no attempt by anyone in the MOD or the MOD police to delay the proceedings.

The hon. Gentleman asked why Major Stankovic was taken out of the staff college. He was able to consider classified information there and that would not have been appropriate, given the charges that he might have faced, so it was decided to transfer him to regimental duties where that would not be a problem.

The hon. Gentleman asked why Major Stankovic was not allowed a soldier's friend. In fact, he was allowed a soldier's friend.

Mr. Bell: He was not allowed a soldier's friend for two months. What kind of justice is that?

Mr. Henderson: I understand that, within the normal time scale, he was allowed a soldier's friend, but I shall investigate further to find out whether there was any delay of which I was not aware and write to the hon. Gentleman.

The hon. Gentleman then asked why serving soldiers were warned about giving evidence. The answer is that serving soldiers were told that they could give evidence if they wished and if they had relevant evidence to give. As we have a duty of care, we explained to those serving soldiers that if they decided to give evidence they would have to be mindful that they could not disclose any secure information or they could get into difficulty.

The hon. Gentleman asked who the accusers were. I know that the House would not expect me to answer that, as it would be improper. No police authority will divulge its original source of information. It will be a different matter if the case gets to court.

In respect of the future career of Major Stankovic, now that there are no charges to face from the Crown Prosecution Service, Major Stankovic can return to a normal career in the Army, once the Army chain of command has examined the documents from the MOD police and has made a judgment as to whether there were other irregularities which could lead to a court martial or to administrative action. On the assumption that that does not happen and he is again granted security clearance, I see no reason why he should not re-establish his career in the Army. Indeed, I would expect that. I am determined that justice be done and be seen to be done and that everyone who serves in our armed forces should be treated fairly.

As I said in my introductory remarks, I have wider responsibilities and I need to consider the public interest and the security of the nation. I take that very seriously and it has to be balanced against the rights of any individual in any circumstances. I hope that I have answered the points that the hon. Gentleman raised—

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No.10 (Wednesday sittings), till half-past Two o'clock.

MESSAGE FROM THE QUEEN

DOUBLE TAXATION RELIEF

The VICE-CHAMBERLAIN OF THE HOUSEHOLD reported Her Majesty's answer to the Address, as follows:

I have received your Address praying that the Double Taxation Relief (Taxes on Income) (Kuwait) Order 1999 be made in the form of the draft laid before your House.

I will comply with your request.

Oral Answers to Questions

INTERNATIONAL DEVELOPMENT

The Secretary of State was asked—

Commonwealth

1. **Dr. Rudi Vis** (Finchley and Golders Green): What steps her Department is taking to strengthen the Commonwealth's role in development activities. [89752]

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): About 57 per cent. of our bilateral programme goes to Commonwealth countries. We are also supporting work with Commonwealth Youth, local government, media and science organisations and a large programme of Commonwealth scholarships and fellowships, as well as other programmes administered by the Commonwealth Secretariat. At the Commonwealth Heads of Government meeting in Edinburgh our agenda for poverty eradication was adopted, and we hope this will be taken further at the next CHOGM in South Africa in November.

Dr. Vis: I thank my hon. Friend for his answer. Does he agree that trade is vital in assisting development in Commonwealth countries? What is he doing about that, with particular reference to the next multilateral trade round?

Mr. Foulkes: My hon. Friend is right. I did not mention trade, and he is right to ask me to do so. Britain is contributing to the trade and investment access facility, which was set up at the CHOGM in Edinburgh in November 1997. One of the best examples of British assistance that I have seen is the regional negotiating machinery in the Caribbean, where we are helping to improve the capacity to negotiate and put forward a case in the trade round. With three trade rounds coming up—the discussion on free trade areas of the Americas, the post-Lomé negotiations and the next World Trade Organisation round—it is vital that Caribbean countries have that capacity. I am proud that Britain is helping them in that way.

Mrs. Cheryl Gillan (Chesham and Amersham): Despite the Minister's statements, does he share my concern about the fact that the economic growth of countries in the developing world—South Africa, for example—has been harmed by the Chancellor's sale of our gold reserves? Does he regret the fact that the Government's actions have sent the markets on which those countries depend plummeting? Was he or the Secretary of State consulted about the Chancellor's decision? Did his Department object or make any protest about the effect that the sale would have, and has had, on some of the poorest countries in the world? Perhaps he will tell us what is the point of his Department giving aid with one hand when another Department takes away countries' economic health and strength with the other.

Mr. Foulkes: I think that the hon. Lady has missed the point. The price of gold has been decreasing progressively. Other countries are selling gold. We advocated the sale of the gold of the International Monetary Fund to help to pay for the debt cancellation for developing countries, so as to help those countries. We are talking about a small fraction of the amount of gold held in the world. The hon. Lady is becoming agitated when she need not. I hope that she will support us in getting the IMF gold sold, so that debt cancellation can be swift and effective.

Horn of Africa

2. **Sir Teddy Taylor** (Rochford and Southend, East): If she will make a statement on the humanitarian situation in Ethiopia and Eritrea. [89753]

The Secretary of State for International Development (Clare Short): Recent estimates suggest that nearly 4 million people need humanitarian assistance in Ethiopia because of crop failure, and a further 400,000 because of displacement as a result of the war with Eritrea. In Eritrea, some 268,000 people need emergency assistance as a result of the conflict. Since January 1998, we have provided £6.8 million in humanitarian relief to the two countries.

Sir Teddy Taylor: As the horrendous suffering and loss of life in the dispute between those two countries appear to be almost on the scale of the first world war, and as the issue seems to be a piece of land of no great value or significance, could the Government play a role by inviting representatives of both countries to London and bringing them together to try to stop that crazy and appalling war, which is killing so many people and achieving nothing, and in which we have a responsibility as another nation of the world?

Clare Short: The hon. Gentleman is right. The war is very like the first world war, with many deaths, and young men being flung at each other over a barren piece of land. Both sides have accepted the Organisation of African Unity's proposals but not each other's good faith, so the war continues. Ethiopia is one of the poorest countries in the world, and we cannot help it to feed its people better if the war goes on. We have been doing all that we can bilaterally, by supporting the OAU process, and at the United Nations to try to get a settlement, and we will continue to do so.

Mr. Mike Gapes (Ilford, South): Does my right hon. Friend recall that Eritrea got its independence from the Ethiopian empire after many years of hard struggle, and is a very small country with a much larger, more powerful neighbour? Is it not tragic that the conflict continues, and that the people of the region have suffered many decades of conflict and poverty? Is it not time that far more was done to protect small nations in Africa from large and powerful neighbours?

Clare Short: I agree with everything that my hon. Friend has said, except the implications of his last sentence. It would not be fair to suggest that the conflict was Ethiopia's fault. As the hon. Member for Rochford and Southend, East (Sir T. Taylor) said, the war is disastrous. It is not in the interests of either country, and is a tragedy for the development of both. It is even more tragic that both sides have accepted the OAU proposals

but not each other's good faith, so the killing goes on. Both sides need peace, and we should do all that we can to bring that about.

Mr. Nigel Evans (Ribble Valley): Crop failure adds to the misery that both countries are experiencing. The Minister knows of the expertise in agricultural colleges throughout Britain—in none more so than Myerscough agricultural college in Lancashire. What initiative is she taking to use such expertise in countries such as Eritrea and Ethiopia?

Clare Short: Unfortunately, I do not know of the wonderful college in the hon. Gentleman's constituency, so I do not know whether it has expertise in tropical agriculture, but we support a worldwide research programme and the application of the best research to agricultural methods in countries such as Ethiopia, which cannot grow enough food for their people. We work extensively with the scientific community in Britain. I shall find out whether we have any engagement with that college and write to the hon. Gentleman.

Cairo Conference (Population)

3. **Mr. Martyn Jones** (Clwyd, South): What key actions were agreed at the recent United Nations General Assembly special session on the five-year review of the international conference on population and development plan of action, Cairo 1994; and if she will make a statement. [89754]

5. **Mr. David Chaytor** (Bury, North): If she will make a statement on the recent Cairo plus five meeting on population control, maternal mortality and reproductive health. [89756]

The Secretary of State for International Development (Clare Short): The recent UN General Assembly special session reaffirmed the breakthrough made at Cairo five years ago, which stressed the need to provide all people with the information and opportunities necessary to control their fertility and protect their sexual health. We also agreed key future actions to curb the spread of HIV, to reduce maternal mortality and to improve education and access to services for young people. The agreement included key targets and milestones to ensure that the policies are effectively implemented.

Mr. Jones: I support the stand made by my right hon. Friend on reproductive health issues in her speech to the special session. As one way in which to push forward the decisions taken at Cairo is for all countries involved to give their full donation up to the 4 per cent. OECD recommended level, has my right hon. Friend made any progress in ensuring that other countries involved in the Cairo decision will put that full 4 per cent. into the projects?

Clare Short: I am grateful to my hon. Friend for his support for our position. With regard to financial support, it is important that reproductive health care is not seen as a separate programme, but that basic health care systems should be in place for everyone in the world, providing reproductive health care, inoculations for children and all the other basic care that people need. That makes it less easy to define the money spent on reproductive health care. At the UN special session we agreed targets to roll forward improvements in services across the world. That requires co-operation between donors, the World Health Organisation, the World Bank and local Governments to improve health services and reproductive health services, and that is how I hope services will develop.

Mr. Chaytor: I, too, congratulate my right hon. Friend on the way in which she has pursued the issue at international level. Is it not a frightening prospect that there are now 40 million HIV sufferers in the world, more than half of them young people—of whom half are women—and that the maternal mortality rate in poor countries is 500 times worse than that in western Europe? Can my right hon. Friend assure the House that she will continue to ensure that the issue has a high profile? Will there be a Cairo plus six?

Clare Short: My hon. Friend is right. There are now 40 million people with HIV or AIDS. The disease is concentrated in Africa, but it is now spreading in Asia and Latin America. Half the new infections are in young people, half of whom are young women. One of the issues discussed at the UN special session was the need for proper sex education for young people. Traditionalists tend to say that that will encourage sexual activity, but they are wrong. Young people who know about their sexual health tend to delay their sexual activity and protect themselves much more, and that is crucial for the largest generation of young people that we have ever had. Since Cairo, there has been no improvement in the number of women who die as a result of pregnancy—600,000 a year. My hon. Friend is right to say that we must make faster progress. There will not be another special session next year, but we have milestones by which to measure progress.

Dr. Jenny Tonge (Richmond Park): I congratulate the Secretary of State on her speech to the special session. I read it carefully and I agree with every word. Recognising, as she does, that unprotected sexual intercourse leads to unwanted pregnancies, abortions and disease—indeed, it is reported that rape has now become a recreational activity in South Africa—will she undertake that her Department will make emergency contraception available in all the projects that it supports in Africa and Asia? Will she also suggest to her Cabinet colleagues that, to set an example, emergency contraception should be more easily available in Britain?

Clare Short: I am grateful to the hon. Lady for her support. In the preparation for the special session we had a big argument about emergency contraception for refugees. The traditionalists argued that it should not be made available to women many of whom are fleeing having been raped, such as those from Kosovo. It is unbelievable that anyone should suggest that such women should not be entitled to emergency contraception. I am pleased to say that, in the end, we won that argument. I agree with the hon. Lady that all forms of contraception should be available, but, wherever possible, we should give people knowledge and control over their sexual lives so that they do not have to have to resort to abortion or even emergency contraception. None the less, the services must be there for people to make their own choices.

Mr. John Bercow (Buckingham): To what extent does the right hon. Lady intend to press for the development

of the role of the private sector in the provision of reproductive health services to complement the allocation of public resources?

Clare Short: I support the hon. Gentleman's point. We are working in many countries to make comprehensive services available. That includes public sector, private sector and non-governmental organisations, and sometimes subsidising the cost of products, making them available through the private sector. We need to make provision through all outlets, so that everyone has access to contraception in the best way possible.

Mr. Jim Murphy (Eastwood): My right hon. Friend will know of the great efforts that have been made in South Africa to combat the growth of AIDS, notwithstanding all the other priorities that the new South African Government have. What does she think is being done, and what can be done, to help that Government to overcome the increasing epidemic?

Clare Short: My hon. Friend is right; I think that the AIDS epidemic is growing faster in South Africa than anywhere else in the world. A big effort is now being made, but there was a delay at the beginning.

Uganda and Thailand teach the big lesson. Uganda has stemmed the increase in infections through public campaigns, both from the President and in every village. People in Uganda now know how to protect themselves; condoms are available, and the incidence of AIDS is no longer increasing. Other countries, including South Africa, need to learn from Uganda. When my right hon. Friend the Prime Minister visited South Africa, he announced big new support for the programme to combat the spread of AIDS and HIV there.

Mr. Gary Streeter (South-West Devon): Conservative Members fully support the provision of the best possible education about health care, sex and reproduction for everyone in the developing world. However, does the Secretary of State accept not only that her comments in *The Guardian* two weeks ago—she branded the Catholic Church as pursuing a disgusting and unholy agenda and being in favour of more women dying—were gratuitously offensive, but that they clouded an important message about family planning that needs to be communicated skilfully and tactfully? Does the right hon. Lady now regret those insensitive and insulting remarks?

Clare Short: I do not know whether you, Madam Speaker, have received a message from the Vatican to the effect that the hon. Gentleman has been appointed to represent its interests. Given that the Catholic Church is my Church, however, and given that I have many contacts with it, I do not accept the idea that he should represent it to me; I consider that entirely inappropriate.

The sad reality for the Catholic Church is that most Catholics throughout the world do not think that its teaching on contraception is right. I am one of those people. I think that the Vatican's attempt, behind closed doors in New York, to reverse the progress made in Cairo—progress that gave people the right to choose for themselves—was deeply wrong. It had allied itself with some fantastically reactionary countries, such as Sudan, Libya and Algeria, in its endeavour, and, in the early days, it was succeeding. But when this became a matter of public knowledge, it was driven back. I am glad about that, because I think it important for people to know the truth.

Mr. Streeter: None of that excuses the intemperate language used by the Secretary of State, which has masked an important message. Why does she not model herself on Geri Halliwell, the United Nations goodwill ambassador, who recently spoke out about reproductive health care, but in a skilful and tactful way, and got the message across? If a former Spice Girl can get it right, why cannot the Secretary of State?

Clare Short: The hon. Gentleman's ever more desperate attempts to generate publicity are not very impressive. He was quoted in the *Daily Mail* as saying something very different: he aligned himself with the reactionary forces who do not believe that people should have choices and control over their sexual health. Perhaps he would like to tell us whether he supports the declaration agreed by all the countries of the world at the United Nations. [HON. MEMBERS: "Question?"] Indeed, I do not usually ask the hon. Gentleman questions; but if he has any aspiration ever to become an International Development Minister, he ought to tell us whether he will act responsibly in that area.

Kosovo

4. **Mr. Tom Brake** (Carshalton and Wallington): What assistance the Government are providing for demining activities in Kosovo; and if she will make a statement. [89755]

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): We have provided resources, through the United Nations mine action service, to establish the co-ordination centre in Pristina. We have also funded the Halo Trust to survey the main areas of risk, and the deployment of 12 rapid response teams. So far, we have committed £1.7 million to this work.

Mr. Brake: I welcome that news, but can the Minister tell us how many casualties have been reported as a result of land mine incidents? Can he also tell us what has been done to educate and inform refugees in the camps of the dangers before they return to Kosovo?

Mr. Foulkes: We are not certain about the exact number, but it is about five a day. That is tragic, but there are fewer casualties than we feared initially. We are funding education programmes, and we are helped by the fact that the Yugoslav army has identified 425 of the 625 mine fields. We have information about the unexploded ordnance, and we are passing that information on to people, particularly families with young children who might be vulnerable.

Mr. Tam Dalyell (Linlithgow): I applaud the work of the Halo Trust and the brave men who work for it. How do the Government see Serbia's role in helping to clear the mines?

Mr. Foulkes: Serbia has been very helpful in providing us with detailed information about where the mines were laid. We must admit that that has been helpful in our work of trying to clear mine fields as quickly as possible.

Mr. Andrew Robathan (Blaby): I welcome what the Minister has said, but has he had any discussions with the

Ministry of Defence to ensure that Royal Engineers can assist in that vital work before the winter sets in and snow covers up the mines, although it will not lessen their destructive impact? Will he accept my assurance that hon. Members on both sides of the House welcome the money being put into the reconstruction of Kosovo, and believe that we should give as much as we can, commensurate with the amount that we spent on bombing Serbia during the conflict?

Mr. Foulkes: I have already said that we have put in a significantly large amount. Other countries and agencies are, of course, also contributing. The armed forces are undertaking some mine clearance, but that is increasingly being taken over by civilian organisations, which we are funding. I hope that the hon. Gentleman will agree that Britain is making a substantial contribution to mine clearance, just as it has to all humanitarian work in Kosovo.

6. **Mr. Vernon Coaker** (Gedling): What assessment she has made of the educational and medical needs of refugee children in Kosovo; and if she will make a statement. [89757]

The Secretary of State for International Development (Clare Short): Assessments of children's needs are the responsibility of the United Nation mission in Kosovo. We are providing financial and other support to the World Health Organisation and UNICEF, which, among other things, are trying to ensure that all children are back at school by September.

Mr. Coaker: I thank my right hon. Friend for that reply. Following my visits to the area, may I ask whether she agrees that one of the most important things for children in Kosovo is psycho-social support, which is necessary to help them overcome the trauma that they have experienced over the past few months? Will she also do all that she can to help children in the region who have special needs?

Clare Short: There are two views on psycho-social support for people who have been traumatised, but the predominant view is that getting back to normality is the most important thing—getting children back home and back to school, and getting normal society up and running. They might need additional help, but what they really need is a sense of normal life returning.

As for children with disabilities, obviously we have to stop people, particularly children, being hurt in mine accidents, but we need to get the schools and the health systems up and running. Rather than providing special projects, we need to support the UN mission and the World Health Organisation in getting the health and social services working in Kosovo—and that is what we are doing.

Mr. Tim Boswell (Daventry): I in no sense disagree with the exchanges so far, but will the Secretary of State remember the importance of ensuring that people who have children in their care, such as teachers and others, are advised and encouraged by those with experience of dealing with traumatised children? It is important that teachers come to terms with the difficulties that their pupils are suffering.

Clare Short: The hon. Gentleman is right, but the question is how best to do that. Much effort was made to provide counselling after the mass rape of women in Bosnia. Putting the same amount of money and energy into getting people's lives back to normal and getting their homes into some sort of order seems to have a more immediate impact, so we need to concentrate on both things.

Heavily Indebted Poor Countries

7. **Mr. Andrew Reed** (Loughborough): What discussions she has had with the Chancellor of the Exchequer on measures to increase the priority given to poverty reduction within the heavily indebted poor countries initiative. [89758]

The Secretary of State for International Development (Clare Short): The Chancellor of the Exchequer and I—good timing; my right hon. Friend has just arrived—strongly believe that the purpose of debt relief is to enable Governments to tackle poverty more effectively. We welcome the G7 Cologne statement that the central objective of the HIPC initiative is to release resources for programmes to reduce poverty. The second phase of that review is under way, and is examining ways in which the link between debt relief and poverty reduction can be strengthened. We have submitted our ideas to the review team and will push for a strong poverty link to be agreed at the annual meetings of the World Bank and International Monetary Fund in September.

Mr. Reed: I thank my right hon. Friend for that reply—and the Chancellor for coming to listen to my question. Does she agree that, in the past 11 months, we have made tremendous strides, and gone much further than many Labour Members would have dreamt possible? However, will she ensure that, while we are on that roll, we manage to push in the forthcoming negotiations for real change in the IMF structural adjustment programmes, so that they—unlike current programmes, which many believe push the poorest into increasing poverty—really make a difference to the world's poor?

Clare Short: My hon. Friend makes a very important point. Although we want deeper and quicker debt relief, we also want the general IMF conditionality to protect social spending benefiting the poor, and the economic policies that promote economic growth and will reduce poverty. We are currently working on that side of the equation. Although we have made good progress on deeper debt relief, we do not yet have all the funding for it that was agreed at Cologne; we need countries to come forward and make pledges. We hope to persuade the European Commission to make a considerable pledge, so that we can operate the improved formula agreed at Cologne.

Mr. William Cash (Stone): Does the Secretary of State, who mentioned her close working relationship with the Chancellor of the Exchequer, accept that there is very deep disquiet about the relationship between gold sales and the reduction of third world debt? Does she accept that Mr. Bobby Godsell, the president of the Chamber of Mines of South Africa, and Mr. Motlatsi, the president of the South African National Union of Mineworkers, are in the United Kingdom precisely because there is such deep disquiet? Does she also accept that there is no point in

selling gold if the effect of such sales is to depress the opportunities of people in South Africa, and in other parts of Africa and the rest of the world, to get jobs? Does she agree—I hope that she will answer this question—that there is no point in causing job losses that would cause even more poverty than that caused by debt?

Clare Short: I doubt whether the hon. Gentleman supported many of the previous Administration's policies, but he probably did support their policy of gold sales to fund debt relief—*[Interruption.]* Conservative Members supported gold sales to fund debt relief, and it is not a good idea for them suddenly, when the idea has become popular, to change their minds. Although we are all concerned about the people who work in South Africa's gold mines, there has been a long-term decline in the gold price. Around the world, banks are no longer using gold to back their currencies. The pretence that Britain's recent decision explains the recent decline in South African gold prices just does not hold up.

Mr. Peter L. Pike (Burnley): Debt relief is of great importance to my right hon. Friend—as it is to the rest of the Labour Government—but she has always been noted for her fair and blunt speaking. Does she believe that the countries that we are trying to help through debt relief fully understand her message that we cannot tolerate corruption in those countries, and that debt relief is sometimes subject to their putting their own houses in order?

Clare Short: My hon. Friend makes a very important point. Some of the enthusiasts for debt relief say that it should be unconditional, but we have made it absolutely clear that it should not be unconditional, but must be designed to reduce poverty, and that the countries concerned will have to bear down on corruption. We are ensuring that, in the detail of the way in which debt relief is linked to poverty reduction, debt relief will not be used to support corrupt regimes that are simply wasting resources. My hon. Friend is absolutely right.

Water Companies

8. **Mr. Michael Fabricant** (Lichfield): When she last met representatives of the water companies to discuss the aid which they donate to developing nations. [89759]

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): My right hon. Friend recently met the outgoing director of Water Aid, and earlier this year, on a visit to Nepal, saw some of Water Aid's projects. We greatly respect Water Aid's work, and the generosity of the water companies' staff and customers. We also recognise the importance of the increasing commercial activities of a number of United Kingdom water companies in developing countries. We are seeking to ensure that they recognise the fundamental right of the poor to affordable, safe and reliable water and sanitation services.

Mr. Fabricant: What a welcome change in tune. Only two years ago, the Secretary of State said to me:

"I am not aware of any work done by private water companies in Africa."—*[Official Report,* 25 June 1997; Vol. 296, c. 835.]

I am pleased that she is now meeting the water companies. Is the Minister aware that, in the past year alone, privatised water companies helped 600,000 people in Africa, and provided more than £2 million? Is he aware of the valuable work that they did in assisting womenfolk in Africa, who have the burden of work in having to take water one, two and sometimes three miles to their homes from insanitary water holes?

Mr. Foulkes: The hon. Gentleman should not get too excited. Of the £9 million spent annually by Water Aid, £1 million comes from the water companies, which spend less than 0.01 per cent. of their profits on Water Aid. They could do a great deal more.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [89782] **Mr. Geoffrey Clifton-Brown** (Cotswold): If he will list his official engagements for Wednesday 14 July.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

Mr. Clifton-Brown: Does the Prime Minister think that it is right that this country should be selling off its precious gold reserves in order that it can instead invest in depreciating euros?

The Prime Minister: The monomania of the Conservative party on Europe is astonishing. The gold price has actually been falling for two years, so if it carried on falling and we did not sell, we would lose money. I should have thought that even today's Conservative party could make that sum work out.

Q2. [89783] **Mr. Lawrence Cunliffe** (Leigh): Does my right hon. Friend agree that people throughout the United Kingdom and the Irish Republic are resting their hopes today for peace on the actions of the Northern Ireland politicians? Does he further agree that the people will not forgive, forget or understand if their politicians fail to seize the best chance for peace for a generation?

The Prime Minister: I hope that all the politicians in Northern Ireland make their very best efforts to secure this chance for a lasting peace and settlement in Northern Ireland. To that end, we shall table amendments today in line with the Good Friday agreement, but amendments that will reflect, I think, many of the comments that were made on both sides of the House in yesterday's debate.

In particular, those amendments will focus upon ensuring that decommissioning happens, in accordance with the timetable that has been laid down by de Chastelain, in the Bill; making it clear that any breach of that timetable will lead to the automatic suspension of the institutions; and ensuring that we can clearly and formally identify the parties that default either in decommissioning or in devolution.

We have listened very carefully to the comments made in the House yesterday. We shall therefore table further amendments in an effort to provide a basis upon which all people can agree this last step in the Good Friday agreement process. If they can, Northern Ireland faces the prospect, for the first time in a generation, of a secure, stable and peaceful future.

Mr. William Hague (Richmond, Yorks): The Prime Minister has obviously made an important announcement about the Northern Ireland legislation, and we welcome the fact that the Government are now ready to amend the Bill. Obviously, the Opposition hope that this means that the Government are responding to the genuine concerns, expressed in the debates last night, about the lack of failsafes in the legislation, and we anxiously await the details.

On other matters, I know that the Prime Minister will be aware of the case of Heather Begbie, whose parents took the Government to court for breaking their promises on the assisted places scheme. Will he now honour the pledge made to that 11-year-old girl and hundreds like her, that he would allow children on that scheme to receive support until the end of their education—or does he, like the lawyer representing the Secretary of State at the hearing, claim that pre-election promises are irrelevant?

The Prime Minister: We have not broken any pre-election promises. On the contrary, let me read what we actually said before the election.

"If a child has a place at a school which runs to age 13, then that place will be honoured through to 13."

It was a manifesto commitment that we phase out assisted places, and we did so to provide smaller classes for the five, six and seven year-olds in this country. Far from breaking a promise, we have kept the promise.

Mr. Hague: How can the Prime Minister talk about reducing class sizes when class sizes have now gone up in secondary schools, primary schools and nursery schools? He has not even kept that promise. Before the election, he wrote to parents:

"Any children already on the scheme will continue to receive support until the end of their education."

Which of those words is he going to try to get out of? Is not this a saga of misrepresentation and broken promises? If he had any sense of shame, would he not now redeem his promise? Will he do so?

The Prime Minister: First, let me correct the right hon. Gentleman on the facts. For the first time in 10 years, class sizes are falling, not rising. From this September, an extra 160,000 five, six and seven-year-olds will be in class sizes of under 30 because we have phased out the assisted places scheme. As for breaking promises, let me read, for example, a quote from *The Daily Telegraph*, weeks before the election. It reported:

"David Blunkett, the Labour education spokesman, said . . . 'Pupils with assisted places who are in primary education will have them honoured to the end of the primary stage.'"

That was made absolutely clear throughout, which is one reason why we won the court case and did not lose it.

Mr. Hague: Here are the Government's figures for the average class sizes of maintained primary schools: 1997, 28.1; 1998, 28.3; 1999, 28.4—an increase in every year so far. The Prime Minister says that he has not broken his promise. Here are the words of the judge in this case—Mr. Justice Kay, Queen's Bench division—when he handed down his judgment:

"It is a sorry state of affairs when a Secretary of State has to explain away his own letters as mistaken . . . and a statement of the Prime Minister as an incorrect representation of policy".

The Prime Minister made a commitment to these children and he broke his promise—just like the promises on waiting lists, on class sizes, on taxes, on tuition fees, on grammar schools and on junior doctors. When it comes to broken promises, he is now for the many and not the few.

The Prime Minister: First, the words that he has quoted were written after the election, not before it. Secondly, we made it clear in the manifesto that we would phase out the assisted places scheme. That was one of the five pledges that we made. Thirdly, we have passed legislation which makes it clear that we will see children through to the end of their primary school stage—but we were not going to use taxpayers' money to fund them afterwards.

The right hon. Gentleman talked about the many, not the few. First, he is wrong—we have brought down class sizes in primary schools. *[Interruption.]* He is wrong, and I will set out the figures for him. Secondly, he said that we have been for the few, not the many. Class sizes this year will fall for five, six and seven-year-olds— *[Interruption.]*

Madam Speaker: Order. That is enough.

The Prime Minister: Class sizes will fall for 160,000 five, six and seven-year-olds. That will mean that, over the two years of this Government, 280,000 fewer children will be in class sizes of more than 30. As the right hon. Gentleman is now saying that he would keep the assisted places scheme, he would be spending £50 million on 1,600 pupils. We say that that £50 million should be spent on smaller class sizes for 160,000. That is what I mean by saying that we are for the many, not the few.

Q3. [89784] **Mr. Andy King** (Rugby and Kenilworth): Did my right hon. Friend notice that the Leader of the Opposition, wisely in my view, avoided any question on the economy? *[Interruption.]* Could that be because last year he said—

Hon. Members: Order.

Madam Speaker: Order. Let us cool it. It is not bucket and spade time yet. Will the hon. Gentleman now put his question very succinctly, bearing in mind that the Prime Minister is responsible only for Government policies and not for those of the Opposition?

Mr. King: Does my right hon. Friend agree that, despite the fact that the Leader of the Opposition spoke— *[Interruption.]* He spoke of a downturn caused by Downing street, but unemployment has fallen by 80,000 this year. *[Interruption.]* Will my right hon. Friend release some Government officials to assist Conservative Members with their forecasting?

The Prime Minister: I can see why the Conservatives wanted to shout the question down. Fortunately, I am

responsible for Government policy, not Opposition policy. Let me tell the House what Government policy has delivered. Unemployment is down, and employment up 400,000, at record levels. We have record levels of inward investment. Does my hon. Friend remember the Conservatives saying that it would all dry up if Labour came to power and that if we introduced a minimum wage 2 million jobs would go? Employment up, interest rates down, inward investment up: that is new Labour working.

Mr. Paddy Ashdown (Yeovil) *rose—*

Hon. Members: Oh no!

Mr. Ashdown: Do not worry; it is almost the last one. [HON. MEMBERS: "Hooray!"] That is the best cheer that I have ever had.

As the Good Friday agreement hangs by a thread, may I warmly welcome the important statement that the Prime Minister made? I and many millions of others hope that it will finally provide the reassurance to enable the process to go forward. I suspect that there is not much more that we can say to assist the process, so I shall turn to another subject.

As the Prime Minister considers his reshuffle in the near future—[HON. MEMBERS: "Not you."] It is far too late for me. I ask the Prime Minister to reflect on the fact that we now have twice as many Ministers as when we governed half the world. The previous Government increased the number of Ministers even as they sold off all the public, nationalised industries and hived off three quarters of the civil servants to arm's-length agencies, and the current Government have shown reluctance to reduce the number, despite the fact that we have devolved large amounts of power to Scotland and Wales. For how much longer can we justify Governments of the day asking everybody else to do more with less while they do less with more?

The Prime Minister: It is a bit unfair, if the right hon. Gentleman is not taking a ministerial job, to wish away everyone else's. Ministers are amply busy with the tasks that they do. He says that Ministers do not have the same responsibilities as before, but often they have more. Considering the economy, education, today's crime figures or the lifting of the beef ban, Ministers are doing a rather good job.

Mr. Ashdown: If the Prime Minister simply looks at the most recent Scottish and Welsh Question Times, he will see that that is not the case. We have devolved power to Scotland and Wales, but there are still seven Ministers in the Scottish and Welsh Offices. Of the nine questions asked at a recent Scottish Question Time, only three were relevant. He has a real opportunity to set a standard for the rest of the Government and show that now that we have devolved power he can work with a smaller Government, and he might start with the Scottish and Welsh Offices.

The Prime Minister: We have already said that devolution makes a difference, but, in relation to the overall duties that Government Ministers carry out, the position is as I have said. I shall await with interest the question from the right hon. Gentleman at the next Question Time.

Q4. [89785] **Mr. Alan Simpson** (Nottingham, South): I am glad that we have been reminded that the reshuffle is in the air, and I hope that the Prime Minister will not presume that I am grovelling for preferment if I bowl him a soft one. Does he agree that, at a time when Britain still has deep concentrations of those who are food poor, it is scandalous that the European Union spends £600,000 a day paying farmers to plough back food that has been produced, instead of distributing it? It also pays farmers £27 million a week to grow nothing.

Will the Prime Minister join me in calling for a revision of those policies so that we distribute the food that has been produced freely to the poor and look to a shift in subsidy priorities away from non-production to organic production, conveniently thereby parking the GM wagon at the wayside, with about the same promotion prospects as I suspect I have?

The Prime Minister: My hon. Friend should not be so modest. It was such a good question that he should keep his pager with him at all times. *[Laughter.]* That is not a promise. His point about agricultural production is right, but there will be more pressure on the European Union than it yet realises as a result of the World Trade Organisation negotiations. We would have liked bigger cuts in agricultural production subsidies at the Berlin summit, but a lot of progress was made and it will benefit British consumers to the tune of about £1 billion a year. A lot more can still be done, and the WTO negotiations will provide us with an ample chance of pushing through free trade measures around the world. That would benefit many of the poorest and most developing countries.

Mr. Peter Viggers (Gosport): If the accident and emergency unit at the Royal hospital, Haslar, in my constituency were to be closed, there is no doubt that lives would be lost in ambulances on the congested roads to the remaining hospitals. What will the Government's message be to the bereaved?

The Prime Minister: When I was in Portsmouth, I made it clear to people that although the Haslar hospital is a Ministry of Defence hospital, not an NHS hospital, we have to ensure that the services that are available at that hospital are available elsewhere. The hon. Gentleman will know that one of the reasons why we granted one of the new hospital projects to Portsmouth was precisely because we understood the difficulties any closure might cause.

Q5. [89786] **Mr. Steve McCabe** (Birmingham, Hall Green): Has my right hon. Friend seen the Opposition's astonishing attack on traffic-calming measures? When I was responsible for those matters on Birmingham city council, we were overwhelmed by the level of public demand. I seek his assurance that this Government will not abandon safety schemes that we know dramatically reduce injuries and save thousands of lives, especially children's lives.

The Prime Minister: The evidence is that those road-calming schemes have cut accidents and deaths by some two thirds in the areas affected. That is a considerable record, and it would be disastrous to abandon them. I am also still waiting to hear from the Opposition how they can abandon the fuel duty escalator—which, after all, they introduced—for this and subsequent years, which would leave a £10 billion hole in the public

finances. When we were in opposition, we used to be asked occasionally where the money would come from; it is about time they were asked that.

Mr. William Hague (Richmond, Yorks): Now that the Scottish Parliament is up and running, English and Welsh Members do not vote on purely Scottish matters. Why does the Prime Minister think that Scottish Members should vote on matters concerning only England and Wales?

The Prime Minister: Because they are all United Kingdom Members of Parliament and we should have one class of United Kingdom Member of Parliament.

Mr. Hague: The Prime Minister has already created two classes of Members of Parliament—those who vote on matters in their own constituencies and those who vote only on matters in other people's constituencies. Does he agree with the hon. Member for Linlithgow (Mr. Dalyell) who has said that he simply does not have the brass neck to vote on purely English business? In his previous answer, was the Prime Minister ruling out, for this Government, decisions on England and Wales being made by English and Welsh Members of Parliament?

The Prime Minister: The position is the same as it was when Stormont was in existence, for example. In those circumstances, that would be the position again if devolution happens in Northern Ireland. There is one class of UK MP in this Parliament. That is the way it should stay.

Mr. Hague: There is no longer one class of MP. Is not it clear from the Prime Minister's answer that he does not want to face up to this question, that he has not thought through the consequences of what has happened in Scotland and Wales, that he has not understood that making a success of devolution requires the fair representation of the voters of England, and that, if he refuses to make such changes, he will have weakened the United Kingdom and gerrymandered the British constitution?

The Prime Minister: No, I do not agree with that, for a number of reasons. First, the right hon. Gentleman forgets to point out that all Members of the House vote on overall expenditure in Scotland and Wales. Secondly, he says that it is wrong for Scottish MPs to vote on purely English matters, but he was quite happy for English MPs to vote on nursery vouchers in Scotland and on the removal of responsibility for water services. Most of all, he was quite happy for them to vote to impose the poll tax on Scotland.

I believe that the settlement that we have is sensible. The choice that should not face people in Scotland, Wales or Northern Ireland is between the old system, which had failed—that is why there was so much pressure to change it—and the break-up of the United Kingdom. The real supporters of the Union are those who are able to modernise it and wish to do so.

Q6. [89787] **Dr. George Turner** (North-West Norfolk): The House will want to welcome today's good news on the lifting of the beef ban. My rural constituents will certainly breathe a sigh of relief. Step by step, this Government are putting right what the previous Government got wrong. For the next step, will my right hon. Friend assure me that the rural White Paper to be published this autumn will pay particular attention to planning and transport in rural communities, to redress the damage done by 18 years of Tory neglect?

The Prime Minister: On BSE, we are delighted with the decision to lift the beef ban, although recovering the lost export markets will not be easy. *[Interruption.]* Conservative Members can shout and bawl about that, but when we came into office there was not a prayer of getting the beef ban lifted. That has come about because of the hard work of Ministers here, and also because the Government have a constructive rather than destructive attitude to Europe. That is why we got the beef ban lifted, and it is another example of new Labour working.

As for the rural and countryside issues, I am sure that the White Paper will address them, and that it will make particular mention of the fact that this Government have put extra resources into rural transport.

Q7. [89788] **Mr. James Clappison** (Hertsmere): But does the Prime Minister think it right that Scottish MPs should be able to vote for a ban on hunting in England, when English MPs have no right to vote on the same subject in Scotland?

The Prime Minister: As I said, that is precisely the situation that applied under Stormont. These arguments went on in the 1960s, and it was felt right to carry on with the system that we have. I believe that to be the best option, especially as all MPs, including English MPs, vote on the total budgets for Scotland and Wales.

Q8. [89789] **Mr. Barry Sheerman** (Huddersfield): May I ask my right hon. Friend to guess which Administration, at their mid term, presided over inflation rates of nearly 12 per cent. and unemployment at 2.8 million? Will he compare those figures with those achieved by his own Administration at their mid term, when inflation is at 2.3 per cent., interest rates at 5 per cent. rather than 12 per cent., and unemployment is down to just over 1.25 million? With record numbers of companies wanting to come and invest in Britain, what is the secret of our success? Is it that we are keeping to the principles and policies on which we ran for election?

The Prime Minister: Everyone remembers the recessions of the early 1980s and 1990s under the Conservatives when interest rates were at 10 per cent. for four years or more. When we came into office, the national debt had doubled and borrowing was at record levels. We sorted out the public finances, got interest rates down to the lowest level for more than 30 years, achieved record levels of employment and saw unemployment down to its lowest level in more than 25 years. The Government have laid the foundations for economic success after years of—it is time to repeat this phrase—Tory boom and bust.

Mr. John Townend (East Yorkshire): When the Government decided to sell gold, did they anticipate that the price would fall by 33 cents to $2.55 an ounce? Did the Prime Minister realise that that would adversely affect the economies of third-world countries, particularly

South Africa, and put black miners' jobs at risk? Is it not nonsense to spend more money on overseas aid to South Africa while undermining that country's major industry by putting pressure on prices? Will the Prime Minister undertake to meet the delegation from South Africa and to say that there will be no further gold sales?

The Prime Minister: It would be rich to take lessons about South Africa from the Conservative party, which supported apartheid for many years. Let me deal with the latest Tory obsession—gold sales. We sold gold on the technical advice of the Bank of England, and lots of other countries have also sold gold. As I have said, the price of gold has fallen over the past couple of years. It is entirely sensible to have our reserves in a broader portfolio, and that is what we have done. Other countries have done it, too.

The Conservative party's utter obsession with Europe leads hon. Members to link gold sales to the euro in some bizarre way. Argentina and Switzerland are also selling gold, and what that has to do with the euro I do not know. It is only Tory obsession that makes them raise this matter. We acted on technical advice, and sales were carried through perfectly sensibly. We got the best deal for the country.

Q9. [89790] **Mr. David Kidney** (Stafford): Does not today's Public Accounts Committee report on the flotation of Railtrack prove beyond doubt that the privatisation of the railways was a gigantic rip-off? Will my right hon. Friend assure us that the Government will make greater demands on Railtrack to rejuvenate the rail network, including the west coast main line which serves Stafford?

The Prime Minister: Of course, it—*[Interruption.]* Well, the Tories should apologise for having sold the railway system for the price that they received. They do not like to hear the facts. The railways were sold for £1.9 billion and are now worth £7.8 billion. Even a Tory can work out that that is not a good deal for the taxpayer. The prospect of increased investment in the railways by the Labour Government, and the introduction of the Strategic Rail Authority that will return some co-ordination to the fragmentation of privatisation, will make sure that people receive a better service.

Mr. Richard Allan (Sheffield, Hallam): The Prime Minister will be aware that plans for objective 1 funding for disadvantaged areas such as South Yorkshire are being finalised. He may also be aware that experience from other areas such as Merseyside revealed difficulties with matched funding. Will he do all that he can to ensure that Government funding in objective 1 areas can be used as matched funding so that we may maximise European Union-funded regeneration opportunities?

The Prime Minister: Of course, as I have said before, we will get the very best deal we possibly can. The hon. Gentleman must accept, however, that this issue arises only because we achieved at the Berlin summit the best deal on structural funds that the UK has ever had. We must make the best use of that money, a principle to which we are as dedicated as the hon. Gentleman. I make no point against the hon. Gentleman's party by saying again that it was only because of our constructive, sensible and engaged attitude towards Europe that we managed to get a decent deal for Britain.

Q10. [89791] **Mr. David Winnick** (Walsall, North): Is it intended that Foreign Office documents relating to Michael Ashcroft should be put into the public domain as they are certainly in the public interest? Do the Government intend to refer all matters relating to Michael Ashcroft to the Committee on Standards in Public Life? Are not such actions necessary in view of Mr. Ashcroft's role in political life in Britain and in funding the Conservative party?

The Prime Minister: Of course, the Neill Committee is there and available for such matters to be dealt with and I am sure that they will be.

Elections (Scotland and Wales)

Q11. [89792] **Dr. Julian Lewis** (New Forest, East): What assessment he has made of the operation of the systems for electing members of the Scottish Parliament and Welsh Assembly.

The Prime Minister: I believe that the Scottish and Welsh elections, which were carried out for the first time in the United Kingdom under the additional member system, operated effectively, and I pay tribute to all those officials and others who helped to ensure that that was the case. Of course, we shall look into how the detailed arrangements worked in practice.

Dr. Lewis: Is it not blindingly obvious, even to the Prime Minister, that what proportional representation did in Scotland and in Wales was, as usual, to deprive the winning party of a working majority and force it into coalition with a party that came not even second or third, but fourth—namely, the Liberal party? Will he now assure the House once and for all that that distorting and undemocratic system of proportional representation will never be used for Westminster parliamentary elections?

The Prime Minister: I really do not understand the Tories at all. If we had used the old system, there would have been no Tories in the Scottish Parliament and only one in the Welsh Assembly. The hon. Gentleman should be thanking me for my unprecedented generosity.

Beef Exports

3.31 pm

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): With permission, Madam Speaker, I should like to make a statement about beef exports.

I am very pleased to inform the House that, this morning, the European Commission adopted a decision that has the effect of lifting the beef ban for the whole of the United Kingdom. Its decision is that the date-based export scheme, on which we have been formally negotiating since October 1997, should start to operate from 1 August this year. From that date, it will be possible to export to other European Union countries boneless beef from cattle born after 1 August 1996 in any part of the UK.

Other conditions will have to be met. To deal with the risk of maternal transmission, no animal will be eligible for export unless its dam can be proved to have lived for at least six months after its birth without developing BSE. The date of birth and the identity of the animal must be established beyond doubt.

I negotiated one significant change with the Commission, however. Although the slaughterhouses must deal exclusively in cattle that meet the requirements for export, they can also deal in other species. That is a commercially important point for operators.

My Department and the other Agriculture Departments have worked in close consultation with all parts of the industry to ensure that they are geared up to make the best possible use of the scheme. The next steps will involve a final inspection and approval by my Department of exporting plants, after which exports can start. Everything is in place for that to happen from 1 August.

One company is poised to start exporting as soon as possible after the 1 August start date and others will follow. The Government will do all that they can to ensure that the scheme delivers benefits to our beef producers and traders and that it helps to build confidence within the agriculture industry at home and to rebuild confidence in British beef among our European Union partners.

The decision is an important breakthrough for the industry after the bleak time since March 1996 during which our beef industry has been afflicted by the export ban. My objective, however, is to get the UK market back on the same terms of trade as our competitors.

Today's decision is the result of a negotiation that has lasted for nearly two years. I pay tribute to the hard work that has been put in along the way by Ministers and officials in a number of Departments. It is an excellent example of well-organised, inter-departmental collaboration across Government in successful pursuit of a significant, national objective. The outcome also shows clearly the benefits of the Government's new approach to doing business in Europe. In stark contrast with the ludicrous Tory beef war, which produced nothing except our own isolation from Europe, Labour leadership in Europe and our constructive approach towards our European partners has clearly been shown to succeed.

Mr. Tim Yeo (South Suffolk): The Opposition warmly welcome the news that beef exports will restart on 1 August. That is an important step forward, but the Minister will know that it is not only about today's headlines; it is the start of a long process of winning back markets that are crucial to the survival of British beef farmers.

Several questions arise. The Minister made some uncharacteristically political comments at the end of his statement—no doubt inserted with the forthcoming reshuffle in mind. In view of those comments, is he aware that many beef farmers are bitterly disappointed that eight months have passed since he last made a statement to the House that the beef ban was to be lifted? During those eight months not a single ounce of beef was exported from the British mainland. The Minister told the House:

"I can say that it is my objective to have the date-based export scheme up and running and past its Commission inspection by next spring."—[*Official Report*, 25 November 1998; Vol. 321, c. 191-92.]

It will now be well into August before that objective is achieved. Spring has been a long time coming this year for beef farmers.

Will the Minister confirm that, after his statement of 25 November, more than four months passed before the European Commission inspectors were even invited to Britain to examine the facilities through which beef exports would be channelled? Is that what Labour mean by "well-organised, inter-departmental collaboration"? As it has taken Labour two years and three months to get the ban lifted, and as today's statement confirms that the lifting is very partial, does the Minister really believe that beef farmers will see that as a triumph for the Government's new approach to doing business in Europe? Alternatively, was the verdict of beef farmers the one that was delivered on 10 June?

Will the Minister confirm whether the lifting of the ban applies only to European Union countries, or also to those outside the EU? Will he say which slaughterhouse has been approved for export? How soon are others likely to be approved, and how many are likely to take part in the scheme in the foreseeable future?

What help will the Government now give to exporters to rebuild their markets? For example, will the Government help with the running costs of the scheme for slaughterhouses during the initial period when exports build up? Has money been set aside for that purpose? Does the Minister agree that the experience in Northern Ireland shows that help is indeed needed?

How soon will British service men abroad be able to eat British beef? Does the Minister agree that Labour could boost confidence in British beef if they lifted their absurd ban on beef on the bone? Does he agree that Labour could boost confidence in British beef if 42 Labour local authorities ended their ban on beef on school menus? Will he confirm that his statement means that a slaughterhouse, which deals with cattle that meet the export requirements, can sell into either export or home markets?

As the Minister states that cattle born after 1 August 1996—for example, cattle which are now 35 months old—can be exported, does that mean that the over 30 months scheme is now being phased out? What will the final inspection of exporting plants by MAFF involve? Is he aware that the ending of the calf processing aid scheme on 31 July this year will have immediate and adverse consequences? Is he worried about the possible animal welfare problems that may result? Has the Ministry sent out a leaflet advising farmers how to slaughter calves on their own farms?

[Mr. Tim Yeo]

The Minister stated that Labour's objective is to get the UK market back on the same terms as that of our competitors. However, this agreement fails to do so. Does he agree with those farmers who say that the potential for beef exports remains limited while the existing restrictions are in force? Will he give top priority to the removal of the remaining restrictions? Will he fight inside Europe for the export of beef on the bone and of live cattle to be resumed as soon as possible?

If the right hon. Gentleman is to avoid the charge of having done too little, too late, much greater urgency is needed to secure the removal of the remaining restrictions than was demonstrated in the months following his previous statement on this subject to the House last November.

The Minister has our congratulations on what he has achieved so far, but he will earn our support and, indeed, the thanks of beef farmers if he recognises that it is the first step along a long road and that the Government still need to make strenuous efforts to reach the goal of a thriving beef export market.

Mr. Brown: I thank the Opposition spokesman for his congratulations. I have to say that I hate to think what he would have said to me if he had turned against me. What a whingeing, grudging welcome he gave to what is, after all, an important announcement for one of our key agriculture industries. Before dealing with the points of detail, I observe that among all the issues that the hon. Gentleman raised, there was no mention of what caused the ban to be imposed in the first place or an acceptance that perhaps the previous Government had something to do with that ban being imposed and the failure even to make a start on getting it lifted. Those grudging remarks come ill from a member of the party that got us into this mess in the first place.

Let me try to respond to the barrage of rather small points that were put to me. The calf processing aid scheme comes to an end on 31 July. I said that in the debate last week, and I have not changed my mind since then. We also discussed the OTMS in last week's debate. The matter is under review, and I am waiting for advice from the relevant scientific committee. The hon. Gentleman referred to local authorities. I am writing to them—

Mr. James Paice (South-East Cambridgeshire): The right hon. Gentleman mentioned that last week.

Mr. Brown: Well, that does not make it wrong this week. The position remains the same, and I know that most Members of the House will not be surprised by that.

The position on beef on the bone has not changed. I want to lift the ban as soon as I can, but that will be in response to the professional advice of the Government's medical advisers.

The hon. Member for South Suffolk (Mr. Yeo) referred to the start date of 1 August and said that beef will start to be exported again well into August, but 1 August is the start of August. How can that possibly be grudgingly described as "well into August"?

The hon. Gentleman asked whether people are ready to go ahead with exports. I said in my statement that they are, at St. Merryn's in Cornwall. They believe that they already have markets lined up and are ready to start exporting immediately after 1 August. [HON. MEMBERS: "Which markets?"] Hon. Members may shout, "Which markets?", but that is a commercial matter for the exporters. The Government's role is to make sure that trade can be facilitated. The Opposition ask what we are doing to help to win back the markets. Surely the first thing to do is to make it legal to export beef to those markets, which is exactly what I have done.

The hon. Member for South Suffolk went on to say that I should provide illegal state aids to assist British beef to get back into the export markets. What view does he think the Commission would take of that? What message would that send to our European partners, who, without any selfish interest in this matter, have stood by us when we have been able to work constructively with them to prove our case? Surely our case has been proved by the strength of our arguments.

The hon. Gentleman asked about third countries. The ban on British exports was worldwide and it will be lifted from 1 August, so, subject to the rules of the domestic Governments, which we shall address on a case-by-case basis, it will be possible to sell directly to the European Union and third countries.

The hon. Gentleman referred to the timing and asked why the ban was not lifted in the spring rather than in the summer. When I met members of the National Farmers Union at their conference in the spring, I told them candidly that the date for lifting the ban might be later than they hoped, but I would rather get it right than do it early, and the farmers cheered because they knew that that was in the national interest.

Mr. Dale Campbell-Savours (Workington): May I warmly congratulate my hon. Friend and his predecessor, my right hon. Friend the Member for Copeland (Dr. Cunningham), on the excellent way in which they have handled the issue since the general election? The key decision in lifting the ban was that taken by Labour Ministers after the general election to establish the cattle traceability centre in my constituency. That reassured people throughout the European Union. May I express the hope that when the BSE inquiry is finally published it exposes why the Tory Government refused to take that critical decision, because, had it been taken earlier, it would have led to the beef ban being lifted earlier?

Mr. Brown: My hon. Friend is on to a very good point. Cattle traceability is crucial to the date-based export scheme and I pay tribute to his hard-working constituents in the British cattle movement service. I also pay tribute to my predecessor, my right hon. Friend the Member for Copeland (Dr. Cunningham), for having done so much to smooth our way in the European Union and to get the important negotiations off to a good start.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): I warmly welcome today's news. Does the Minister agree that this afternoon it is probably worth us all maintaining a sense of perspective and patriotism about this development? It is rather disappointing that, perhaps for understandable reasons, the Conservative spokesman seems unable to exhibit either. Is not the true perspective that an industry that was worth in excess of half a billion pounds to this country in 1995 was effectively closed down? In addition to the terrible deaths

and human tragedies, in the past two to three years there has been an alarming rise in the number of suicides in farming as a result of the extreme pressure that this issue and many others have created on the British agricultural sector. Therefore, in welcoming today's news, we can learn the lessons of the past.

Does the Minister agree that a lesson from the recent past is that when the ban was lifted in Northern Ireland, welcome though that was, it was a very long haul indeed to re-establishing credibility in the European markets and achieving market penetration? Will the Minister work with the Meat and Livestock Commission and the British agricultural sector on a wholesale marketing campaign across the continent, bringing correspondents, food writers and agriculturists from there to here as well as publicising our domestic market over there to ensure that we get back on track sooner rather than later? Finally, does he agree that it would help the re-establishment of credibility to lift the ban on beef on the bone? In the longer term, let us hope that such a dreadful tragedy for all concerned can be prevented from ever recurring, not least by the establishment in due course of a properly funded and independent Food Standards Agency.

Mr. Brown: I agree with much of what the hon. Gentleman said, in particular his welcome for the Food Standards Agency, which is an important step forward. He will be pleased to learn that I am meeting Don Curry of the MLC at 5 o'clock today to discuss what the Government can do to help.

The hon. Gentleman is right to say that BSE has been a national tragedy for our country. So far, 43 lives have been lost to new variant Creutzfeldt-Jakob disease and some £4 billion of public money has been spent, mostly on public protection measures, some of which have acted as pretty powerful market interventions. The figure that he quotes for the industry losses in 1995 are right, although, as part of the tragedy, the shutters came down on exports when they were running at an all-time high, so the industry has been hit hard.

My objective has been to make sure that the public can have absolute certainty in the beef on the United Kingdom market as that is the only market available to the domestic industry and to make sure that we could get back into exports in an orderly way and command the confidence of overseas consumers. That is exactly what we have done.

Mr. Martyn Jones (Clwyd, South): May I assure my right hon. Friend that farmers in my constituency will be wholeheartedly delighted with today's news? It is probably the best thing that has happened in my area for some time. I am sure that they will contrast the hypocrisy from the Conservatives with my right hon. Friend's statement.

May I add my comments to those of the hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy)? My farmers think that the MLC has not done as much as it could have done to promote British beef. Will my right hon. Friend stress that once again to Don Curry of the MLC, whom I am glad to hear that he is meeting later today?

Mr. Brown: I take my hon. Friend's point and thank him for his welcome for the announcement. The opportunities to support British beef overseas have been limited because we have been able to export only through the Northern Ireland certified herd scheme. A date-based export scheme, which I expect will be the successor scheme in Northern Ireland, will broaden the pool of animals that is available to exporters. The scheme should provide much more in the way of opportunities, and it is that which I want to explore with the MLC.

On the domestic beef market, such is the effort that has been made by the MLC and the Government in emphasising the tough-minded nature of public protection measures that beef consumption is now higher in the UK than it was at pre-BSE crisis levels.

Mr. Douglas Hogg (Sleaford and North Hykeham): The decision of the European Union to lift the beef ban is obviously good news. I am the first to acknowledge the hard work that the right hon. Gentleman, his Front-Bench colleagues and officials have done. I think that they deserve the congratulations of the House.

That said, would I be right in saying that most of the steps that the right hon. Gentleman has taken to get the ban lifted were based on the policies and plans that the previous Conservative Government put in place before the last general election, which laid the foundation for the lifting of the ban? Has not the lifting of the ban exposed the illogicality of adhering to the domestic-based 30 month rule as from now? Is it not right to say that, from August 1996, we can be certain about the quality and integrity of the cattle feed being fed to animals? Having regard to that fact, and also to the fact that a cull was carried out to eliminate the risk of maternal transmission, we could now properly lift the 30 month rule in respect of cattle born after August 1996.

Mr. Brown: I accept that the right hon. and learned Gentleman is on to a strong point on the OTMS. I am awaiting scientific advice on precisely the point that he has raised. I thank him for what he said about the work of officials. Officials in my Department have made heroic efforts with their counterparts in the European Union to explain what we are doing and how we are meeting the technical requirements of the scheme. In that, we have been assisted by officials in the Foreign Office and in other Government Departments as well as by other Agriculture Departments.

The right hon. and learned Gentleman is right to say that the guidelines on the technical implementation of the scheme were set down under the previous Government. My criticism relates to the way in which that Government went about trying to achieve those guidelines. The beef war on Europe was a ludicrous policy and ended crumbling in the British Government's hands. There was no country on our side and 14 which were pushed into positions against us. The present Government have repaired that damaging approach. Our approach has enabled an outcome to bear fruit for an important domestic industry.

Mr. David Drew (Stroud): I add my congratulations to my right hon. Friend. Contrary to what the Opposition spokesman said, this was never going to be a one-off event. There had to be a great deal of hard work behind the scenes to get the markets reopened.

Alongside the work of the MLC, does my right hon. Friend accept that we can learn from Europe inasmuch as the role of producer co-operatives there is often key to

[Mr. David Drew]

production and marketing strategies? Will he talk to all the farming organisations with a view to increasing collaboration so that we can make a sustained effort to export our beef?

Mr. Brown: My hon. Friend is absolutely right. I made a similar point in my speech at the royal show last week. The point is relevant to the beef sector and, dare I say it, to the dairy sector as well.

Mr. Christopher Gill (Ludlow): Will the right hon. Gentleman take this opportunity to confirm that there is no proven scientific evidence that CJD in humans is linked to BSE in cattle? I remind the right hon. Gentleman that his Government have been asked repeatedly to use their best offices to persuade local authorities and health authorities to source their supplies of meat in this country. Why has that still not been done?

Mr. Brown: Of course it has been done at inter-departmental level. I gave the House an assurance in the previous debate that I would personally write to each procurement authority, although, as the hon. Gentleman knows, normal links between Government and competent local authorities and health authorities are maintained through the relevant Ministries, not through direct contact with mine. As for the first statement that the hon. Gentleman invites me to give the House, I hope that he will understand if I decline.

Mr. Huw Edwards (Monmouth): May I assure my right hon. Friend that his announcement will be warmly welcomed by the farming community in Wales, which will meet at the royal Welsh show in Builth Wells next week? It will be particularly welcome to the farmers from my constituency whom my right hon. Friend met recently as representatives of small family farms, and who were tremendously appreciative of the assurances that he gave. The announcement will help the campaign in my constituency for a new, up-to-date livestock market, which will be a great boost to the farming community in Monmouthshire and the whole of south-east Wales.

Mr. Brown: I am grateful to my hon. Friend for his remarks. I look forward to my visit to the royal Welsh show next week, Agriculture Council permitting. It is my policy to discuss my Department's approach not just with the representatives of farm unions, but with individual farmers. I learn a lot from that.

Mr. Peter Luff (Mid-Worcestershire): I am sorry, Madam Speaker, that my robust enthusiasm for the truth got me into some difficulty with you during Prime Minister's Question Time. I know that you and the Minister share that enthusiasm for the truth.

May I ask the Minister what proportion of pre-ban export levels has been set in the business plan of his Department for the recovery of beef exports? Will he reconsider the recommendation in the Select Committee on Agriculture's report on the beef industry that the Government should give extra assistance to the beef industry to help it to recover lost beef export markets?

Mr. Brown: I take the point that the hon. Gentleman makes, but I think that I could do more harm than good if I did anything that even approached introducing state aids, which would be regarded by our colleagues in the European Union as unlawful. As I am one of the key complainants when others do that, it would not be a good idea for me to start doing it, particularly in the beef sector.

I do not have a business plan for the industry. It is a private sector matter. My determination is to work with the private sector to do everything that the British Government properly can do to help. That is quite a lot, but it does not run to direct extra state aids.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): I congratulate my right hon. Friend on his announcement, which is the best news that farmers in my constituency have had for many years. I pay tribute to the work done by his predecessor, my right hon. Friend the Member for Copeland (Dr. Cunningham). As far as I know, the only abattoir that will be available for beef for export is in Cornwall. Does my right hon. Friend have any advice to offer farmers in Wales, 200 miles away from that abattoir?

Mr. Brown: I accept the point that my hon. Friend makes about transport issues, and I hope that the devolved authority may be able to help with local market conditions. I am still looking hard at the overall costs on the abattoir sector, and hope to have something to say about that shortly. My hon. Friend should take the delay in making an announcement as good news, rather than bad. I am still fighting the sector's corner in Government.

Mr. Patrick McLoughlin (West Derbyshire): I welcome the Minister's announcement today. Will he take the opportunity of condemning local authorities that refuse to put beef on their menus?

Mr. Brown: It is not my habit to go about condemning anyone. I want a constructive dialogue with everyone, particularly with those from whom I am looking for help.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I welcome the news and congratulate the right hon. Gentleman and his team on their achievement. I have two brief comments. First, will he please redouble his efforts to ensure the adequacy of dedicated abattoirs? Secondly, when he meets the MLC later today, will he make the point that local branding will probably be of great assistance in marketing on the European mainland?

Mr. Brown: The local marketing initiative is primarily a matter for the MLC, but I take a close interest in it and see the advantages that could be offered. I expect to explore these matters with Mr. Curry and his team when I meet them at 5 pm.

On dedicated abattoirs, the hon. Gentleman is on to a good point. I was conscious of the impact of that on the market in the negotiations with the Commission, which is why I negotiated a slight change, which means that the abattoirs can handle other livestock products, although not cattle intended for the domestic market as well as for the export market. I know that the change has been welcomed by the industry.

Miss Anne McIntosh (Vale of York): I ungrudgingly congratulate the Minister on delivering the deal, but may

I add a note of caution on the timetable? If the Commission is to be involved, my understanding is that the new Commission will not take control until September because there are a series of European parliamentary hearings and we have to wait for the new European Parliament to come into being.

Secondly, will the right hon. Gentleman investigate the continued importing of sub-standard pigmeat into Britain from other EU countries, which is a source of growing concern?

Mr. Brown: I have no evidence that pigmeat that does not meet our hygiene requirements is entering Britain for human consumption, but I am always willing to consider specific cases, and, if the hon. Lady wants to put a specific case before me, I shall have it examined by Department officials straight away.

There is no doubt that the Commission has competence. Today's announcement is the Commission's final step in getting the date-based export scheme up and running. My Department's inspections remain, but I am satisfied that that will not be a problem.

Mrs. Ann Winterton (Congleton): On behalf of Cheshire farmers, I congratulate the Minister on his achievements and warmly welcome the lifting of the export ban on de-boned beef. However, may I impress upon the right hon. Gentleman the importance of lifting as soon as possible the ban on beef on the bone, and of the Government throwing their weight behind marketing initiatives in the future so that we can regain our position in European and world markets?

Mr. Brown: May I say to the hon. Lady without doing her any harm with her party leadership that I do not disagree with anything that she has said and intend to take all those matters forward inasmuch as it is lawful for me to do so?

Sir Robert Smith (West Aberdeenshire and Kincardine): I welcome the Minister's statement, but does he recognise that the farmers in my constituency will obviously feel even more restored when they see the beef leaving Britain for EU markets? To that end, will he reassure them that he does not regard this as the end of the crisis for them, and will attempt, where possible, to keep to the minimum the costs and burdens that they face, which competition on mainland Europe does not face?

Mr. Brown: I am very conscious of the hon. Gentleman's last point, but I am afraid that, because of the nature of the scheme, it is inevitable that costs are involved in it that will not be faced by competitors, even within the EU. It is my objective that the UK market should operate on exactly the same basis as the rest of the EU market as soon as possible. I accept that we are not there yet, but this is an important step on the journey.

As for seeing the meat off, I understand that my hon. Friend the Minister of State will almost certainly be present to wave the beef out of Britain when it leaves at the beginning of August, and perhaps this is an appropriate moment for me to pay tribute to my hon. Friend for all the work that he has put in to get the scheme up and running.

Mr. Richard Livsey (Brecon and Radnorshire): I warmly congratulate the Minister, as will the farmers in my constituency, which is the premier beef-producing area of Wales. The point made by Welsh Members about a dedicated abattoir is especially important now that an all-Wales co-operative has been formed for the meat industry. When the right hon. Gentleman visits my constituency to attend the royal Welsh show, will he pay particular attention to that point, because it is important that we are able to export Welsh beef direct from Wales?

Will the Minister also take note that, with the expiry of the calf scheme, cull cow values will still be immensely depressed and that the dairy industry is still being badly hit by that circumstance?

Mr. Brown: The points about the dairy industry have all been made to me and I am conscious of them, but I do not want to offer any false hope that somehow the calf processing aid scheme will be extended further. I obtained two extensions and can do no more. It comes to an end on 31 July.

The hon. Gentleman's point about a dedicated abattoir for the industry in Wales is a good one, and officials of my Department stand ready to work with the industry to help bring about that outcome if there is a will in the private sector to dedicate an abattoir to de-boned beef exports and, if it is deemed necessary, other animal processing for the domestic market.

Mr. Paul Keetch (Hereford): As the representative of England's premier beef industry, may I say that the Minister's decision today will be welcomed by Herefordshire beef farmers and the wider Herefordshire rural community? Does the right hon. Gentleman recall his visit to my constituency some months ago when he and I met Mr. Peter Symonds, whose family have been breeding Hereford cattle now for well over 300 years? Does he recall hearing Mr. Symonds express the fear that some of the imported meat on our shelves does not conform to the high standards that we now have in the United Kingdom—not just for beef, but for pigmeat, poultry and other meat? Will he review food labelling again, to ensure that we can be certain that the food that we buy conforms to UK standards, which are now clearly the highest in the world?

Mr. Brown: I remember the visit very well. I thank the hon. Gentleman for the souvenir photographs that he sent me afterwards, showing three magnificent creatures, one of very high value!

Of course I accept what the hon. Gentleman says, and I shall bear it in mind.

Mr. Paul Marsden (Shrewsbury and Atcham): I congratulate my right hon. Friend and his predecessor, his ministerial team and his officials on all their hard work. I think that they deserve far more credit than has been forthcoming from Opposition Members.

Will my right hon. Friend investigate the possibility of increasing the transmission of Government information directly to farmers, through the MLC, so that they know how to go about re-entering the critical beef export market which, before the ban, was worth about 30 per cent. of production?

Mr. Brown: I thank my hon. Friend for his opening remarks. He makes a good point about the need to ensure that the quite complex mechanisms through which the scheme operates are explained properly, so that individual farmers can decide whether to take part. Although the date-based export scheme is slaughterhouse-led, I hope that, as it grows, the methods of operating it will become commonplace in the livestock industry, and will facilitate a steady increase in exports from the United Kingdom. I shall certainly discuss these matters with the MLC at 5 pm today.

Mr. John Maples (Stratford-on-Avon): On a point of order, Madam Speaker. I gave notice of it to you, and to the Foreign Office.

This morning, the Foreign Secretary held a press conference on the Falkland Islands, and published an agreement that is vital to the islands' future dealing with access for Argentine citizens and the resumption of flights from Chile—flights that were only ever cancelled as a result of the Government's incompetent handling of General Pinochet's arrest. The Foreign Secretary has not done the House the courtesy of making a statement here, either before holding the press conference or at all. This is the third occasion this week on which the Foreign Secretary has failed to come to the House. We have become used to the fact that he does not expect to have to apologise, but it seems that now he does not expect to have to explain either.

I know how much you, Madam Speaker, deplore the practice of Government announcements being made to the press before they are made to the House. I hope that you will be able to prevail on the Foreign Secretary to make a statement tomorrow.

Madam Speaker: I think that the Foreign Secretary is wise enough to know when it is right to come to the House when there is new policy or a change of policy. I have not been informed by any Foreign Office Ministers that they seek to make a statement on the issue to which the hon. Gentleman refers.

Mr. Paul Flynn (Newport, West): On a point of order, Madam Speaker. You will recall that on Monday you made a clear ruling that all Members have the "privilege and the responsibility" of taking part in all the business of the House. It appears from Prime Minister's questions today that your ruling has not reached every Member. A number of questions suggested that some Members representing Scotland and Wales were "half" Members of Parliament, and should not take part in discussions and decisions on certain matters. Do you agree, Madam Speaker, that that could come about only as a result of the establishment of an English Parliament? Will you consider the matter further, and decide whether we need a clear written ruling to establish that all Members of this House are full Members of the United Kingdom Parliament?

Madam Speaker: I have no intention of being tedious and repetitive. What I said on Monday, or whenever it was, stands.

Mr. Michael Connarty (Falkirk, East): On a point of order, Madam Speaker. As the convener of the much-maligned Scottish group of Members of Parliament, I am, in fact, raising a different point of order. Have you had any indication that the Secretary of State for Scotland will come and bring the House up to date on the Kvaerner negotiations? We learn from today's newspapers that the Kvaerner shipyard on Clydeside has been saved, but further negotiations are needed to reverse the 241 redundancy notices that were given yesterday. Is there any way in which the matter can be brought before the House? That would enable me to commend the work of the Secretary of State for Scotland in saving the yard.

Madam Speaker: I have not been informed that any statement is to be made today. All Members who raise points of order about statements would be wise to look at the annunciator. It is always printed there by about noon, so that we are all aware of what is happening in the House.

Children's Rights Commissioner

4.10 pm

Mr. Hilton Dawson (Lancaster and Wyre): I beg to move,

That leave be given to bring in a Bill to provide for the establishment of a children's rights commissioner to promote the rights and interests of children in England; to make provision for the powers and duties of the commissioner; and for related purposes.

The Government can be a great Government for children. We have commitments to end child poverty; we have the establishment of a national voice for children in care—a new national organisation for young people in care; and regional children's rights officers have been proposed for children who live away from home.

We have commitments on raising educational standards; we have commitments on the integration of children with disabilities; we have new measures to stop paedophiles from working with children; we have new overseas adoption laws; and we have new protection for children who give evidence in criminal proceedings on physical and sexual abuse. Quality protects, new deal and sure start—details were published yesterday—bridge the gap for 16 to 18-year-olds and are powerful evidence of the Government's commitment.

I could spend the next nine minutes listing the commitments, but they will be great developments only when they really seem to work, and they will really work only when we recognise the fundamental issue at the heart of all policy relating to children: the powerlessness of all children.

After all, children have no vote. They have hardly any voice. There are many worthy initiatives, but a voice depends on the good work and good will of thousands of people in different situations. Often, those people are officials working in the most obscure parts of the land—and often they are overworked—in situations where standards can differ. They are employed by authorities that can change, whose priorities can shift and whose good intentions can be dissipated under the weight of events. I know that because I have been there and worked in those situations. All hon. Members know that powerless people are often overlooked. Even in a well-developed democracy—even in the best-developed democracy—powerless people are easily ignored, unless they have a strong, independent, statutory voice at the heart of Government.

A children's rights commissioner is needed to promote consistently the rights and interests of all children everywhere in the land, ensuring the implementation of the fundamental human rights that are embodied in the United Nations convention on the rights of the child. Such a commissioner is needed to enable the voices of all children to be heard in government, in local authorities, in statutory voluntary agencies and in private bodies.

When roads, public transport schemes, leisure facilities and all the mundane realities of development are proposed, more and more adults are, thankfully, involved in consultation. Surely, at this stage in our national life, we should consider whether children might have a unique perspective and something important to say about the issues that affect their lives so dramatically.

A children's rights commissioner is needed to ensure that children are aware of their rights and that they are able to complain. We protect children when we give them real opportunities to complain. "Children's rights commissioner" is a grand title for a very simple concept. All I am urging is that the Government should take a clear, hard and honest view of a fundamental problem, and take a common-sense approach to dealing with it.

Let us have an identified person who could draw attention to the impact on children of new Government policy—someone who could raise important issues in an annual report; assist with development of structures enabling children to participate ever more in the life of the community and in decision making; ensure that current complaint systems work well for everyone; and be the identified and identifiable person of last resort when a child knows that things are going wrong. That person should be the humane, sensible and knowledgeable person who could absolutely raise the roof when it matters. He or she should be someone steeped in sound principles, who listens to children and is fearless in standing up with and for children and young people.

A good Government can do so many things, but a great Government will heed the voices of children, and hear the sound advice of more than 100 child care organisations. It would take far too long to list all those organisations, but they include the National Society for the Prevention of Cruelty to Children, UNICEF, Save the Children, Barnardos and the Royal College of Paediatrics.

A great Government would also implement the recommendations of the all-party Select Committee on Health, and learn from the success of similar posts—in Norway, Sweden, Austria and New Zealand. A great Government would recognise the strength of feeling on the issue among hon. Members on both sides of the House, including our valiant Independent Member.

The proposal is the epitome of concern for human rights and joined-up government. It is the key to ensuring that worthy intentions in respect of children really deliver the goods. The issue will not go away from the House. Whatever happens to the Bill, the issue will remain, and it will resonate in the Welsh Assembly, the Scottish Parliament and, I very much hope, in the Northern Ireland Assembly, too.

A children's rights commissioner could transform the way in which we understand children and childhood. A commissioner could transform our democracy for the citizens of the future. The creation of such a post is profoundly important and would be profoundly good. I challenge a really great Government to accept the concept, and to implement it now.

Question put and agreed to.

Bill ordered to be brought in by Mr. Hilton Dawson, Mr. Martin Bell, Rev. Martin Smyth, Mr. David Hinchliffe, Mrs. Llin Golding, Mrs. Joan Humble, Mr. Andrew Rowe, Mr. Elfyn Llwyd, Mr. Bob Russell, Mr. Donald Gorrie, Ms Julie Morgan and Mr. Jonathan Shaw.

CHILDREN'S RIGHTS COMMISSIONER

Mr. Hilton Dawson accordingly presented a Bill to provide for the establishment of a children's rights commissioner to promote the rights and interests of children in England; to make provision for the powers and duties of the commissioner; and for related purposes: And the same was read the First time; and ordered to be read a Second time on Friday 23 July, and to be printed [Bill 139].

Orders of the Day

Pollution Prevention and Control Bill *[Lords]*

As amended in the Standing Committee, considered.

New Clause 1

TIME-LIMITED DISPOSAL OR WASTE MANAGEMENT LICENCES

'.—(1) Where—

(a) a disposal licence under section 5 of the 1974 Act became a site licence by virtue of section 77(2) of the 1990 Act (conversion, on the appointed day, of existing disposal licence under section 5 of the 1974 Act into a site licence),

(b) the licence has expired at a time ("the time of expiry") falling before the day on which this Act is passed but not earlier than the appointed day,

(c) the licence authorised the carrying on of activities in or on land in England or Wales, and

(d) relevant activities have taken place at a time falling not more than one year before the day on which this Act is passed,

the licence shall (subject to subsection (7)) for all purposes be deemed not to have expired but to have become, at the time of expiry, a site licence continuing in force in accordance with section 35(11) of the 1990 Act.

(2) Subsection (3) applies where—

(a) a disposal licence under section 5 of the 1974 Act expired at a time ("the time of expiry") falling before the appointed day (so that it was not converted into a site licence by section 77(2) of the 1990 Act),

(b) the licence authorised the carrying on of activities in or on land in England or Wales, and

(c) relevant activities have taken place at a time falling not more than one year before the day on which this Act is passed.

(3) The licence shall (subject to subsection (7)) for all purposes be deemed—

(a) not to have expired, and

(b) to have been subsisting on the appointed day and (accordingly) to have become on that day a site licence by virtue of section 77(2) of the 1990 Act,

and the site licence which the licence is deemed to have become on that day shall for all purposes be deemed to have been one that continues in force in accordance with section 35(11) of the 1990 Act.

(4) Where—

(a) a site licence in force immediately before the day on which this Act is passed—

(i) became a site licence by virtue of section 77(2) of the 1990 Act, and

(ii) will expire on or after the day on which this Act is passed (if it has not previously been revoked entirely, or had its surrender accepted, under Part II of the 1990 Act), and

(b) relevant activities have taken place at a time falling not more than one year before that day,

the licence shall for all purposes be deemed to have become at the beginning of that day a site licence continuing in force in accordance with section 35(11) of the 1990 Act.

(5) Where subsection (1), (3) or (4) has effect in relation to a licence, the terms and conditions of the licence as continued in force by that subsection shall, except so far as providing for the expiry of the licence and subject to subsection (6)(b) and (c), be such as were in force immediately before the relevant time (unless and until varied under Part II of the 1990 Act); and "the relevant time" means—

(a) where subsection (1) or (3) has effect in relation to a licence, the time of expiry;

(b) where subsection (4) has effect in relation to a licence, the beginning of the day on which this Act is passed.

(6) Where subsection (1) or (3) has effect in relation to a licence (but without prejudice to the generality of that subsection)—

(a) activities carried out during the interim period which (by virtue of subsection (1) or (3)) become authorised by the licence shall be treated as authorised at the time they were carried out (even though at that time their being carried out amounted to a contravention of section 33(1)(a) or (b) of the 1990 Act or section 3(1) of the 1974 Act);

(b) anything done in relation to the licence before the time of expiry but purporting to take effect after that time (such as the serving of a notice under section 37(4) or 38(12) of the 1990 Act, or in pursuance of section 7 of the 1974 Act, specifying a time falling during or after the interim period) shall be treated as having had (or having) effect as if the licence had not in fact expired;

(c) anything which during the interim period purported to be done in relation to the licence (such as a modification of the licence or the revocation, suspension, transfer or acceptance of the surrender of the licence or the carrying out of consultation, exercise of functions under section 9 of the 1974 Act or section 42 of the 1990 Act, imposition of requirements during a suspension or bringing or determination of an appeal) shall be treated as having had effect as if the licence had then been in force;

(d) any fees which (by virtue of subsection (1) or (3)) are treated as having become payable before the passing of this Act shall be taken to have become payable at the time they would have become payable had the licence not in fact expired; and

(e) the holder of the licence shall be treated as having been, during the interim period, an authorised person for the purposes of section 34(1)(c) of the 1990 Act.

(7) Where subsection (1) or (3) has effect in relation to a licence, a person shall not be guilty of an offence under section 33(6) or 38(10) or (11) of the 1990 Act as a result of anything done or omitted to be done during the interim period becoming (by virtue of subsection (1) or (3)) a contravention of any condition of the licence or (as the case may be) a failure to comply with any requirement imposed under section 38(9) of the 1990 Act.

(8) Nothing in this section affects any criminal proceedings which have been concluded before the passing of this Act.

(9) The waste regulation authority (within the meaning given by section 30(1) of the 1990 Act) shall notify the holder of a licence affected by this section of the fact that the licence is so affected and of how it is so affected.

(10) For the purposes of this section "relevant activities", in relation to a licence, are—

(a) any activities authorised by the licence or, in the case of an expired licence, any which would have been authorised by it had it not expired, and

(b) any precautions or works required by the licence to be taken or carried out in connection with or in consequence of those activities or, in the case of an expired licence, any which would have been so required had the licence not expired.

(11) In this section—

"the 1974 Act" means the Control of Pollution Act 1974;

"the 1990 Act" means the Environmental Protection Act 1990;

"the appointed day", in relation to a licence, means the day which in relation to that licence is (or would have been if the licence had not previously expired) the relevant appointed day for licences (within the meaning of section 77 of the 1990 Act);

"the interim period", in connection with a licence in relation to which subsection (1) or (3) has effect, means the period beginning with the time of expiry and ending immediately before the day on which this Act is passed;

"site licence" has the same meaning as it has in Part II of the 1990 Act by virtue of section 35(12) of that Act.'.—*[Mr. Meale.]*

Brought up, and read the First time.

4.19 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale): I beg to move, That the clause be read a Second time.

Madam Speaker: With this we may discuss Government amendments Nos. 3 to 5.

Mr. Meale: First, I want to explain that one of the deficiencies of the waste licensing scheme originally introduced under the Control of Pollution Act 1974 was that those who held licences for waste operations, such as landfill sites, could simply hand in their licences and walk away from their responsibilities. In line with the polluter pays principle, that was rectified in the revised licensing scheme introduced under part II of the Environmental Protection Act 1990.

As the House is aware, the 1990 Act provides that a site licence remains in force until a surrender application is made to the environment agencies. What is more, it precludes the agencies from accepting surrender applications unless they are satisfied that environmental pollution or harm to human health is unlikely to occur. The issue that the new clause and the amendments address, therefore, is time-limited licences that were originally granted under the 1974 Act.

The transitional provision in section 77(2) of the 1990 Act contains two statements on those time-limited licences. One is that they are to be treated as 1990 Act licences until they expire. The other is that they may be surrendered only in accordance with the 1990 Act. We are removing that. It is obviously anomalous to require a licence holder to apply to the environment agencies to surrender his or her licence while the time limit remains in force, but to allow him or her to walk away from his or her responsibilities when the time limit expires.

By way of a further example showing the need for these changes, I can inform the House that a review carried out by the Environment Agency has revealed that many licences originally granted under the 1974 Act, and inherited from the former waste regulation authorities in April 1996, are subject to time limits and that, in some cases, the licences have expired without either the agency or the operator being aware of it. In some cases where the licence has expired, the sites are continuing to be operated, and of course to be supervised by the agency, as though they had valid licences. As the House is aware, it is a criminal offence to operate those sites without a licence. Therefore, the current situation is clearly unacceptable.

The amendments therefore have two main purposes. The first is to validate what has happened since the expiry of those licences that have already expired. The second is to ensure that all licences—those that have expired and those that are subject to time limits that will expire in future—are subject to the surrender provisions of the 1990 Act. In simple terms, that means removing the time limits in licences that have not yet expired.

As I said, the main considerations are the application of the polluter pays principle and the need to ensure that the environment and human health are properly protected. Those objectives could not be achieved if, on the basis of time limits originally set under the 1974 Act, the operators of landfill sites and toxic waste treatment plants could now walk away from their responsibilities. In the Government's view, the balance falls in favour of removing those time limits and ensuring that the environment and human health are properly protected.

Mr. Damian Green (Ashford): It is unusual for such a substantial new clause to be introduced at this late stage of a Bill's passage, so I am grateful to the Minister for kindly explaining privately, in advance of the debate, the purpose of both it and the amendments. However, I have several questions about the need for the new clause and the regulations to which it gives rise. I should be grateful if he would address those when he winds up the debate.

As the Minister explained, the new clause was tabled because it had been discovered that the Environment Agency and many operators of sites did not know that they were operating illegally and had been doing so for some years. I should be grateful if the hon. Gentleman would tell the House when that fact came to light. Why did it take the Environment Agency so long to discover that illegal operation?

What procedures does the agency have to check the validity of licences? Clearly, the House will want to know that this problem will not happen again. Can we be reassured that every existing licence will be covered, and that the operator and the agency have a clear idea of the timetable under which the licence will be operational? Have they set in train some kind of warning system to enable site operators to know when their licences may be about to run out?

Does the Environment Agency have the resources to implement the new system that the new clause and the consequential amendments will produce? Clearly, there has been a failure in the system, but it is more important today for the House to consider how we avoid a similar failure in the future. One of the things that will have to happen if the Environment Agency is not to go down the same route again is to ensure that it has adequate resources to cope.

Mr. James Gray (North Wiltshire): Is my hon. Friend concerned that, under the new regime, the number of sites to be licensed will increase from 2,000 to 6,000, and that many of the 4,000 new sites will be small businesses, farmers and others who may not be all that sophisticated in administrative terms? Is he concerned that they might also fall through the net?

Mr. Green: My hon. Friend makes a good point. The agency must be up to the mark in its existing activity in this area—which it has not been up to now. It will have

[Mr. Green]

an extra load put upon it by the extra number of sites that will be included. As my hon. Friend rightly says, many of those will be small businesses or farmers who may not be particularly sophisticated in dealing with paperwork. It is all the more important that the Environment Agency knows that it has the system and the resources to cope with the new burden that we will put on it.

Of the 202 licences which have expired, are there any instances where the site operator has, not unreasonably, walked away and shut up shop? He may have thought that the licence had expired and, therefore, that nothing else could happen legally. Are there instances of anyone walking away, leaving a hole to be filled?

The Minister has said that one of the reasons for the new clause and the amendments is to validate past activities. I am not clear from the clause, or from the Minister's helpful letter, whether they also validate the past inactivity of people who may not have fulfilled all their obligations in closing down a site—quite inadvertently. Will those people be liable for prosecution?

My underlying point is the extreme delicacy of introducing retrospective legislation. Clearly, this clause is well intentioned and I accept the Minister's good faith. But however we wrap it up, it is retrospective legislation, and we should tread extremely warily when we go down that route. Will anyone be liable to any fees, penalties or other obligations under the new clause which they would not be subject to were the clause and amendments not to pass? If so, the House should pause at that point.

As a matter of principle, we should be reluctant to endorse retrospective legislation which imposes any new obligations, particularly if, as my hon. Friend the Member for North Wiltshire (Mr. Gray) has pointed out, some of the recipients are small businesses. It is clear from what the Minister said that anyone who has got caught up in this is likely to have been so inadvertently and cannot be blamed.

The new clause makes it clear that it will not affect any criminal proceedings that have been concluded before the Act comes into force. Are there any on-going proceedings that would be affected? Have there been prosecutions for non-compliance with a licence that the Environment Agency and the person operating it wrongly thought to be in force? Has the Minister considered the legal complications involved if someone had apparently not complied with the terms of a licence that had in fact already expired? The Environment Agency would be vulnerable to judicial review.

4.30 pm

Perhaps most importantly, what changes will be made in the Environment Agency to ensure that such a mistake does not happen again? It is clearly embarrassing for all involved that the loophole has emerged. It is serendipitous that the House is proceeding with a Bill that allows that loophole to be closed relatively easily. The Bill and the new clause give extra powers to regulators such as the Environment Agency, and I am sure that the House will want to know that the agency's processes have been improved to ensure that no more loopholes appear.

Mr. Tom Brake (Carshalton and Wallington): I, too, thank the Minister for writing to me in advance explaining the reasons for the new clause. It is obvious that the loophole must be closed, so my party will support the new clause. Waste operators must not be allowed to walk away from their responsibilities because of a drafting error.

I am surprised that the loophole was missed. It may be an unfair question to ask the Minister, because he was not responsible, but why were 12 per cent. of the licences simply forgotten about? Did something happen back in 1990 to cause that? As the hon. Member for Ashford (Mr. Green) said, why has it taken so long to identify the problem?

I look forward to the Minister's response to the question about prosecution for inadvertent non-compliance. That is an interesting point. I understand from his office that there have been no cases, but I would like him to confirm that.

Mr. Meale: I am grateful to the hon. Members for Ashford (Mr. Green) and for Carshalton and Wallington (Mr. Brake) for their questions, which clearly need answers before we proceed.

For the benefit of those who do not know the full facts about the number of licences around, the latest figures are that there are 7,353 licences in England and Wales, 202 of which, as the hon. Member for Ashford rightly said, have expired but are being treated as though they were still in force, and 677 of which will expire in the future. That means that 879 licences—12 per cent. of the total, as the hon. Member for Carshalton and Wallington said—will be subject to the effects of the new clause and the amendments. There is no problem with expired licences in Scotland, but there may be some licences—estimated to be fewer than 100—with time limits that may expire in the future.

I was asked about retrospection and whether the new clause would be unfair on businesses. I repeat that it is a criminal offence to dispose of waste without a waste management licence. In cases in which a business has been disposing of waste after the expiry of its licence, the new clause will validate those activities and remove the threat of criminal liability to both the licence holder and to third parties who have transferred waste in good faith.

I was also asked why the loophole has come to light now. It did so because we now have a national body, the Environment Agency, which can identify national issues such as this. Before the establishment of the Environment Agency in April 1996, there were 83 separate waste regulation authorities in England and Wales. As soon as the issue came to light in one of its areas, the agency carried out an urgent review to establish the national scale of the problem. The chairman of the agency informed the Department of the results of that review on 19 May. We considered carefully the implications, and our conclusion was that there was a serious problem that needed to be resolved during the passage of the Bill.

The hon. Member for Ashford also asked about site operators and whether the new clause would mean that they would be able to abandon their sites and walk away from their responsibilities. On the contrary, the purpose of the new clause is to apply the polluter pays principle and, by doing so, to ensure that all licences are subject to provisions under the Environmental Protection Act 1990. Under section 39 of that Act, licence holders must apply to the Environment Agency to surrender their licences.

The agency is precluded from accepting that surrender unless it is satisfied that environmental pollution or harm to human health is unlikely to occur.

I was asked whether the problem was the Environment Agency's fault. While the Government recognise the difficulties faced by the agency in the past three years, it is a matter of concern to us that the situation arose. We have made those concerns known to the chairman of the agency and it is also our intention to require the agency to review all the affected licences within the next 12 months to ensure that they are all fully up to scratch.

The question was raised of reimbursement of the charges that were levied. We do not agree that that will be necessary, and legal advice obtained from the Environment Agency is that a right to repayment of charges may arise if we do not enact the new clause. I repeat that even though the licences were not in place, the inspection formula was, and all the sites were being examined during the whole period.

I was also asked about prosecutions by the agency in connection with expired licences. We have no uncompleted criminal proceedings and no completed proceedings.

Mr. Harry Barnes (North-East Derbyshire): I apologise for having missed my hon. Friend's initial speech, but I was in Committee. I understand the point that there have been no prosecutions of people for not having site licences in the past. Have there been any prosecutions for assumed violations of site licences that were not in place? Is it possible for the House, perhaps through the Library, to obtain information about the 202 sites involved?

Mr. Meale: So far, the agency's review has revealed no prosecutions on the basis of expired licences, nor any penalties levied. The new clause is retrospective and would apply in such cases.

The hon. Member for North Wiltshire (Mr. Gray) asked about the burden that the new clause would place on businesses. The necessary legislation was already in place and the agency carried out inspections thoroughly throughout the period. The amendments will ensure that those inspections are validated and that the process is continued.

Finally, I can tell the hon. Member for Ashford that the Government are confident that the Environment Agency provides a system that can deal with these matters fairly and justly and ensure that the public are protected.

Question put and agreed to.

Clause read a Second Time, and added to the Bill.

Schedule 1

PARTICULAR PURPOSES FOR WHICH PROVISION MAY BE MADE UNDER SECTION 2

Mr. Meale: I beg to move amendment No. 1, in page 7, line 41, after 'information', insert '—

(i)'.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this, it will be convenient to discuss Government amendment No. 2.

Mr. Meale: During the Committee proceedings on the Bill, we had an excellent debate about the public's right to full information about the pollution in their midst. That was in response to amendments tabled by my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) and by the hon. Member for Carshalton and Wallington (Mr. Brake).

Pollution is an intrusion. For the moment, it is impossible and unrealistic to eliminate it altogether, but the least that people can expect is to be fully informed about exactly what the factory down the road is putting into their community, street and homes.

In May, we launched the Environment Agency's new pollution inventory. People now have access to up-to-date information about emissions from the installations that the agency regulates under the integrated pollution control regime. It is proving extremely popular: the inventory website is receiving an average of 700 to 800 visits a week.

It is our ambition that it should be even more informative. I know from our debate in Committee and from the correspondence that the Department has received that there is a great deal of support among Labour and Liberal Democrat Members for expanding the inventory.

The Environment Agency will shortly be consulting on extending the inventory to cover the landfill sites and sewage works that it regulates. I am pleased to announce that my Department will be consulting on the possibility of including information on emissions from the 13,000 or so installations that local authorities regulate under the local air pollution control system.

Mr. Green: The Minister says that information will be gathered from the 13,000 sites regulated by local authorities. That will add another burden on those authorities, so do the Government propose to give them any money to meet the extra costs involved?

Mr. Meale: The hon. Gentleman and I know that Ministers, regardless of how lowly or powerful they are, cannot give such cost commitments. However, we are confident that the mechanism that is in place will allow local authorities to regulate under the local air pollution control system, and to generate the information that we require so that people can access it centrally.

4.45 pm

We shall not prejudge the consultation's outcome, but shall listen carefully to what industry says about costs or any other implications. The Bill contains the power to cover additional installations, but does not permit information to be gathered on energy use and the destination of waste from installations. Those matters are the subjects of amendments Nos. 1 and 2, which are enabling provisions.

Energy use is an area already crowded with policy initiatives, and we hesitate to add more without careful thought. A great deal of information will be produced because of the energy efficiency requirements of the new integrated pollution prevention and control regime. There are negotiated agreements on energy use and it is possible that carbon trading regimes may be established. It is by no means certain whether further measures for information gathering will be necessary, but it would be sensible to take the opportunity that the Bill provides to enable such information to be gathered in future.

Mr. Green: Is the Minister saying that the amendments are being inserted in the Bill at this late stage even though

[Mr. Green]

the Government think that they may not be necessary? Are the Government tacking an enabling power on to the Bill without having any intention of implementing it? I may have misunderstood the Minister, but that is what he seemed to say.

Mr. Meale: No. The amendments are enabling amendments. It is better to include any expansion in the scope of the inventory in the Bill so that we can achieve it if possible. Expansion would be considered only after thorough consideration of the costs and benefits and after full consultation. Our key concern will be to place the minimum burden on those providing information. We would not expect businesses to have to track the journey of their waste through its multifarious stages.

We are keen to promote continued development of the pollution inventory, but at a sensible pace and after proper dialogue. Our first priority is to consult on broadening the scope to cover landfill sites, sewage works and local authority-regulated installations. We may later consider including energy and waste information. The Government are committed to modernising Britain by involving people more closely in decisions that affect their lives and by changing the culture of secrecy that has prevailed until now. Access to information about pollution is vital to a fair, modern and open society. In the United States, it has become a powerful force for environmental improvement, and the same will be true in the UK when the Bill becomes law.

Mr. Green: The Minister's introduction has left me more alarmed than I was when I read the amendments. It is a shame that the hon. Member for Stoke-on-Trent, North (Ms Walley) is not here because the amendments seem to be a partial victory for her. In Committee, she tabled a more detailed amendment proposing a long list of new obligations on firms to provide information. The Minister for the Environment instructed his troops to vote against that amendment, but said that he would consider it sympathetically. I had looked forward to hearing whether the hon. Lady would be satisfied by the Government's partial move in her direction. Perhaps the hon. Member for Carshalton and Wallington (Mr. Brake) will tell us whether he is satisfied.

The Minister introduced a new and disturbing point in his remarks. The Government appear to be including in the Bill powers that may or may not be worth while and may or may not place onerous responsibilities on business. That flatly contradicts what the Minister for the Environment said repeatedly in Committee, which was that trying to define matters too closely on the face of a Bill such as this was bad practice and would lead to inflexibility.

The Opposition tabled various sensible amendments to tone down the powers of the Secretary of State. We were constantly told that putting such provisions on the face of the Bill would lead to inflexibility and clog up parliamentary proceedings. Having insisted on that, it is not good enough for the Government to table amendments that would do precisely the same and add new and possibly onerous burdens on business without any particular intent, or certainly any explanation of why those are urgently needed now when they were not needed during any of the previous lengthy stages in the passage of this Bill.

During the passage of the Bill, we discussed the necessary balance for the provision of information to enable an intelligent debate about environmental issues. The idea that the more information was provided the more likely we were to avoid some of the more hysterical debates that sometimes arise on environmental matters was certainly non-controversial on both sides of the Committee. Ministers agreed that one needed a balance and there was not simply a right to completely free information. Indeed, the Government introduced a clause to allow commercial confidentiality to be used as a reason for not providing information in certain circumstances.

When the Minister replies, I want him to consider the costs that will be put on business and, possibly, agricultural and other operators by gathering the information that is required under the amendments. Amendment No. 2 would gather information

"on energy consumption and on the efficiency with which energy is used".

Those will be interesting statistics and, in the long run, they will no doubt be useful. However, are we expecting everyone who runs a pig farm to gather that sort of information? While that will not be an onerous burden for big and sophisticated businesses, it could be extremely onerous for smaller businesses. It is not clear from what the Minister said that he has done any sensible cost-benefit analysis of what those provisions would involve and of the full extent of the obligations. The efficiency with which energy is used can cover a multitude of measurements. It is not clear from the Bill how much detail will need to be provided.

Similarly, the Government will be entitled to information

"on waste within the meaning of the regulations and on the destinations of such waste".

Does that mean the immediate, the ultimate or all the intermediate destinations?

Since one of our objections to the Bill throughout has been that it would give Ministers powers that are too sweeping, the amendment is a step in the wrong direction. This is the Bill at its worst. Presumably, to give some sort of sop to the hon. Member for Stoke-on-Trent, North as I said, the Government have decided to add a little more information. They have not thought through what that will mean in practice; still less are they defining the practical effects.

The Minister has said that these are simply enabling provisions, but enabling provisions that do not appear to be based in anything concrete and do not have any particularly urgent purpose can be dangerous. It is deeply regrettable that he has introduced such an amendment at this late stage.

Mr. Brake: I speak in favour of the amendments that the hon. Member for Stoke-on-Trent, North (Ms Walley) and I drafted. Obviously, I am disappointed that, in response to the question posed by the hon. Member for Ashford (Mr. Green), the Minister has not accepted the full-blown amendment, but I consider it a partial victory that the Government have taken on board some elements of that amendment. That will widen the scope of the available information about emissions, to include, as the amendment suggests, "energy consumption" and "efficiency". At a time when we are discussing climate change and the reduction of carbon dioxide, it is most important that we know those figures.

The amendment will help to identify waste and its destination. The Government are—or should be—pushing hard to reduce the amount of waste that is generated, and to reuse or recycle waste where possible. The information will be helpful in that respect. The information is needed and it will be used. I hoped that the amendment would receive the support of Members on both sides of the House, but that appears not to be the case. I shall support the amendment.

Mr. Gray: I share the concern expressed by my hon. Friend the Member for Ashford (Mr. Green) about some of the implications of the amendments. They fulfil some of the primary requirements of all new Labour measures—to be centralising, to collect information and to be bureaucratic. They go a long way towards providing information that statisticians and the Office for National Statistics may find useful in some future analysis. However, they will not do much to help reduce pollution in the United Kingdom, which is, presumably, the main purpose of the Bill.

There is no upside, but the amendments seem to have some potential downsides. We are talking about quite small businesses, as I pointed out in my earlier intervention, which may be relatively unsophisticated. Some of the pig farmers and chicken farmers in my constituency will be affected by the Bill; they will face significant bureaucratic problems in making available to the Government every piece of information relating to what they have done with the products of their farms. I will not give a graphic account of those products on this occasion. As a result of the Bill, farmers, who may be on their uppers, will already be faced with some bureaucratic interference. The amendments will mean that they have to undertake more paperwork for no particular reason.

We have just debated new clause 1, which tries to put right the anomaly that 12 per cent. of all sites that should have been licensed have not been licensed. The point was made that the measure will affect relatively unsophisticated businesses, which—through no fault of their own—have apparently failed to license their site, or have failed to renew their licence. We are now discussing the establishment of a new, bureaucratic and centralised regime that will require those same businesses to produce complicated information for no purpose, apart from satisfying the curiosity of the Office for National Statistics.

There is no upside, but potentially a large downside to the amendments. In that context, I am concerned about the possible costs. Accountants and bureaucrats of all sorts will be involved. People will have to be employed—perhaps lawyers. There will be costs involved in the production of the information. More important, it is worrying that if businesses fail to provide—through some slip, or through overwork, or lack of sophistication—the information that is demanded of them, there might be penalties. What will those penalties be? In years to come, my constituents may find that, if they fail—through no fault of their own—to comply with the requirements of the Bill, they will be taken to court and penalised. That may cost them significant amounts. Unless the Minister can explain the measures more clearly than he did in his introductory remarks—which I found rather difficult to follow—it seems that they will result in considerable costs for my constituents.

The amendments will achieve very little. I hope that the Minister will be able to advise the House of the purpose of the amendments and of the safeguards for small businesses—especially the chicken and pig farmers in my constituency who may be affected.

5 pm

Mr. Meale: I shall respond to hon. Members' queries, the first of which came from the hon. Member for Ashford (Mr. Green), who is leading the debate for the Opposition. He asked why we are introducing a detailed amendment at this late stage. The Bill has always allowed for the extension of the pollution inventory. The amendments respond to specific points made by hon. Members in Committee and cover information about energy and waste.

The hon. Gentleman implied that the pollution inventory simply piles extra burdens on businesses. We are discussing cases in which owners of businesses say to their neighbours, "In the interests of my business, I shall have to put this substance into your home." I accept that, to a certain extent, we tolerate that practice as the price of living and working together as a community. However, it is clearly unacceptable for the same business owners to say that it is too much of an effort for them to be courteous enough even to explain what the substance is. The pollution inventory is a fair and proper initiative which should be introduced.

Mr. John Gummer (Suffolk, Coastal): I am striving to understand the Minister. I agree with him in principle, so I am not being antagonistic, but if the pollution inventory is so important, why did not the Government originally include it in the Bill? I have come late to the debate, and I apologise to the House for that. [HON. MEMBERS: "Oh."] Well, when the Government table such an amendment this late in the proceedings, many hon. Members who are concerned that they should understand it have to go to a great deal of trouble to be present. Will the Minister explain why the pollution inventory is being included in the Bill so late in the proceedings if it is as important as he says?

Mr. Meale: It is very simple. We have responded to hon. Members from both sides of the House who urged us, in Committee, to take that action. We listened, we learned and we adopted that proposal.

I turn now to the accusation that the benefits do not justify the costs. Information about energy use could be of great benefit. For example, it could bring best practice to the fore and promote the spread of energy efficiency measures, which would cut costs for businesses and reduce greenhouse gas emissions. Similarly, more information about quantities and patterns of waste disposal can only help our efforts to minimise waste, thereby saving money and improving our environment.

Any proposal to use the powers would proceed only in the light of a comprehensive cost-benefit analysis and full consultation with industry and, of course, other interested groups. As I said earlier, we shall proceed with the expansion of the inventory at a sensible pace.

Mr. Green: With the leave of the House, Mr. Deputy Speaker, I shall speak again. I am impelled to do so by the Minister's non-explanation for the amendments. He

[Mr. Green]

said simultaneously that they are tremendously important and will help to cut greenhouse gas emissions and have various other effects, which Conservative Members think desirable, and that a cost-benefit analysis will happen at some unspecified time in the future.

It is not appropriate for Ministers to come to the House with legislation and say vaguely that it will be helpful to business, increase the provision of information and benefit the environment, and then to say casually, "At some time in the future, we shall try to gather the facts that may or may not back up the assertions that we have just made."

Ministers are doing things in completely the wrong order. Not only are the amendments being introduced at a peculiarly late stage in our considerations of the Bill, but Ministers have had several weeks since the Committee proceedings to respond to the suggestions made to them, and they appear not to have gone to the trouble of gathering any facts to back up the sop that they giving to the Liberal Democrats and Labour Back Benchers.

The explanation for the amendments is inadequate, and I invite the House to vote against them.

Question put, That the amendment be made:—

The House divided: Ayes 335, Noes 132.

Division No. 239] **[5.4 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Austin, John
Ballard, Jackie
Banks, Tony
Barnes, Harry
[illegible], Kevin
[illegible]y, Hugh
[illegible]d, Nigel
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blunkett, Rt Hon David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hancock, Mike
Hanson, David
Harris, Dr Evan
Healey, John
Heath, David *(Somerton & Frome)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hood, Jimmy
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura

Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Wallace, James
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Wise, Audrey
Wood, Mike
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Mike Hall and
Jane Kennedy.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Baldry, Tony
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Emery, Rt Hon Sir Peter
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lansley, Andrew
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Jacqui Lait and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

Amendment made: No. 2, in page 7, line 41, at end insert—

'(ii) on energy consumption and on the efficiency with which energy is used;

(iii) on waste within the meaning of the regulations and on the destinations of such waste;'.—*[Mr. Kevin Hughes.]*

Schedule 2

CONSEQUENTIAL AMENDMENTS

Amendments made: No. 3, in page 10, line 37, at end insert—

', In section 77(2) (waste disposal licences: transition from Part I of the Control of Pollution Act 1974), at the beginning insert "Subject to section (*Time-limited disposal or waste management licences*) of the Pollution Prevention and Control Act 1999,".'.

No. 4, in page 10, line 39, after first 'I', insert 'of the Act'.—*[Mr. Kevin Hughes.]*

Title

Amendment made: No. 5, in title, line 2, after 'pollution;', insert

'to make provision about certain expired or expiring disposal or waste management licences;'.—*[Mr. Kevin Hughes.]*

Order for Third Reading read.—[Queen's consent, on behalf of the Crown, signified.]

5.19 pm

Mr. Meale: I beg to move, That the Bill be now read the Third time.

We believe that the Bill will bring significant improvements to the system of environmental regulation. When it is approved, we shall have a more comprehensive, coherent and flexible set of regimes, and with the integrated pollution prevention and control directive it will be part of a level European playing field for all our industries and communities.

5.19 pm

Mr. Green: As the Bill reaches its final phase, it is a shame that the Minister could not give a more substantive account of its various phases. It is worth noting how rocky its passage has been. The Government's first attempt to introduce the Bill in another place had to be withdrawn after the Select Committee on Delegated Powers and Deregulation said that it was a skeleton Bill and inappropriate for the delegation of secondary powers. Their Lordships took the Bill radically to task.

It would be churlish not to admit that, since then, the Bill has improved as it has gone through its various stages. It is worth the House acknowledging that, in large part, that is a tribute to the existence of an independent second Chamber, which provides a range of expertise, knowledge and experience, not least from former Members of this House, who improved the Bill as it went through the other place. We tried to improve it in Committee, but of course the Government used their majority to reject our efforts. As we have just seen, they have continued to use their majority, in some cases to make the Bill marginally worse.

Mr. Gummer: Did my hon. Friend notice that the Government's majority was two down on what it might have been, because two senior Ministers in the Department of the Environment, Transport and the Regions were not present for the Division? Might that be because they, too, did not understand the Minister's explanation of his amendment, which was as opaque as any explanation that I have ever heard?

Mr. Deputy Speaker: Order. We are on Third Reading, and we would not want to dwell on amendments that have already been disposed of.

Mr. Green: I shall not dwell, Mr. Deputy Speaker. I shall merely ponder why Ministers in the Department could not turn up to vote for their own Bill.

Mr. Meale: I feel obliged to comment on that. One of the reasons that Ministers were not present for the vote was that they would have had to travel from Eland house in Victoria. I understand that the right hon. Member for Suffolk, Coastal (Mr. Gummer) was partly responsible for the Department moving there.

Mr. Green: I greatly regret that London's traffic jams have become so bad under this Government that Ministers cannot get from their Department to the House to take part in an unexpected vote. That did not happen when my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) was running the Department, because traffic was running better in London then than it is now. I am grateful to the Minister for pointing that out. It is the first honest admission about transport that we have had from those on the Government Front Bench for some time—they have admitted that it has got worse under them.

At no stage have we opposed the principle of the Bill. It was a Conservative Government who signed up to the European directive on which its good parts are based. We recognise that much pollution, particularly air-borne and water-borne pollution, can be tackled only on a supranational level. We were happy to sign up to the directive and supported the Government's intention to put it into effect at national level.

At every stage we have sought to improve the Bill and although we have succeeded to some extent, thanks to their Lordships, we have not done enough for our own satisfaction or, more important, for those who will be most affected by it, including many of the new businesses, particularly farmers, that will be brought under its provisions.

It is appropriate on Third Reading for me to go through our main reservations about the Bill. Perhaps the most fundamental is a constitutional objection. The Bill gives far too much discretionary power to the Secretary of State. Under clause 1, he can regulate

"emissions capable of causing any . . . pollution."

That is an absurdly wide power to give to a Secretary of State.

Of course, we know that most Secretaries of State would not interpret that as widely as the Bill would allow, but it is not a principle of good legislation to write into the Bill such a wide power for a Minister. For example, naturally occurring chemicals such as radon or some dioxins are pollutants. They occur naturally in the atmosphere, but they would fall under the powers given to the Secretary of State. Is he to play God and regulate the natural world? I know that the Deputy Prime Minister has some delusions of grandeur, but I do not believe that even he would go that far. As the Bill is drafted, breathing out could be regulated by the Secretary of State as a polluting activity. I invite the Minister to consider whether this is good legislation.

A secondary point is that too much is left to regulation, and not enough is written into the Bill. Perhaps most dangerous is the fact that, under the Bill, new criminal offences can be created through secondary legislation. That is an extremely dubious constitutional practice.

Most people have a concept of Parliament making law and the citizens obeying the law. They believe that we in Parliament are here to discuss the details of laws and to pass laws. There is a set of law enforcement agencies that enforce them. To allow Parliament to be bypassed in the

creation of criminal offences could have serious consequences, which I hope the Government do not live to regret.

My reservations have been strengthened by the paean to regulation offered by the Minister for the Environment on Second Reading, when he spoke lovingly of

"a flexible, interactive form of regulation"—[*Official Report*, 8 June 1999; Vol. 332, c. 502.]

He became almost lyrical about the type of regulation that the Bill would introduce.

I believe that the right hon. Gentleman is sincerely and passionately devoted to regulating business. I shall quote his exact words, as there was some controversy between us about what he had said. He stated:

"We do not, in principle, favour deregulation as such."—[*Official Report, Standing Committee A*, 17 June 1999; c. 24.]

That is what he said and I am sure that that is what he meant. That statement clearly has wider implications, but it has particular implications for the Bill.

We all want an integrated pollution control system, but to gain wide acceptance throughout the community such a system must be respected by those being regulated. If they think that it is unfair or arbitrary, they will object and try to get around the rules. People think that laws are fair partly because they think that the laws have been passed properly by Parliament, after discussion. The Bill allows Parliament, and this Chamber in particular, to be bypassed in the discussion of laws. In the long run, that will not contribute to a good system of integrated pollution control.

Our second main objection is the fact that the Bill gold-plates the European directive to an alarming degree. I have already said that we signed the directive and have no objection to its being put into national law. However, we object to the fact that the Government have taken the opportunity to add wide powers to be taken by the Secretary of State through secondary legislation and in other administrative ways. We do not need such wide powers in order to implement the directive. Clause 1(1)(b) and (c) refer specifically to activities other than those listed in the directive. That is straightforward gold-plating, giving the Secretary of State wide discretionary powers.

We have not yet had a convincing explanation why clause 1 is drafted so widely. This is the last chance that we shall have, so we should let the Minister explain to us why the Bill does not do what it purports to do—implement the directive—but goes much further. I should be fascinated to know why the Government think that the Bill needs to be drawn so much more widely than the directive requires.

Many businesses have a reasonable fear that the ground of regulation is shifting in ways that will become increasingly arbitrary. For newcomers to the Bill, that is the great BATNEEC versus BAT debate—the best available technology not entailing excessive costs versus the best available techniques. There is a clear difference. We have had many fairly theological debates about whether there is a difference. Ministers have claimed at various stages that there is no difference, that there is minimal difference, that there is no practical difference, or that there is only a small difference. But the language itself is different.

Not entailing excessive costs is a clear limit on the regulation which business can understand. BAT involves many more weasel words—that the best available techniques should be used bearing in mind the likely costs and benefits of a measure and the principles of precaution and prevention. I should be delighted if the two meant the same thing but, as they stand, they do not. I should be pleased if the Minister took advantage of his last chance to give a detailed explanation of the practical difference between BATNEEC and BAT. It may sound rarefied, but jokes are already emerging about what that will mean.

A parody of BATNEEC has already appeared called CATNIP—the cheapest available technology not involving prosecution. We all hope that businesses will not go down that route. There is a danger that if people do not think that a regulation is fair, they will try to evade it or bend the rules, and that would not benefit anyone. It would not benefit the law nor the environment. We want people to think that the regulations are fair so that they will obey them implicitly, both in the spirit and the letter. My real worry about the Bill is that people will think that the regulation is unfair and, therefore, seek to evade it rather than to apply it enthusiastically.

We welcome the principles behind the Bill and acknowledge that it has been improved on its rather tortuous route through both Houses, but we still have reservations about how it will work in practice. I assure the Minister that we shall monitor its effects with great care to ensure that businesses are not over-regulated and that it achieves its underlying purpose of improving pollution prevention and control. We want to see the Bill work. We hope that it will, but we are not sure that the Government have given it the best chance of doing so.

5.33 pm

Mr. Gray: It is a pleasure to participate in the Third Reading debate of this flimsy little Bill. I followed its progress from its introduction in the other place to its Second Reading here but, sadly, I was unable to serve on its Standing Committee because of commitments elsewhere. However, I have watched its progress with some interest.

It is extremely disappointing that, two and half years into this green Government's hold on power, this is the first environmental Bill that they have introduced—and what a flimsy little thing it is. The Government could have done something about air pollution in a much bigger way, or about water pollution. Their tiny Bill on water charging did not mention water purity. They have introduced no other environmental legislation. That stands in stark contrast to their claims before the general election that they would be the greenest Government ever. I think that the expression was that every piece of legislation would have a green tinge. They said that they would be greener than green, but we have seen only this flimsy little Bill, which merely enacts something which my hon. Friend the Member for Ashford (Mr. Green) rightly points out was initiated by the previous Conservative Government.

The Conservative Government signed up to the European legislation which requires this Bill. My right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), who is in the Chamber this afternoon, was then Secretary of State for the Environment and I was one of his two special advisers. It should not be inferred from that that we necessarily agreed on the measure. I seem to recall that I advised my right hon. Friend that I thought that his proposed action would not be sensible, to which he said, "That is precisely why I intend to do it."

[Mr. Gray]

But, as my hon. Friend the Member for Ashford rightly said, it was the Conservative Government's idea, and this little Bill merely puts that into effect. However, it does so with some significant downsides.

The Bill has not been thought through properly. The original Bill was badly flawed, as was pointed out in a number of procedural ways in the other place, largely by my noble Friends. Some significant amendments were made to the Bill there, so that when it came to be debated on Second Reading in this House it was marginally better. However, having gone through a lengthy and turbulent process in both Houses, the Bill still has some significant flaws, which is a real worry.

First, my hon. Friend the Member for Ashford correctly highlighted the centralising power in the Bill. It gives the Secretary of State extraordinary powers that he has not had before. It is not exactly a Henry VIII Bill, but it is along those lines. It says, "I, the Secretary of State, know what is good for the country and for air and water pollution. I do not need to put it in the Bill and spell out what we intend with regard to regulation. I need only sit in my room and decide what will be regulated and how that will be done." Some of the centralising powers that the Secretary of State accrued to himself were watered down in the other place, which I welcome, but, none the less, the powers given by the Bill to the Secretary of State are typical of new Labour, which says, "We know best. We are the nanny state. We are the bosses. We understand what the world needs. We don't intend to discuss it with the world. We don't intend to go out to consultation. We don't intend to put details in a Bill which can be read and whose processes can be followed in Parliament."

Ministers in their eyrie, high in the Department of the Environment, Transport and the Regions, will decide what is best and lay it down by regulation. Admittedly, on this occasion, they will do so by affirmative rather than negative resolution, but it still has the stamp of the control freak so typical of new Labour.

In particular, the Opposition are concerned about a number of detailed effects that the Bill will have on businesses, both large, small and agricultural. Large businesses already largely comply with the Bill. I would be surprised if many did not already do so, although some may not, in which case they will doubtless welcome the strength of the Bill to remind them what they have to do. However, the number of sites to be regulated has been increased from 1,000 to 6,000, and the 4,000 extra sites are largely small businesses. They are the very businesses least able to understand the Bill and to conform with it.

During the Bill's passage through the other place, the Federation of Small Businesses raised its severe concerns about the Bill with the Government but, far from taking note of that and inviting the representatives of the federation in to discuss the Bill's implications for small businesses, the Government failed to acknowledge the federation's letter and it has attacked the Government fundamentally for that.

On Second Reading, I invited the Government to say what they intended to do to ensure that the Bill did not bear down particularly heavily on small businesses. I invite the Minister again today to tell us what he has done during the month or two since Second Reading to consult the Federation of Small Businesses and others. I would be interested to know if they have had a meeting. It would be useful if they had. I hope that he has invited its representatives in and, if so, I welcome the fact that he listened to the Opposition's recommendation. I should like to know what he said to them and what they said to him, and what, in particular, he intends to do when the Bill becomes law to ensure that it does not bear down particularly heavily on small businesses.

My hon. Friend the Member for Ashford raised the issue of the difference between BATNEEC, or best available technology not entailing excessive costs, and BAT, or best available techniques. I certainly feel that nothing could be more sensible than to provide the best available techniques without excessive expenditure. It must be sensible to say, "Let us work out the cost-benefit analysis. We are not going to gold-plate our environmental provisions. We want the country to be as clean as it can be, we want the air to be as clean as it can be, and we want the water to be as clean as it can be. However, we will be cautious in implementing that. We will consider how much this will cost business, and how much the economy will be damaged by the achievement of demonstrably worthwhile environmental ends."

I enjoyed my hon. Friend's reference to CATNIP, an acronym that I shall use in the future. I do not think that the Government are considering the damaging effect on business; they are merely paying lip service to environmental benefit. Cost-benefit analysis should be involved in all environmental legislation, but I suspect that the Bill tends towards gold-plating.

I am concerned about the effects of the Bill on certain businesses. The small businesses on which it will bear down are not belching fumes into the air. We are talking about, for instance, small landfill sites and small farmers. On Second Reading, the Minister suggested that the chicken and pig farmers that the Bill would affect were large farmers. By no means are they large farmers; they are very much towards the small end of the spectrum. The average chicken farm and the average pig farm will be affected.

What consultations has the Minister had with bodies other than the Federation of Small Businesses—the National Farmers Union, and the Country Landowners Association—to discuss the effect on our hard-pressed farming industry? Thanks to what the Government have done to them, these people are on their knees in any event; this may be the straw that breaks their backs. It is easy to knock the landfill operators, but many are struggling to provide a worthwhile service, and the Bill will bring extra pressures to bear on them.

The effect of the Bill on farmers involves a curious conundrum. The Labour party is in favour of outdoor farrowing, because it thinks that it is green and more organic. It would also like more free-range hens, because that system sounds better and suits it better. I am not sure that the party understands the implications of either system. The truth is, however, that if pigs are outdoors, it is almost impossible to control what happens to their dung. The only way to control a pig's dung is to keep the pig indoors, standing on slats. The dung falls through the slats on to the concrete floor below and is easily removed.

The same applies to chickens. If chickens are out of doors or in barns, it is almost impossible to separate their dung from the earth, or from the soil at the bottom of the barn. The conditions laid down by the Bill are therefore

difficult to apply. The fact is that the less animal-friendly farms are, the easier it will be to comply with the conditions and terms of the Bill. We must think carefully about this. What effect will the Bill have on the pig farmers and chicken farmers in my constituency? Are we, perhaps, driving them towards the establishment of conditions on their farms that, by many other standards, would be considered non-animal friendly?

We must also consider the conditions that we are imposing on our farmers—in the Bill and elsewhere—to which overseas countries do not conform. It is hardly known that most of the chicken that we eat here is bred in Thailand.

Mr. Deputy Speaker: Order. The hon. Gentleman is straying from the subject of the debate.

Mr. Gray: I accept your admonition, Mr. Deputy Speaker. My point was that, if we bear down heavily on chicken farmers in this country without bearing down equally heavily on chicken farmers in Thailand and France who are competing with ours, we are doing our chicken farmers a disservice.

Mr. Deputy Speaker: Order. That is what I was trying to explain to the hon. Gentleman. What he is saying is wide of the Third Reading debate.

Mr. Gray: I understand your admonition, Mr. Deputy Speaker. I am simply saying that, if we are considering allowing the Bill to become law, and if it affects pig and chicken farmers in my constituency and elsewhere in England—I am certain that it will, because of the constraints involving the clearing up of dung—we should surely consider whether the same provisions will apply to the overseas farmers with whom we are competing.

Mr. Deputy Speaker: Order. I am trying to explain to the hon. Gentleman that this is the final stage of the Bill's passage. If he was concerned about these matters, he could have raised them in amendments or on Second Reading. What he cannot do is go wide of the Third Reading debate.

Mr. Gray: I happily accept your admonitions, Mr. Deputy Speaker, not least because I assume that my colleagues will take part in our next debate on the subject. *[Interruption.]* Of course, they may well take part in this debate in the meantime.

Conservative Members have no difficulty with the broad principle of the Bill: indeed, we wholeheartedly support it. After all, it was our idea in the first place. None the less, we feel that it has a number of flaws that prevent it from achieving the high standards that we would normally expect of legislation produced by my erstwhile colleagues in the Department. They describe this as a tiny little Bill, tidying up a few loose ends, but I believe that it will have significant consequences for small businesses, for landfill sites and for both chicken and pig farmers.

This is a gold-plated Bill. It is, as it were, a gold-plated bath, and we are in danger of throwing a number of babies out, along with the gold-plated bath water. Doubtless it will be passed, as will all other Bills in this place; but it is worth recording at this stage that Conservative Members have significant reservations about the way in which it will affect our constituencies.

5.47 pm

Mr. Brake: The Liberal Democrats welcome the Bill, which will be of major assistance in pollution prevention and control. It has been much improved during its passage through the other place and this House. I am disappointed that the Opposition have not felt able to be more supportive, although I am not entirely surprised. The hon. Member for North Wiltshire (Mr. Gray) does not believe in climate change, and the shadow Secretary of State does not believe in traffic calming because it constitutes an impediment.

I should like the Minister to consider two points. First, I remind him that I am expecting a letter explaining to me whether the arrangements for offshore installations will cover the storage of nuclear waste at sea. That has been discussed in the past. Secondly, I feel that the Bill has missed the opportunity to deal with flawed legislation in the Environment Act 1995, which introduced a new section 2A into the Environmental Protection Act 1990 to deal with contaminated land.

Unfortunately, the 1995 Act also introduced an anomaly, whereby certain types of environmental harm that are currently the subject of statutory legislation fall outside the scope of existing or new controls. In practice, that applies to circumstances in which significant harm is caused. The new definition will exclude many types of nuisance that are currently controlled, and which do the most harm to the environment and to ecosystems. The Chartered Institute of Environmental Health and my local authority, the London borough of Sutton, believe that simple amendments to the Bill could have dealt with the problem. I hope that the Minister will be able to respond, although I realise that an amendment is no longer possible. I wish that I had received the information on Second Reading, because the Minister has been receptive to amendments. It was identified as early as 1996 by the Environment Select Committee. I hope that the Minister will pick up that point, or perhaps provide some information on it in the near future.

I am pleased that the Bill has made swift progress. I look forward to its receiving Royal Assent.

5.50 pm

Mr. Gummer: I will not detain the House long, although I am surprised that no Labour Member has bothered to detain the House at all on Third Reading.

The Bill is important. I congratulate the Government on introducing it. It is largely sensible and intelligent now that it has gone through both Houses. I commend in particular the work in the other House to make the Bill sensible.

It is important to recognise that pollution is no respecter of national boundaries. There is no possibility of having a national environment policy that could work; we have to work on a larger basis. We contribute half the air pollution that we produce to the rest of Europe, and half the pollution here comes from the rest of Europe, so policy has to be based on the European directive, to which I agreed and which was moulded by the United Kingdom in our role as leader in the environmental world. I am pleased that the Minister has introduced the Bill.

I found the Minister's explanations of some things incomprehensible; they were rather difficult to follow. I suspect that the Bill has been cobbled together as we

[Mr. Gummer]

have gone along. What saddens me is that it could have been much clearer. I say in a spirit of support, rather than opposition: if the legislation is not well founded, we will do great harm to the environmental cause.

If people are frightened by broad powers that are ill defined, they will not believe, as I want them to believe, in the importance of the environment, but will view it as a heavy burden on them. I therefore beg the Minister and his colleagues to try to be clearer about such Bills, so that people can feel that they want to work with them rather than that the provisions are filled with hidden dangers and hidden fears.

Some of the concerns of my hon. Friend the Member for North Wiltshire (Mr. Gray) are not as worrying as he may believe them to be, but he is right to raise them. Those are precisely the concerns that arise from so weak a Bill that is so poorly drafted.

None of us could take much from the comments of the Liberal Democrat spokesman on climate change. As someone who has been fighting for recognition of climate change ever since I have been in politics—I have done so ever since we started to see it—

Mr. Brake: Will the right hon. Gentleman give way?

Mr. Gummer: I should like to finish the point first.

I take it ill that the hon. Gentleman's party refused to support proper efforts to reduce domestic consumption and wastage of energy when that is responsible for 38 per cent. of the energy that is used in this country. The one party that can say nothing about climate change is his party, which has constantly taken the populist view and never done anything that might damage it electorally. That has been not only my view but that of all environmentalists. *[Interruption.]* I understand very well, so we do not want to hear lectures from the Liberal Democrats.

All we are saying to the Government is that it is the right Bill to introduce. It is a sensible policy. It is based on a European approach that is exactly right, but can they get away from legislation that frightens people unnecessarily, so that the legislation clearly defines what people's responsibilities are and does not give Governments powers that could be used—not, I am sure, by the Minister—in far too draconian a manner?

It is not a big thing to ask, but anyone reading the debate, particularly the Minister's answers both in Committee and now, would have to say that ease of understanding is not notable. Indeed, some people have been unkind enough to wonder whether he understood his answer to the House. I would be the last person to say that, but I have read many of the debates and I find it pretty hard to believe that he actually understood the point that he was trying to explain because no one reading the explanation could possibly understand it.

I ask him very carefully about that simply because, out there, many people want to support the Minister's environmental policy, but can do so only if they feel that he understands their problems, doubts and difficulties and is prepared to reach out to them with an explanation that is comprehensible. In that spirit, I support Third Reading, but I hope that he will try better in future.

5.55 pm

Mr. Meale: I shall try to answer the range of queries that were raised. I apologise to the hon. Member for Carshalton and Wallington (Mr. Brake). He was promised a letter on nuclear storage in the sea. I will ensure that that is followed up as quickly as possible. I assure him that the United Kingdom is under an international obligation not to dump nuclear waste at sea. We are consulting on other matters, but I will reply as soon as possible.

In relation to the hon. Gentleman's query on contaminated lands, I knew nothing about the amendments. I am surprised that they were not tabled. Nevertheless, I understand the point about the lateness of the day. I will take the matter up and write to him on the matter.

I do not want to disillusion the hon. Member for Ashford (Mr. Green). He said that, shortly, breathing would have to be regulated. That could already be done under the Environmental Protection Act 1990, which was introduced by a Conservative Government.

I found absolutely amazing the comment of the hon. Member for North Wiltshire (Mr. Gray) that the Government had done very little on the environment; I hope that the right hon. Member for Suffolk, Coastal (Mr. Gummer) would agree with my analysis. Days after coming into office, the Deputy Prime Minister called a water summit and, from that, laid down a plan of action, which has built on the successes of the previous Government in achieving high-quality water standards. It has enabled the water industry to plan a multi-billion pound investment programme, which will proceed over the next few years.

Mr. Gray: May I clarify that point? I was not saying that the Government were not green. I wholeheartedly support a number of the things that the Government have done: for example, some of their policies following the Kyoto negotiations. The point that I made was specific: it is the first and only environmental legislation. I was criticising not what the Government have done, but the amount of legislation that they have introduced.

Mr. Meale: If the hon. Gentleman looks at some of the joined-up government that has been undertaken, and some of the decisions that have been made, he will see that environment policy is having an effect across the board. I remind him—the right hon. Member for Suffolk, Coastal will agree because he attended some of the conferences—that the Prime Minister and Deputy Prime Minister, with others from all parties, supported all the efforts at the world conferences in Rio and Kyoto, where we reached a level of agreement, and Buenos Aires.

Mr. Gummer: I agree with the hon. Gentleman that the Deputy Prime Minister has been commendable in his fight on climate change, particularly in Kyoto and Buenos Aires. The thing that my hon. Friend the Member for North Wiltshire (Mr. Gray) was pointing out was that many of us have been waiting for legislation to implement the necessary actions that the conferences recommended. We keep asking for that; it has been two and a half years. I hope that the Minister will be able to find time for such

legislation. It is not his fault; it is the Chancellor's fault—we know whose fault it is. The Minister is very green. It is just that the Chancellor is not.

Mr. Meale: All I can say is that we are gaining some momentum in trying to achieve our policies. We are a little quicker in our resolve in relation to the environment than the previous Government, who were in power for 18 years.

The hon. Member for Ashford said that more small business would be controlled under the Bill. That is because of the coverage of the integrated pollution prevention and control directive, which the previous Government accepted.

The hon. Member for North Wiltshire asked various questions, the first of which was on the National Farmers Union. The Ministry of Agriculture, Fisheries and Food has held extensive discussions with the NFU and raised the issue that the hon. Gentleman raised today—on outdoor pigs, and the Bill's effects on that type of farming. Outdoor pigs will not be controlled under the Bill's provisions.

The hon. Gentleman also asked about the Small Business Federation and the Country Landowners Association. The Small Business Federation was consulted on the Bill on three occasions, on each of which it was very constructive. I am not quite sure how many times similar contact has been made with the CLA, but departmental officials regularly contact that organisation. However, I shall write to the hon. Gentleman and provide some details on the matter.

I tell the hon. Member for Ashford that the Bill was not withdrawn, but recommitted because of some fairly substantial Government amendments to it, which we tabled to meet the points made by the House of Lords Delegated Powers and Deregulation Committee. I should also tell him that the previous Government, in the Environment Act 1995, conferred powers on the Secretary of State to create criminal offences by regulation. I am sure that the right hon. Member for Suffolk, Coastal will remember that Act.

As for claims that the Bill will confer too much power on the Government, we have ensured that proper parliamentary control will be retained. The regulations will be subject to affirmative procedure when they are first made, and thereafter for certain important amendments. The Delegated Powers and Deregulation Committee thought that such provision would be adequate when it considered the Bill. We have also given an undertaking that any future amendments to the regulations that change their provisions and that were previously included in the Environmental Protection Act 1990 will be brought before Parliament for consideration under the affirmative procedure.

There are, moreover, instances in which it is right to replace primary legislation with regulations, as a set of regulations is a much more flexible instrument than primary legislation. It is also clearly in the interests of those being regulated that any problems can be resolved.

As for claims that the directive is being gold-plated, the Government think that the situation is quite the opposite. We have repeatedly made it clear that the Bill's purpose is to allow coherent implementation of the IPPC directive. Industry would clearly suffer extra costs if it had to continue with two separate pollution-control systems.

Claims have also been made in the debate that business is worried about additional VAT costs. Labour Members believe that it is a complete myth—it is scaremongering to say—that the directive's use of the term "best available techniques" entails less regard for cost-effectiveness. The United Kingdom's use of the term "best available techniques" includes "not entailing excessive costs". Hon. Members who served in the previous Government, who negotiated that particular directive, should know that.

The directive clearly states that "available techniques" should mean those developed on a scale allowing implementation in the relevant industrial sector under economically and technically viable conditions, taking into consideration costs and, of course, advantages. Moreover—as the right hon. Member for Suffolk, Coastal will be aware—if we do not implement the directive, in legally identical terms, we would be subject to infraction proceedings.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

Commonwealth Development Corporation Bill *[Lords]*

As amended in the Standing Committee, considered.

New Clause 1

INVESTMENT POLICY

'.—(1) The Corporation shall at the end of each complete financial year after registration make a report to the Secretary of State on its investments during that twelve month period and on its policy on future investments.

(2) The Secretary of State shall as soon as practicable lay a report under subsection (1) before Parliament.'.—*[Mr. Streeter.]*

Brought up, and read the First time.

6.4 pm

Mr. Gary Streeter (South-West Devon): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this, it will be convenient to discuss amendment No. 1, in clause 18, page 8, line 23, leave out from 'association' to 'unless' in line 24 and insert

', investment policy and statement of business principles'.

Mr. Streeter: Conservative Members wish the Commonwealth Development Corporation to succeed. We believe in the CDC and, for most of the past 50 years, the CDC has flourished under Conservative leadership. Our concern—which is reflected in the new clause—is that, after the Bill is passed by the House and the CDC becomes a partially privatised company, gradually, it will move away from its developmental objectives. We expressed that concern in Committee; it is our greatest concern about the Bill; and we now return to it.

It has been established that, after the company is privatised, it will have to increase its return on capital invested from the current 7 to 8 per cent. to about 18 per cent. per annum, so that investors will receive a return on their investment. The company will be under pressure to deliver after the Bill has been passed. Indeed, managers are already making changes—on the ground, in the field, in sub-Saharan Africa—looking for different types of investment to make.

We also know that the Secretary of State is keen for a switch from loan to equity-based investment—but that is not the only change; the type of company in which the CDC is investing is changing. The CDC is increasingly looking for more high-yielding, profitable companies, regardless of whether those companies employ large numbers of people in the developing world or particularly benefit local economies in sub-Saharan Africa or Asia. The CDC is looking for yield and return to shareholders.

Although that is a terrific incentive, which we support for companies around the world, the CDC is a different type of company. For 50 years, the CDC has received taxpayers' investment. The company was established to invest in pre-emerging markets—to go where no other investor would go. We simply do not want that important niche activity to be blown away by the Bill.

Therefore, the question that we ask—which is dealt with in the amendments—is whether the Government have adequately protected and safeguarded the new CDC's developmental objectives. New clause 1, and other suggestions that I shall make later in my speech, are intended simply to build another line of defence to ensure that such important safeguarding is provided.

It would be sacrilege if all the careful foundations laid over the years by the many people who have worked for that excellent company were destroyed. It would be more than tragic if, in future, the CDC's high reputation for helping thousands of people in the developing world were to be wasted as the company moves away from its developmental objectives and all that it has held dear as shareholders apply pressure on the board of directors to increase returns.

I should make it clear that I am not talking about this Secretary of State, the current board of directors, or the board of directors that will be appointed after the Bill is passed—no one in their right mind would think that any of those people would deflect the CDC from its developmental objectives—but about a CDC that, at some point, after shareholder pressure builds and a board of directors accedes to it, goes in a direction that everyone concerned with the Bill does not want.

We want to ensure that the entrenchment about which the Secretary of State boasts so loudly is watertight.

In Committee, the Minister made some interesting comments on that matter, putting in a nutshell what the Government feel that they have done to safeguard and entrench the company's developmental objectives. He said:

"It is important to have not just a belt and braces approach"—

looking at him, I suspect that that applies to his personal life, too—

"but other safeguards."

My remark was unkind, and I withdraw it instantly. He went on to say:

"We have the golden share, the 25 per cent. shareholding, the two directors, the statement of investment policy, the statement of business principles and the memorandum and articles of association. We therefore have six elements tying the CDC."—*[Official Report, Standing Committee D,* 17 June 1999; c. 23.]

The Minister has—fair enough—identified six safeguards; that could not be clearer. I should like briefly to examine each of them in turn, to ensure that the Government have done enough.

We have been told that the first safeguard of the CDC's developmental objectives is the 25 per cent. shareholding. However, it is worthless as a safeguard. It does not prevent 75 per cent. of the shareholders passing the special resolution that is needed to change the memorandum and articles of association. It cannot prevent a change in the investment policy. The fact that the Government will retain 25 per cent. of the company is utterly worthless as a safeguard; that one did not come up to the mark.

Secondly, we were told that two of the directors would be appointed by the Department for International Development. However, at another time in Committee, we were told that the board would probably consist of 11 people, two of whom would be appointed by the DIFD. Of course, some of the investors would want their own representatives on the board, and those representatives will be the most susceptible to succumbing to pressure to shift the company away from its developmental objectives.

In the Secretary of State's terminology, two out of 11 may be a majority. I can imagine meetings in the Department for International Development. Ten or 11 people might be present, and all might oppose the motion except the Secretary of State, but the motion would be carried. I can understand that that might happen in the Department for International Development, but she must realise that two directors can easily be outvoted in a board of 11. Those two placed directors cannot protect or safeguard the developmental objectives on their own. Therefore, I am afraid that, as a safeguard, the presence of two such directors is utterly worthless.

Thirdly, we come to the statement of business principles, which we embrace and support. I quoted it extensively at Second Reading; I do not intend to do so again. It is a very worthy document. Who could disagree with the principles set forth in relation to business integrity, the environment, health and safety and social issues? However, that statement of business principles does not differ significantly from the business principles that any major multinational corporation would adopt. I have looked at business principles adopted by BP, Shell and Marks and Spencer, and they are all rather similar. There is nothing in those business principles that would cause the company to adhere to its investment policy or to its developmental objectives. That was the third safeguard that the Minister set out, and it also is a damp squib.

Fourthly, the Minister said that the memorandum and articles of association were part of the safeguard; but there is no general protection in the memorandum and articles as a whole. I assume that the Minister was referring to article 51, which relates to investment policy. I believe that it is worth reading. Article 51(A) says:

"CDC will have an investment policy to cover the conduct of CDC's investment business. The policy must be designed to achieve CDC's objective of maximising the creation and long-term growth of viable businesses in developing countries and achieving attractive returns for shareholders."

Those words are more or less now contained in the mission statement. However, that paragraph merely points us towards the investment policy.

Article 51(B) says:

"The policy must include a particular focus in the conduct of CDC's investment business on benefiting poorer countries, especially those in sub-Saharan Africa and South Asia."

Who could disagree with that? However, it simply points us towards the investment policy; it does not add to it or buttress it.

Article 51(C) says:

"The directors will conduct the investment business of CDC in line with the investment policy. They will establish procedures which enable them to see whether the investment policy is being complied with by CDC and, to the extent relevant, its subsidiary undertakings."

We already know that the company is to be run, according to this piece of paper, in line with the investment policy; but, as I shall show, that investment policy is not watertight. That policy, the only safeguard in relation to the conduct of the company, does not contain the necessary safeguards.

Finally, article 51(D) says:

"The directors will report each year in CDC's annual report on CDC's compliance with the investment policy. This report will contain sufficient information to allow a reader to make an informed assessment of the investment business of CDC and its subsidiary undertakings as against the requirements of the investment policy."

That is a very welcome statement. No doubt, the company's annual report will contain information about the investment policy and whether the directors are complying with it. We welcome all that, but it merely points us towards the investment policy, which I shall consider in a moment.

The report referred to in article 51(D) is simply a report by the directors, not to Members of Parliament or to some compliance committee, but to the shareholders—the very people who, in future, might put the directors under pressure not to comply with the investment policy.

Therefore, the memorandum and articles of association—the fourth safeguard—are not in themselves a safeguard. They simply point to the investment policy.

The fifth safeguard that we were assured of was the golden share. Article 51 says that there shall be no change in the investment policy without the consent of the special shareholder—that is the Secretary of State, the holder from time to time of the golden share. That is welcome. It means that the investment policy cannot be reduced or diluted without the Secretary of State's specific approval. We welcome that; we support that part of the memorandum and articles of association. However, it tells us nothing about the existing investment policy. It adds nothing to the safeguard, or otherwise, constituted by the existing investment policy, and, if the existing investment policy is flawed—as I say that it is—the fact that the Secretary of State must give her consent to any change to it does not help us at all.

We come to the sixth and final safeguard that the Minister told us about in Committee. The other five do not satisfy Opposition Members.

6.15 pm

Mr. Tam Dalyell (Linlithgow): On the golden share, what additional powers is the hon. Gentleman seeking? What is he saying ought to be there that is not? The golden share operation is very complicated and can be subject to all sorts of interpretations—as we know from experience over the years—but what exactly is the hon. Gentleman asking for?

Mr. Streeter: That is a very fair question; the answer is this. I am asking, first, that we get the investment policy right in the first place, because that is the thing that is being entrenched; and secondly, that we incorporate into the Bill new clause 1, which at least will place on the company an obligation to report to the House, so that, annually, we who have superintended this company for 50 years might see the extent to which the investment policy is being complied with. Who knows, the Minister may spring to his feet in a second and agree.

We say that the first five safeguards are utterly irrelevant and worthless and have no value in themselves, so we turn to the investment policy. The question that we ask is, does that policy prevent a future CDC moving away from its developmental objectives? I accept that the Secretary of State and the Minister genuinely believe that they have entrenched the developmental objectives in this way, but I do not think that they have succeeded. I remind them that I am talking about a future CDC, under pressure to perform—to move from an 8 to an 18 per cent. return—whose shareholders put pressure on the board to invest in high-yielding, high-performance companies. That is the context in which such a change might happen.

[Mr. Streeter]

I said in Committee that the investment policy, the text of which I now hold in my hand, would allow a future CDC to agree to invest in listed companies only—perhaps one, two or three of the top listed companies in one, two or three places, such as India, Zimbabwe, Kenya or sub-Saharan Africa. If the CDC invested in only one or two companies in one or two of those places—I accept that sub-Saharan Africa must feature—it would be complying with the wording of the investment policy.

The Secretary of State did not disagree with that proposition. She said that Zimbabwe, India and Kenya have problems. We know that, but in each of those countries there are blue-chip companies—copper-bottomed companies. Would the letter of the investment policy prevent a future CDC board investing in one or two listed companies in South Africa only, where some of the world's most successful and wealth-creating companies are based? It certainly would not. I stand to be corrected by the Minister or the Secretary of State, but I can see nothing in the investment policy that would prevent a new CDC from investing on the South African stock exchange only.

Nothing in the investment policy says how many companies the CDC must invest in, or what type of company it can invest in. Two or three minor provisions prohibit it from investing in certain types of company, but it can invest in any type of high-performance, high-yield company that it wishes, irrespective of the fact that it is not a spread or a mix or a portfolio mix that contains job-creating companies and is benefiting the local economy. We know that 70 per cent. of investment must be in the list of countries attached to the investment policy, but the list includes almost all the world. The list includes many poor countries, but it includes also many countries in which there are thriving businesses and stock exchanges.

There is also a provision that 50 per cent. of the investment must be in sub-Saharan Africa. As I say, South Africa, Zimbabwe and Kenya all have copper-bottomed companies that the CDC could invest in. I do not think that the investment policy is watertight. It does not do what the Secretary of State told us it would do, which is to entrench the developmental objectives. I do not take great pleasure in saying that—I just think that we could drive a coach and horses through the policy. The test is not the likelihood of a future board investing in the way in which I have suggested, but whether it has the legal ability to do so. It is clear to me that it does.

It is no good me bleating about this unless I make a specific suggestion as to what to do. The new clause suggests that the company should report to the Secretary of State on its investments and policy each year, and that that report should be tabled in the House of Commons. That does not close the loophole. It would be after the event, but it would at least give the House an opportunity, at an early stage, to debate such a breach of the investment policy and to do something about it.

In Committee, the Secretary of State referred to an obligation to produce an annual report, and the Department produces an annual report. However, the report is not debated as a matter of course in the House of Commons. The annual report deals with everything that the Department is doing in that year. How much space will there be to analyse in detail the investment policy of the new CDC? We want a specific report, dealing with the extent to which the new CDC has complied with its investment policy. Let the House decide whether the 50 years of investment by the British taxpayer is being honoured and safeguarded by the new CDC.

In Committee, the Secretary of State said that the Select Committee could look into the matter from time to time. The distinguished Chairman of the Select Committee, my hon. Friend the Member for Hertford and Stortford (Mr. Wells), is here this evening. I wonder whether the Committee would have the right to investigate decisions made by a company in the private sector—a company with 75 per cent. of its shareholding owned by private investors. Would the Select Committee have the right to call for the directors to attend the Committee? Would it have the right to investigate as it needs to?

I do not think that the safeguards are adequate, and the Minister and the Secretary of State should consider agreeing to the new clause, saving us all the bother of a division. If they accept it, an annual report will be presented to Parliament, so that we can scrutinise what the company is up to. We must be in a position to monitor the company and to act quickly.

My second helpful suggestion is to change the investment strategy now, before the Bill goes through. We have five paragraphs on the first two pages of the investment policy which deal with general principles and provisions. However, the investment policy lacks a catch-all provision that is designed to express the spirit that lies behind the past 50 years of the CDC, as well as the future, in terms of the mixed portfolio and its investment in companies which generate jobs and benefit the local economy.

When those expressions are found in the policy statement, there is a caveat about the opinion of the directors or the profitability of the company. Let us have a clear statement in the investment policy, setting out the spirit of the developmental objectives pursued by the CDC prior to this Bill becoming law.

In future, the measure would give an aggrieved shareholder the right to go to law to claim that the company was breaching its investment policy. At the moment, we can drive a coach and horses through the policy. However, a paragraph setting out the spirit of the CDC past and future would give an ethical investor—who may be worried that the company is moving away from its developmental objectives—a chance to go to law and seek redress. There would be something for a court to hang an order on. At the moment, that is not there.

Mr. Dalyell: The imputation is that the CDC has invested, if not improperly, at least in grey areas. Is there any evidence of investment that is unsatisfactory? The hon. Gentleman ought to produce it if he is saying that.

Mr. Streeter: The hon. Gentleman—whom I deeply respect—has missed the point. Previously, the CDC has not been under pressure to produce a financial return. Once the Bill goes through—when the hon. Gentleman will be voting for privatisation—the CDC will move from a return on capital invested of about 7 per cent. to one of 18 per cent.

My argument is that there will be shareholder pressure on the board of directors to deliver a new level of profit. Increasingly, the board will move away from investing in

the beneficial, long-term, job-creating local economies of which the company has been so proud in the past towards high-yield, fast-return, high-tech companies. There is nothing wrong with such companies, but the CDC was designed to open a new niche in development overseas, on behalf of the British taxpayer, in pre-emerging markets and countries. Our fear, that the CDC will move away from that special niche, caused us to table the new clause.

There are concerns that the Government are trying to do something that they cannot do—find a third way for the CDC. Of course, there is a case for the sale of the CDC, and we all want private sector investment. There is a case for fully privatising the company to attract a large sum of money which we can invest in the developing world. There is a case also for retaining the CDC in the public sector and for finding other ways of opening the windows and attracting private sector investment while the company remains publicly accountable and under public control.

Is there a case for burdening the company with regulations—and expecting it to fly in the private sector—so that the price on sale would be reduced, while setting up a creature that cannot live up the expectations of private investors and will be tugged, year after year, away from its developmental objectives?

The new clause reflects our belief that the Government are trying to find a third way for the CDC which simply does not exist. We very much hope that the Government will listen to our arguments, make sure that the developmental objectives are safeguarded and accept the amendment.

Mr. Dalyell: It behoves those of us who were not on the Committee to be brief, and I simply wish to ask two questions.

First, the history of golden shares is rather unsatisfactory. I wonder whether my hon. Friend the Minister has any comment on the operation, or lack thereof, of the golden share. It is always given as a failsafe but, in fact, is seldom used. If there is a crisis or difficulty, the golden share is not quite a satisfactory fall-back, as is often made out.

Secondly, thanks to my hon. Friend the Minister's position with the Inter-Parliamentary Union, I had the good fortune three years ago to be a member of the IPU delegation to Nepal. It is in the context of Nepal that I ask whether the CDC's attitude to risk has been all that it might be. I have just come from a little ceremony at the Nepalese embassy. I was able to talk about those matters, knowing that this business was coming up.

Is risk sufficiently taken into account in the operations of the CDC when it comes to investment in countries the figures for which suggest that they are very poor? Nepal may seem very poor from the figures, but it is run in such a way that there is very little child malnutrition or illness; it is impressively run in many ways.

6.30 pm

The Secretary of State for International Development (Clare Short): Nepal's gross domestic product per head is $200 and almost all the women are anaemic. There is great poverty and high infant mortality. The country is very romantic and attractive, but the people's poverty is very great. We must work more effectively with Nepal on children's education and development.

Mr. Dalyell: I am glad that my right hon. Friend, whose visit to Nepal was extremely successful, takes the attitude that something must be done.

Dr. Jenny Tonge (Richmond Park): I am speaking in support of amendment No. 1, but I urge Ministers to consider the new clause seriously. There is little difference in it from what is already in page 25 of the articles of association. It requires more detail and would have to be presented formally, but it would not substantially alter the spirit of the Bill and would give more information and make everyone a lot happier.

Amendment No. 1 is not designed to slow down the Bill. The Liberal Democrats support getting more money into development and changing the way in which the Commonwealth Development Corporation is run, but we are concerned about the conflict between development and getting a good return for the shareholders, which the hon. Member for South-West Devon (Mr. Streeter) eloquently set out. As the Select Committee heard, the problem is trying to serve both God and mammon.

We want to strengthen the Bill and make it less ambiguous.

Clare Short: This is an enormously important matter. Both opposition parties, in their misunderstanding, paint a depressing future for developing countries. If those countries cannot attract private sector investment that will get a reasonable rate of return, their prospects for economic development are disastrous. Both the hon. Member for South-West Devon (Mr. Streeter) and the hon. Lady are suggesting that sustained economic development in developing countries through the private sector is impossible. That is clearly not the case.

Dr. Tonge: I entirely agree that developing countries need investment and we all want them to have it, but to attract that investment they often have to cut corners on sustainable development and the good of their people and environment.

As the Bill is currently drafted, the Government will hold a golden share that gives the Secretary of State special rights under the articles of association. Clause 18(3) requires any alteration of those articles that require the Secretary of State's approval before they can be altered to be approved by both Houses of Parliament. That is worrying, as it implies that there is a choice as to which articles require the Secretary of State's approval before they can be altered.

Under article 51(F) of the articles of association, any alteration to the investment policy would require the approval of 50 per cent. of shareholders and the special shareholder. Under article 52(E) any alteration to the statement of principles and policies may be made by the CDC board by a majority vote, including at least three members of the business principles committee.

The articles of association, the investment policy and the business principles appear to be in descending order of importance as to how far away from the Government and the Secretary of State they can be before any change is made, but the Bill's aims will be met only by adherence

[Dr. Tonge]

to business principles and to the investment policy, which sets specific targets for the percentage of new investments made for the benefit of poorer countries: at least 70 per cent. of investment by the CDC, or improved investment vehicles, over any five consecutive periods, has to be, in the opinion of the directors, for the immediate or prospective benefit of poorer countries.

In the old CDC, an additionality test was applied. That will no longer happen and, according to the Library research paper, any investigation of potential investments will have to include an assessment of compatibility with the CDC's ethical values or business principles. That is clearly set out in the technical box in the research paper, and the potential mismatch between commercial viability and development value is also clearly summarised.

Under the previous legislation, the CDC was charged with the task of assisting overseas countries in the development of their economies. The term "development" is significantly missing from the Bill and there is only limited mention of it in the accompanying documentation. Instead, the CDC argues that its business principles will support and reinforce the development focus.

As the hon. Member for South-West Devon said, codes of conduct and business principles are wonderful things and come in very glossy brochures, but they are not always adhered to in practice. If we want proper development to occur through sustainable and ethical investment, the real control that the Secretary of State and the Government need is of the business principles. They are the key, because they direct the investment policy—a change for the CDC—that is controlled by the articles of association. Why then can the business principles be changed with only the lightest touch from Parliament via the Secretary of State's nominees on the business principles committee, with no direct reference to the Secretary of State or Parliament?

I beg the Secretary of State to accept our proposals and ensure that the business principles, and thus the investment policy, cannot be changed without the agreement of Parliament.

Mr. Edward Leigh (Gainsborough): I wonder why Ministers are opposed to the concept of an annual report. It may be because they are rather schizophrenic about what exactly the new company will be. They are trying to persuade the House that it can have all the virtues of a private company but meet the objectives of a publicly owned company. Article 51(A), which was referred to by the hon. Member for Richmond Park (Dr. Tonge), clearly states:

"CDC will have an investment policy to cover the conduct of CDC's investment business. The policy must be designed to achieve CDC's objective of maximising the creation and long-term growth of viable businesses in developing countries and achieving attractive returns for shareholders."

Paragraph (B) states:

"The policy must include a particular focus on the conduct of CDC's investment business on benefiting poorer countries, especially those in sub-Saharan Africa and South Asia."

The Government will refer to that article in defence and say that it will ensure that CDC will help the poorer countries, but as my hon. Friend the Member for South-West Devon (Mr. Streeter) pointed out, there are many successful large companies in those poorer countries which will inevitably have to attract the investment of the new CDC if it is to meet its obligations to its shareholders. If I know anything about company law, it will be required by law to act in the best interests of their shareholders.

The Government have tried to convince the House that we will be able to meet the objectives because of the articles of association, but if one reads them one comes to the inevitable conclusion that the defensive mechanisms against preventing the company from becoming like any other investment company in the private sector are not as strong as they should be. Given that there is some doubt on the subject, surely it is not too much to ask for an annual report to Parliament so that we can be convinced that the company is meeting the objectives that we all share.

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): I can understand why the hon. Member for Gainsborough (Mr. Leigh) is concerned and I shall deal with his point later. He has not been involved in the Second Reading and Committee stage, so I understand why he may not fully appreciate the safeguards contained in the Bill. However, I despair of the Opposition Front Benchers. They sat through Second Reading and Committee and heard the Secretary of State's clear explanations—and mine—but they seem incapable of understanding, or they are unwilling to understand.

I do not know whether the problem is my inadequacy, but I shall try again—

Mr. Menzies Campbell (North-East Fife): It will be a waste of time.

Mr. Foulkes: Well, as the right hon. and learned Gentleman knows, I am a helpful cove so I will try again. I must tell the hon. Member for Richmond Park (Dr. Tonge) that there was ample opportunity to table amendments in Committee. Indeed, she will recall that we did not use one of the sittings that we were allocated. We were willing to hold another sitting to deal with any amendments, but no one took up the opportunity. I assure her that all her concerns, which we share and understand, are adequately covered in the Bill. I hope that she will accept that assurance and not press her point.

An amendment containing provision for an annual report was tabled in Committee and my right hon. Friend Secretary of State dealt with it extremely well. She explained that the CDC will be required by the Bill to make an annual report to the Secretary of State, who is required to make an annual report to Parliament. That can, if the Opposition wish, be debated in Opposition time or the Government can make time to debate it. The hon. Member for South-West Devon said that it would not be debated as a matter of course, but there is no guarantee either that a CDC annual report would be debated as a matter of course because provision for that is not included in the amendment.

The Select Committee also has powers. It has an effective Chairman and its members know what they are talking about. The Committee can, if it wishes, call the Secretary of State, or myself, or officials before it to ask questions about the CDC and its investment policies.

6.45 pm

Mr. Bowen Wells (Hertford and Stortford): I thank the Minister for his kind remarks. Can he confirm that as the Government will always hold the golden share unless Parliament decides otherwise, the Select Committee will always have the power to call Ministers and officials in front of it to explain the policy that the CDC is adopting?

Mr. Foulkes: The hon. Gentleman has, as usual, gone straight to the point and grasped it. The Select Committee will be able to do that.

The hon. Member for South-West Devon again gave the hypothetical example he gave in Committee that the CDC might invest only in the top three listed companies in Kenya, India and Zimbabwe. That is not likely, not only for developmental reasons but for good investment reasons. Any organisation in its right mind would not have such a portfolio and that is a totally unlikely scenario.

The Government have carefully considered what the CDC's development role should be and how it should be complementary to the role of others. The CDC's aim is to maximise the creation and long-term growth of viable businesses in developing countries, especially the poorest countries, to achieve attractive returns for shareholders and to implement ethical best practices. Practical measures to implement those are entrenched in the CDC constitution.

The hon. Member for South-West Devon referred to my contribution in Committee in which I described the relevant six elements. Then he took one and said that it was not enough. He took another and said that that one was not enough. He went through all six, but he failed to understand that it is the combination of all of them that will work. For example, the golden share will give the necessary rights over changes that a share of 25 per cent. might not be able to block. We are protected by the golden share, the investment policy and the business principles.

The hon. Member for South-West Devon also raised the question of whether the sectors in which the CDC invested would change over time. They are already changing to take account of the CDC's present obligations. For example, in India, the CDC has invested in the first private sector internet access provider. That will help business access information and generate new business opportunities related to the internet. In Africa, the CDC has invested in the expansion of cellular telecoms, which have a significant effect on business efficiency.

The CDC is investing in new areas, helping development and getting a good return, but it is not ignoring traditional sectors. For example, in Belize—a country that the Opposition know well, for reasons I will not go into—CDC Industries is in the process of completing a $40 million investment in the citrus industry. In Bolivia, the CDC has invested £3.8 million in Banco Sol, a micro-finance institution which finances 85,000 micro-enterprises in Bolivia. The CDC is helping development and getting a good return.

The hon. Member for South-West Devon also raised the question of the two directors and said, in a glib and superficial way, that two would not form a majority over 11. Even I can work that out. However, he did not say that the business principles committee will have four members and the Secretary of State's two nominees must be on it. The board of directors cannot change business principles unless a majority of the business principles committee—at least three—agree. If the Secretary of State's nominees do not agree, a majority of three cannot be achieved. Even the hon. Gentleman can work that out.

I can tell my hon. Friend the Member for Linlithgow (Mr. Dalyell) that we do not envisage changing the role of the golden share or abandoning it. It gives power to stop change. The occasions that he mentioned happened under a Conservative Government. We are determined to use the golden share if the necessity arises, but we do not think that it will, because the CDC board that we envisage will want to operate on the investment and business principles that we have agreed with it.

Finally, on amendment No. 1, we can understand why it has been tabled, but it is not necessary. The mechanisms that we have set out will provide the proper protection. Parliament has a role. Unless Parliament agrees otherwise, the CDC is required to have an investment policy designed to achieve the objective of maximising both the creation of and the long-term growth of viable businesses in developing countries and of achieving attractive returns for shareholders. We have that power at the moment.

No change can be made to the investment policy, for example, without the approval of the majority of ordinary shareholders and the consent of the special shareholder, the Secretary of State. The investment policy therefore cannot be changed without her approval.

The method for changing the business principles is different, because the issues raised are different. Change to the business principles and policies can be made only by a majority of the board which, as I said earlier, is to include at least three of the four members of the business principles committee. The hon. Member for South-West Devon talked about belt and braces, and rather unkindly said that I am the sort of person who needs them. The Bill provides for two sets of both—or even three, given what I said to my hon. Friend the Member for Linlithgow. The matters that have been raised are adequately covered.

Dr. Tonge: I am still worried that the CDC's—and the Minister's—trousers will fall down. The business principles are key to the success of the whole operation, yet they are less controlled than the investment policy. My earlier point was that it should be the other way around.

Mr. Foulkes: I should certainly be acutely embarrassed if my trousers fell down. The CDC would be embarrassed if anything went wrong with the links between its investment policy and business principles. However, I urge the hon. Lady to consider the matter again. The investment policy is far more important, in the context about which she is worried, than the business principles.

Dr. Tonge: The Bill states clearly that the investment policy is determined by the business principles, whereas the old CDC adopted a process of additionality.

Mr. Foulkes: The matter has been explained, in Committee and again today. Of course all the elements are important in different ways, but they are deeply entrenched. We expect CDC's investments in all sectors to make a contribution to development and to achieve attractive returns. That will give us the best of both worlds, and I urge

[Mr. Foulkes]

the hon. Member for South-West Devon, in the light of my third—and I hope lucid—explanation to him, to withdraw the unnecessary new clause.

Mr. Streeter: The Minister is being uncharacteristically complacent. His belts do not fit and his braces are slack. The Bill contains a real risk that the developmental objectives of the company will be lost. The 50 years of careful and patient investment by the CDC and this country's taxpayers are being placed at risk by the Bill. The Minister is too complacent to accept that, and I urge the House to vote for the new clause.

Question put, That the clause be read a Second time:—

The House divided: Ayes 165, Noes 309.

Division No. 240] **[6.54 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beith, Rt Hon A J
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Keetch, Paul
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Woodward, Shaun
Yeo, Tim

Tellers for the Ayes:
Mr. Keith Simpson and Mrs. Eleanor Laing.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet

Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Mactaggart, Fiona
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Clive Betts and
Mr. Kevin Hughes.

Question accordingly negatived.

It being after Seven o'clock, and there being private business set down by direction of THE CHAIRMAN OF WAYS AND MEANS *under Standing Order No. 20 (Time for taking private business), further proceedings stood postponed.*

City of London (Ward Elections) Bill

As amended in Committee, considered.

7.8 pm

Mr. John McDonnell (Hayes and Harlington): On a point of order, Mr. Deputy Speaker. I gave notice to Madam Speaker that I would raise this point of order, which relates to the point that I made on Second Reading. You will recall that I asked whether the Bill was compatible with section 19 of the Human Rights Act 1998, and whether legal advice had been sought and published.

We have debated the Northern Ireland Bill this week—it contains a clear statement by my right hon. Friend the Secretary of State for Northern Ireland that it complies with the Human Rights Act 1998. I believe that a similar statement should be attached to all future legislation. Section 19 of the 1998 Act requires that the Minister

"in charge of a Bill in either House of Parliament must, before Second Reading of the Bill"

make a statement about the compatibility of the Bill with the convention rights defined in section 1 of the Act. The Northern Ireland Bill states that the Secretary of State for Northern Ireland has made the following statement:

"In my view the provisions of the Northern Ireland Bill are compatible with the Convention rights."

That seems to be the procedure for legislation as regards human rights. On Second Reading, Mr. Deputy Speaker, you suggested that this was a matter for the courts. I can appreciate that, but clearly individual Ministers or promoters of Bills must now ensure that they comply with the Human Rights Act.

The issue to which I am referring is specifically in relation to the convention on the protection of human rights and fundamental freedoms as amended by protocol 11. Article 3 of that protocol, which is headed, "The Right to free elections", states:

"The High Contracting Parties"—

that is, the individual countries that have signed the convention—

"undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature."

It does not refer to businesses.

We are now operating in a supra-national political and legal environment. Of course, we are governed by Parliament, which is sovereign, but it is no longer totally so in relation to that legislation. Therefore, I asked earlier at the Private Bill Office whether that legal advice was sought, whether the Lord Chancellor had given his opinion, and if so, what it was—should it be published or at least laid in the Vote Office or the Library?

In my view, if the House knowingly and wilfully proceeds to introduce legislation that is contrary to the convention, that is one thing. That is a decision of the House, individual Members promoting the Bill and Ministers who may support it. However, if hon. Members blunder into legislating contrary to the convention, without advice, it is a dereliction of duty on behalf of the Lord Chancellor or the Officers of the House in not affording us such advice. I would welcome your views, Mr. Deputy Speaker.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am grateful to the hon. Gentleman for giving notice of his point of order. I hope that I can resolve the matter in fairly simple terms. In the case of a private Bill, the issue that the hon. Gentleman raises is a matter for debate and not for the Chair. The House will be aware that section 19 of the Human Rights Act 1998, as the hon. Gentleman reminded us, obliges a Minister in charge of a Government Bill to make a statement of compatibility before Second Reading. No similar provision occurs in the case of either private Member's or private Bills.

Mr. McDonnell: Further to that point of order, Mr. Deputy Speaker. Can I clarify the matter? Is any hon. Member who seeks to promote legislation in debate in the House liable, therefore, to digress against the convention on human rights, which we have incorporated in legislation? If we enact this legislation—I hope that we do not because it contravenes everything that we stand for both in terms of human rights and party policies—does that mean that the City corporation, if it instigates some form of election under the legislation, is open to legal challenge? I would be grateful if, at some stage, in addition to the advice that you have provided, the Lord Chancellor could be consulted and we could have some advice on that matter, too.

Mr. Robert Jackson (Wantage): Further to that point of order, Mr. Deputy Speaker. It might be relevant to report to the House that, as Chairman of the Select Committee that considered the Bill—we spent several days on it and heard petitioners—I can confirm that that issue was not raised by any of the petitioners and did not come before the Committee at any stage.

Mr. Deputy Speaker: Order. The hon. Member for Hayes and Harlington (Mr. McDonnell) does not do himself a service because he has illustrated that that is a matter for debate; it is not a matter on which the Chair can rule.

Mr. McDonnell: Further to that point of order, Mr. Deputy Speaker. Previously, I raised a point of order about declaration of interests. Under the heading, "Declaration of Members' Interests" in the code of conduct, the principle is clearly established that Members "shall fulfil conscientiously the requirements of the House in respect of the registration of interests in the Register of Members' Interests". Paragraph 5 of the code of conduct states clearly:

"The main purpose of declaration of interest is to ensure that fellow Members of the House and public are made aware, at the appropriate time when a Member is making a speech in the House or in Committee or participating in any other proceedings of the House, of any past, present or expected future pecuniary interest".

It also mentions miscellaneous interests.

We are debating legislation that would give companies and banks within the City of London the right to a vote and, therefore, the right to an interest within the City corporation. I do not believe that any hon. Member has so far declared any interest in relation to this matter. However, I cannot believe that there is no hon. Member or member of the Committee who does not hold some form of bank account or have some interest in a body that is located within the City of London.

I have a Co-operative bank account—there is not an awful lot in it, but I still have it. That bank is located within the City. That is an interest, because that company will now have a vote in the City corporation elections if the Bill is enacted.

Mr. Deputy Speaker: Order. The position is clear. Any hon. Member who believes that he has in interest

relevant to any matter that comes before the House should declare it. If any hon. Member feels that there has been a failure to disclose, there is a procedure for reporting and investigating that.

Clause 2

INTERPRETATION

7.15 pm

Mr. McDonnell: I beg to move amendment No. 7, in page 2, line 19, at end insert—

'"relevant employee" means a person whose principal or only place of work on the qualifying date is ordinarily the hereditament in respect of which the entitlement to appoint a voter arises and who works for that qualifying body.'.

Mr. Deputy Speaker: With this, it will be convenient to take the following amendments: No. 13, in clause 3, page 2, line 42, leave out '£200' and insert '£1,000,000'.

No. 16, in clause 3, page 3, line 12, leave out from 'greater' to end of line and insert—

'number of employees of the qualifying body.'.

No. 17, in clause 3, page 3, line 20, after 'values.', insert

'the number of relevant employees'.

No. 19, in clause 4, page 3, line 28, leave out from 'shall' to end of line 30 and insert—

'conduct a ballot of all relevant employees to elect its voter or voters.'.

No. 30, in clause 8, page 5, line 4, leave out 'appoint' and insert 'elect'.

No. 31, in clause 8, page 5, line 7, leave out 'appointed' and insert 'elected'.

No. 33, in schedule 1, page 6, line 7, leave out from 'scale:' to end of line 24 and insert—

Number of Relevant Employees	*Maximum Number of Persons whom that Body may Elect*
Up to 1,000	1.
For every 1,000 over the first 1,000	1 for every thousand relevant employees

No. 35, in schedule 1, page 6, line 28, leave out 'rateable value' and insert 'number of relevant employees'.

Mr. McDonnell: On Second Reading, there was considerable dissatisfaction with the Bill. The Committee was established and petitioners petitioned against the Bill. There have been some minor amendments, but they are insignificant.

The statement from the Committee draws attention to the fact that the Bill remains flawed—extremely flawed. A number of proposals are recommended in that statement to make further improvements. As it is a matter of debate, the Committee did not consider human rights, or the contravention of the Human Rights Act 1998, even though that matter was raised on Second Reading. It was a dereliction of the duty of the Committee not to discuss that matter in Committee or to seek legal advice. However, the Committee set out a number of detailed recommendations—

Mr. Robert Jackson: The hon. Gentleman accuses the Committee of dereliction of duty, but we were confined to the requests that were put before us by petitioners. It was our duty to consider those. Human rights were not raised by any of the petitioners.

Mr. McDonnell: I should have thought that any Committee should take into account the Second Reading debate and the matters raised in it, if only for the background and the environment in which it considers the legislation. I am happy to give way to the hon. Gentleman if he wants to explain why the Committee did not take cognisance of the Second Reading debate. The human rights convention was a critical issue in that debate, yet the Committee blatantly ignored it. Members of the Committee pursued its practices and considered the matter, possibly thereby incurring some liability in the future.

Mr. Deputy Speaker: Order. The hon. Gentleman cannot pursue a Second Reading matter. He must deal with the amendment that he is moving.

Mr. McDonnell: In mitigation, Mr. Deputy Speaker, I think that I was provoked to enter into debate on that matter because of the intervention, but I will not test your patience any further.

The special report lays out a number of interesting suggestions for the City corporation and, in that respect, I congratulate the Committee for at least identifying the fact that the Bill is flawed and stating that it should be part of a wider reform process. In other words, it is the first step on a long path to establish some form of democratic government within the City corporation to protect the rights of the residents. It is in that context that I tabled my amendments.

The need for reform is beyond doubt. The City of London corporation accepts the need for reform, although it does not implement reforms. Indeed, in an almost jocular way, it ignored most of the recommendations that have been made so far. The statement agrees that reform is needed, but the tragedy is that none of the recommendations can be contained in the Bill. That most significant point was made by the Chairman and other members of the Committee. The Bill will do little to achieve a process whereby we can have confidence that the corporation will reflect the interests of its residents or even of its business community.

The statement includes a range of recommendations for the promotion of reform. However, most of them rely on the good will of the corporation—that is why I tabled my amendments. It has taken 600 years to rely on the good will of the corporation.

Mr. Gareth R. Thomas (Harrow, West): Will my hon. Friend give way?

Mr. McDonnell: I will give way if my hon. Friend wants to correct the number of years.

Mr. Thomas: A thousand years.

Mr. McDonnell: That is a millennium achievement for the corporation.

The amendments attempt to redress the balance, because the Bill fails to tackle the problems of the democratic deficit of the corporation. Most of the

[Mr. McDonnell]

recommendations in the special report of the Committee rely on the corporation to review boundaries, to examine internal or external boundaries, or to obtain legal advice on its powers. The corporation does not seem to have enacted even that recommendation—or, if it has, none of us is aware of it. If the corporation has obtained legal advice and hon. Members have seen it, I should be happy to read a copy of it. In relation to the recommendations on boundary review, why can not the corporation use the boundary commission like any other local government body? We have received no commitment in writing from the corporation that it has approached the boundary commission.

In the statement, there is an admission that the right of veto on the common council of the City of London still exists. Before I tabled my amendments, I hoped that there would be one letter from the corporation stating that it would withdraw the veto. We can all remember cases of individuals who were vetoed, even after their election. The classic example is Mr. Malcolm Matson. I understand that he communicated with several hon. Members before Second Reading.

The amendments attempt to move the measure forward within its own constraints. I tabled other amendments, which were not selected. They would have ensured that the residents had a controlling vote. It may have been rather ambitious to attempt to abolish the business franchise through my amendments.

The corporation is the last vestige of undemocratic privilege within our system of government that is formally constituted in legislation. It is the last hurdle—the last hedge that we must go over.

Mr. Deputy Speaker: Order. I detect Second Reading general arguments in what the hon. Gentleman has said so far. He must now turn to the specific and narrow terms of the amendments if he wants to persuade the House that they should be accepted.

Mr. McDonnell: I accept your ruling, Mr. Deputy Speaker, but there is a background to the amendments that needs explanation. It is the undemocratic nature of the existing system. We must explore that to ensure that the amendments tackle the problems that are part of the undemocratic privilege exercised by the City of London corporation.

Mr. Michael Connarty (Falkirk, East): I commend my hon. Friend for filling in those details for some of us who did not follow closely the Second Reading debate. I hope that the Chair will not interrupt so much in future.

Mr. Deputy Speaker: Order. I must ask the hon. Gentleman to withdraw that comment. It was quite disgraceful.

Mr. Connarty: I apologise if the Chair is offended. However, Back Benchers should be defended by the Chair. I hope you, Mr. Deputy Speaker, will defend our right to hear someone who is clearly knowledgeable, so that we can fill in the background. I apologise if you were offended by the way that I put it.

Mr. Deputy Speaker: Order. The role of the Chair is to ensure that the debate, whatever its content, is conducted within the rules of order. We cannot have Second Reading debates taking place in the middle of a debate on specific amendments. Second Reading has taken place and the text is available to all hon. Members. If an hon. Member does not know what was said, that is no reason for it to be repeated. I have given the hon. Member for Hayes and Harlington (Mr. McDonnell) considerable leeway so that he can refer to the background to his amendments. However, it is my duty to tell him and the House that when we are discussing amendments, it is the amendments themselves that must be discussed.

Mr. McDonnell: Thank you, Mr. Deputy Speaker.

Dr. Norman A. Godman (Greenock and Inverclyde): May I ask a question about amendment No. 13? I understand that that amendment would give relevant employees the right to stand for election as a voter. If the amendment were passed, would every employee in a City establishment—within the square mile—have the right to stand as a voter representing that company? I have more than a passing interest in the matter; I am a council house tenant of the City of London corporation and a peripatetic constituent of the right hon. Member for Cities of London and Westminster (Mr. Brooke), who is one of the supporters of the Bill.

Mr. McDonnell: I am not sure whether there are any amendments on peripatetic voting, but I advise my hon. Friend not to suggest that to the corporation. Even if we cannot achieve full, universal, adult suffrage for the corporation—as there is in the rest of the country and in America and in most European and other states—at least, given the argument that it is a business district, the employees who make the wealth of that area should be able to vote. That is the purpose of my amendments. *[Interruption.]* I do not know whether that was an intervention or a sedentary comment.

Initially, I wanted to establish universal suffrage, but that was rejected by the corporation. In Committee, representatives of the City of London Labour party—I apologise for not being able to consult them directly, because I should have welcomed the opportunity to discuss the amendments with them—proposed that votes should relate to the number of staff employed by bodies within the City. They referred to that system as the payroll vote. That is what my amendments suggest.

Under the existing system, the vote is cast by the business itself, rather than by a person who is either a local resident or an employee who daily earns his or her living in the City. Even under the proposals in the Bill, the vote will be owned by the business. The amendments would ensure that there is at least some link between those who reside or work in the City and the exercise of power by the corporation. On Second Reading, we did not discuss the existing system.

I apologise, Mr. Deputy Speaker, if you think that my remarks go beyond the amendment, but it is important to recognise how the system operates at the moment and the way in which we want to reform it.

7.30 pm

As hon. Members know, the court of common council is one element within the corporation. It comprises 25 aldermen, including the lord mayor and about

130 common council men. I appreciate that the corporation has offered to reduce that number as part of its reforms. In effect, that body becomes the government of the City because it operates the functions of local government. It is therefore the key body that we want to influence. We want to ensure that it has some connection to those who live in the City and, more importantly in this debate and what is permissible within the context of the Bill, those who work there. Other elements of the corporation include the court of aldermen, which has 25 members, and the common hall.

In our discussions to date, the main concerns that we have expressed relate to abuses of the system and out-of-date facets such as the way in which it is dominated by individual companies. The corporation can be fixed by those companies, the residents' vote can be overridden and the businesses that have begun to flourish in the City over recent years have no role and no say. The Bill is an attempt at least to give those businesses an input into the operation of the City.

On what basis, however, should those businesses have any input whatsoever? Surely, that input must be based on the interests of their employees. They are the people who earn the wealth for the company, who reside in the City for much of their time in employment, who are directly affected by the corporation's decisions and who therefore have the right to have a say in those decisions.

Mr. Robert Jackson: I hope that before the hon. Gentleman concludes his speech, he will give his answer to the question that was in the minds of members of the Select Committee about the practicalities of compiling a register for all the employees who work in the City, so that they can participate in the exercise that he describes.

Mr. McDonnell: That is a good point, which I intended to address later in my remarks, but I shall deal with it now. That issue was raised in response to the corporation's proposals, and concerns were expressed about how one would conduct an assessment of the number of employees within a particular business. However, national insurance numbers, payrolls and taxation by the Treasury give us the necessary information.

That information will be compiled and used under the Employment Relations Bill, which has passed through both Houses of Parliament. Under that legislation, ballots will be held among work forces to determine trade union membership and recognition. I do not, therefore, see any outstanding impediment to identifying the number of employees in a company and on a particular site.

Mr. Tony Colman (Putney): I understand that the City of London Labour party did not press that particular amendment when the matter was considered in the Committee. Will my hon. Friend explain why the amendment was not pressed?

Mr. McDonnell: I cannot speak for the City of London Labour party, but I shall try. From my discussion with party members at the end of the Committee proceedings—I apologise to Kate Green and her friends if I have got this wrong—I understood that the corporation was not willing to accept the amendment. I can therefore understand the petitioners' approach. They were keen to ensure that the maximum number of their recommendations for improvement were accepted.

In my last conversation with Kate Green, who is the secretary of the City of London Labour party, I accepted that the party would have to compromise on several issues, but I thought that we should try to press the matter further. That is the role of individual Members of this House when petitioners come up against a brick wall. In this case, the corporation was that brick wall because it refused to budge and to accept any further compromise. In such cases, it is the right and the job of Members of Parliament to protect individuals and organisations.

If there had been a chink of light in the corporation's position or any sign of compromise, we could have allowed the Committee to meet again to examine the reforms in more detail. I should have welcomed that. However, members of the City of London Labour party—and, perhaps, the members of the Committee, but they can comment for themselves—may have thought that the corporation would not budge any further so it was not worth them making any more effort.

Mr. Jackson: May I suggest an alternative interpretation of the attitude of the City of London Labour party, which is that it came to the conclusion, as we did in the Committee, that the approach that the hon. Gentleman suggested was not practical? The sources to which he referred may well enable a census to be taken of the number of employees, but if we are talking about giving a franchise to individual employees, we must consider the problem of establishing a valid electoral register when hundreds of thousands of people work in the City and there is a tremendously rapid turnover.

Mr. McDonnell: I understand the practical problems, but I do not think that any of them are insuperable. The most recent estimate of the number of people working with the corporation's boundary was about 250,000 employees. There is a turnover in most constituency electorates. In London constituencies, that turnover can be anywhere between 20 and 30 per cent. of the electorate, and in some instances it is even higher. However, I do not believe that mechanisms cannot be found to overcome those problems.

There is an incentive for employees to come forward and register and, if necessary, to supply verification of their status if they want to vote. The incentive of providing a vote to individual employees would encourage people to come forward, register with the town clerk and provide sufficient information such as a wage slip or a letter from the employer. That would overcome the problems envisaged by the Committee and others. Perhaps we should adjourn the House now and invite the City of London Labour party to provide us with evidence on how to proceed.

Dr. Godman: The hon. Member for Wantage (Mr. Jackson) raises a difficult but legitimate question about eligibility. However, I offer my hon. Friend the analogy of employees in companies that have works councils. In all such companies of which I am aware, every employee, no matter how new, has the right to vote for representatives on the works council. In those circumstances, we do not apply the same criteria as we do in elections for local government, the Westminster

[Dr. Godman]

Parliament or, dare I say it, the Scottish Parliament. The analogy of the works council might be helpful in dealing with an admittedly difficult question.

Mr. McDonnell *rose—*

Mr. Andrew Mackinlay (Thurrock): Will my hon. Friend give way?

Mr. McDonnell: Will my hon. Friend first let me respond to the previous intervention?

A useful comparison can be made with works councils, but forms of industrial democracy will develop from the Employment Relations Bill. For example, we shall have the opportunity to ensure that there are accurate registers of people who are employed by a particular company when there are ballots on trade union recognition. We already have the trade union rights commissioner, who can investigate individual claims and disputes about trade union membership within a particular company.

I do not think that the problems will be insuperable, because there is such expertise within the corporation. I pay tribute to the high quality of its staff and officers. Their ingenuity could overcome problems through co-operation employers' bodies.

Mr. Mackinlay: I thank my hon. Friend for giving way, and I apologise to you, Mr. Deputy Speaker, for not being able to contain myself when I tried to intervene earlier. However, I thought that my hon. Friends the Members for Hayes and Harlington (Mr. McDonnell) and for Greenock and Inverclyde (Dr. Godman) were far too generous to the hon. Member for Wantage (Mr. Jackson). I find it breathtaking that he can trot out the nonsense that it will be difficult to compile a register. Our registers are a snapshot in time in terms of our territorial rights to be elected. I cannot see how anyone can suggest with any credibility whatsoever that one cannot have a snapshot in time in respect of who is on the payroll of companies in the City of London on a particular date. It is breathtaking in the extreme that anyone could advance such nonsense in the House.

Mr. McDonnell: I am a man of temperate language and moderation, a man of the middle of the road if not the middle way.

Let me return to the point that I was making about the practicalities. The hon. Member for Wantage (Mr. Jackson), who chaired the Select Committee, may not recall the final statement by the City of London Labour party. It accepted that to amend the Bill to incorporate the principle of payroll votes would be a fundamental change. At that stage, it was anxious that such a proposal might be ruled out of order, but as a result of my amendments, that was not the case. It stated that such a change

"would require substantial redrafting and may not be possible without substantially altering the Bill to such an extent that it would not be before this Committee, but would be re-presented."

If we agree tonight that the Bill should be amended in that way, the City of London corporation will be saved the time, money and expensive lawyers involved in having the Bill re-presented.

Mr. Haines, who was representing the City of London Labour party continued:

"We take the view that the first steps towards City reform outlined in the Bill will not be the last."

That was certainly the burden of our discussions with the City corporation. By all accounts, they were constructive meetings that were conducted in good humour. The City of London Labour party representative continued:

"We will monitor this new franchise and how it works in practice. We are pleased to have the opportunity to put the case for payroll votes now on the record for future consideration if required."

That statement gave us the incentive to move our amendments tonight. The City of London Labour party was clearly constrained by the fact that it thought that such a proposal went beyond the Bill. That is clearly not the case, therefore we can discuss it tonight.

The amendments seek to empower people who work in the City. I find it fascinating that my amendments would return the City corporation to its original roots and objectives and to its original method of representation. I am a traditionalist in that I seek to return the City corporation to its worker traditions.

In the middle ages, the City comprised workers, business people and tradespeople who set up an organisation to represent their interests. It was a protosoviet—an embryonic workers' council. Although it was bourgeois, Trotsky would have appreciated it. In my opinion, the City corporation has the same line of ancestry as the Petrograd soviet. It was a group of workers coming together to seek representation. The amendments return to the tradition of employees and workers demanding some say about their working environment where they spend eight to 12 hours a day, or longer.

I have gone through the history of the City of London. The idea of freemen of the City of London goes back to Roman times. It involved business men who were engaged in various trades and who had specific rights. The system continued into the middle ages without charter or incorporation. In its statement on the origins of its constitutional functions, the City corporation described itself as a commune. Its ancestry is clear. It is Marxist history—E. P. Thompson all over again. After the royal sanction, the City corporation established its rights on behalf of the workers—the freemen who worked in the City—through the guilds. It is fascinating that the rights of individual employees pervades the history of the City of London.

7.45 pm

Some of us come from a guild-socialist background through the trade union movement. The operation of guilds within the City corporation embedded the vote on the basis of work and the production of wealth. A PhD on class analysis may well evolve out of that.

Mr. Robert Jackson: I am grateful to the hon. Gentleman who is being extremely patient. His historical analysis is most interesting. If the City owes its origins to power having been seized from below and not to an act of concession from the Crown or indeed from Parliament, is it altogether appropriate to talk in terms of Parliament imposing legislation on it?

Mr. McDonnell: That is a valid point. The hon. Gentleman seems to be proposing that Parliament should

not act, but there should be a revolution. A Conservative Member appears to have made a revolutionary statement. If we pursue that analogy, workers in individual companies should demand the right to vote. Perhaps we should encourage them to do that.

The privileges that were bestowed on individual freemen were limited. The history of the City corporation is quite useful in terms of how registration evolved from the original right of individual workers and guild members to vote. Restrictions came about later. The hon. Member for Wantage is right to refer to interventions from above, as wealth and power eventually undermined the rights of individual workers to have a say in respect of their working environment and the present contorted, distorted, abused system developed.

It is important to distinguish between those who create wealth and those who gorge on it. There is often confusion between the City and the City corporation. The City corporation is not the City. A good analogy was drawn in the Select Committee: it is as if Stratford on Avon was claiming to be the Royal Shakespeare Company. The City is a different element from the City corporation. The City corporation is simply a local government body that has engaged in profligate abuse of the financial resources for individual gain or personal enjoyment—the best free lunch in the country. Those who work and create wealth in the City have no relationship with the corporation because of the historical restriction of individual rights to vote.

The Bill is an attempt at least to allow businesses some say, but it does not involve the creators of the wealth. It gives a vote to the owners of businesses, but not to the individual workers. That is why over the years the Labour party pledged to abolish the City corporation. It was frustrated by its refusal to reform. Successive manifestos on which we fought elections in London included the abolition of the City corporation.

Mr. Mackinlay: Hon. Members may be aware that I am not a member of the London Labour party although my constituency is close to London. Will my hon. Friend tell the House when the Labour party altered the policy to which he has referred as—

Mr. Deputy Speaker: Order. That is quite outside the scope of the amendment.

Mr. McDonnell: I shall try to draw my hon. Friend's intervention into the scope of the amendment. There was a debate throughout the 1970s and 1980s within the Labour party on industrial democracy, and bizarrely the issue of the City corporation arose. There was a discussion about whether a range of reforms would include a stepping stone towards democratic reform within the corporation. The discussion involved an extension of the number of businesses that would be able to vote. There was even a discussion at that early stage about empowering individual employees or workers to have some say with regard to the corporation.

To my concern, shortly before the 1997 general election the Labour party's proposal to abolish the corporation on coming into government was dropped. I do not think that the issue was debated in any great detail within the London Labour party. If it had been, we would have had the opportunity of having a similar debate to the one in which we are now participating. We would have been able to discuss a range of reforms. At that stage there would have been an opportunity on a continuum between abolition to status quo to insert into the debate some democratic discussions involving the work force within the City.

One of the issues that arose on Second Reading was the special nature of the City as a business district, which was raised by my hon. Friend the Member for Dudley, South (Mr. Pearson). If a Member wants a business district in his constituency, let him have it and not intrude on London. That reflected the debate that took place during the 1970s and 1980s, which focused on who in business, if the City was a business district, should have a say. It was considered that that say should not be confined to the owners of businesses or to boards of directors, who are largely absentee landlords. It was thought that those engaged in the creation of wealth for a company should have a say.

Unfortunately, the Labour party dropped the abolition proposal and there was not a semblance of a debate. There was then consultation within the—

Mr. Deputy Speaker: Order. I have allowed the hon. Gentleman enough of the history. He must now return to his amendment.

Mr. McDonnell: The reason for drawing on the history, Mr. Deputy Speaker, was to explain how we have arrived at the present situation. However, I understand your point.

In response to the demand for reform, the City corporation proposed introducing periodic re-election for aldermen, ending the procedure of allowing the court of aldermen to veto an individual—that has yet to be enacted or introduced—and streamlining clarification of the main procedures whereby an alderman progresses to become sheriff and subsequently Lord Mayor. It made a commitment on a steady reduction in the size of the court of common council from 330 members plus 25 aldermen to 100 members plus 25 aldermen. However, there was no discussion at that stage of employees having the right to vote.

In "CityView" in March 1998 the corporation became very confident. The article states:

"The Corporation's proposals, the principles of which have been accepted by the Government, set out to improve the existing system and then extend the franchise to embrace a wide range of City businesses and organisations."

There was no discussion about the organisation of the business vote or about the consultations that businesses would have to undertake with their employees or others about the exercise of that vote. Having drawn this to the attention of the Front-Bench spokesman at that time, a letter winged its way to the City corporation saying that its phrase,

"the principles of which have been accepted by the Government"—

namely its proposals—was not true at that stage. There had been no acceptance by the Government and consultation was still taking place.

I think that the corporation's minor reforms were set out under duress, and that is the point of the amendment. Every reform that the corporation has suggested has been like drawing teeth. They have all been forced under duress. That is why the debate is taking place.

[Mr. McDonnell]

The proposals for reform set out by the corporation undermine the influence of residents. In addition, they take no account of the corporation's work force. Clause 4 refers to "workforce". It is a breakthrough. It is the light at the end of the tunnel. The corporation recognises that there are more people in the corporation than those who own businesses. These are the people who earn the money. Clause 4 states:

"A qualifying body which is entitled to appoint more than one voter pursuant to section 3(1)(c) above shall ensure that the appointments"—

not elections—

"which it makes reflect, so far as is reasonably practicable, the composition of the workforce."

This is the first time that there has been a reference to workers in any legislation involving the City corporation since the middle ages. It recognises for the first time that there is a work force within the City boundaries. We should be cheered that there is an opportunity to amend the Bill in a practical way that could be welcomed by the corporation, although it might feel under duress initially.

I accept one of the arguments against the extension of the vote to employees, which is that it will contradict to some extent arguments raised on Second Reading and arguments discussed in Committee and elsewhere about the need for the strengthening of the residents' vote and the acceptance of universal adult suffrage to elect the City corporation. Those of us who believe in universal adult suffrage must accept that if employees have the right to vote, that will contradict residential rights. However, I accept that because it is a compromise.

I have examined other legislation that has come before us this year in our process of democratic renewal of the United Kingdom to ascertain whether there were references that we could embody in the City corporation that would ensure universal adult suffrage and some involvement of employees, workers and businesses within the decision-making processes. In Scotland, the franchise is straightforward. It is based upon that of local government. The position is exactly the same in Wales, as it is in Northern Ireland. It is interesting that in Northern Ireland we are now establishing a civic forum of some sort. That involves civil society, which includes employers and employees' representatives, for example. There is some movement in the discussion that is taking place about the representations of individual employees.

However, in the democratic renewal of London that we set out in our Green Paper, "A Mayor and an Assembly for London", and in the context of London government, I shall argue why it is so important that residents and employees, rather than businesses, have a vote.

8 pm

In the Deputy Prime Minister's foreword to "A Mayor and an Assembly for London", he stated:

"When this government was elected less than a year ago, we embarked on a programme of democratic renewal in Britain. An essential part of this is modernising government in London".

At that stage we were campaigning for the Greater London Authority and the structure of the assembly. The City corporation is part of that structure, and the Deputy Prime Minister made it clear that we were proposing

"new arrangements tailor-made for London with a powerful directly elected Mayor with hands-on responsibility for transport, economic development, strategic planning and the environment."

The directly elected mayor will have significant powers and huge resources, which are to be exercised through consultation in the construction of strategies in each of those areas.

The Deputy Prime Minister refers in his foreword to Londonwide solutions to

"congestion, pollution, poverty and social exclusion—all of which reduce the quality of life for Londoners",

which under the subsequent legislation must be exercised in consultation with the London boroughs and with the common council, which is counted as a London borough.

What is significant in the new structure of government in London is that the mayor will be elected and the assembly will be elected, but, in the development of those strategies, the mayor will have to consult every London borough and the common council of the City corporation. Under the Bill before us, the common council will receive its mandate from 5,000 residents, but that mandate will be swamped by the business vote which will be determined not by the people who create the wealth of those businesses, but by those who own them. In some cases, those people do not even have to attend their business in the City.

If the mayor and the assembly are to determine the important strategies for London overall and for my constituency in particular, I want the vote of the City corporation, which will determine its input into the consultations, to be determined by residents, or at least by residents and workers in the City corporation area. That is the significance of the amendments.

Under the Greater London Authority Bill, the court of common council of the City corporation will be consulted on the mayor's development of the transport strategy, the London development agency strategy, the London biodiversity action plan, the municipal waste management strategy, the London air quality strategy and the London ambient noise strategy. I shall give an example relating to my constituency.

The London ambient noise strategy is critical in my area, and in west London generally, because of Heathrow airport. My hon. Friend the Member for Putney (Mr. Colman) has led some important debates in the House on the impact of air traffic noise on residents in west London. In the development of the noise strategy for London, the mayor will consult my borough, of course, but will consult on an equal basis with the common council of the City corporation. At present the decisions of that City corporation will largely be dominated not by the residents or the people who work in the area, but by the businesses.

That means that the noise strategy for my area will be influenced not on any democratic mandate, not by people who are interested in living and working in London, but by people whose sole interest, in many cases, is to make money out of London. People who live or work in London know what the noise is like, they know about the problems of congestion and waste, and they have a view on those matters. Of course businesses have a transport interest, but for them, profit will always override environmental concerns.

I want my environment protected by the new strategic authority for London, the London mayor and the assembly, but I want it protected in consultation with democratic institutions—people who are aware of the experiences of Londoners, and of what it is like to live and to work in London. If the City corporation has a role in all those policy areas without the democratic mandate of the residents or the people who work in its area, that will undermine the credibility of the new structures of governance of London.

Mr. Shaun Woodward (Witney): I am grateful to the hon. Gentleman for giving way. Can he explain to the House the difference, if there is any, between his position and that of the City of London Labour party, which stated recently:

"We accept that the common council will be better able to serve the financial City if the electors to which those representatives are accountable include those financial institutions."

Can the hon. Gentleman explain his policy and the difference between that and the policy of the City of London Labour party, and whether he subscribes to the policies of those on his Front Bench?

Mr. McDonnell: I cannot speak for the City of London Labour party, although from discussions I believe that its views are very similar to mine. It is trying to get the best possible deal for local people. I can understand that. The best deal at present is to try to amend the Bill in such a way as to enhance the democratic rights of local residents, so that they are not swamped by businesses. The City of London Labour party has had to accept a series of compromises in its proposals to the Committee. If the hon. Gentleman wishes, I will provide him with a copy of the minutes of the Committee.

The City of London Labour party accepted that the extension of the democratic franchise to employees was a subject for another day, as it could not be included in the Bill. I am at one with the thrust of the argument. I shall give way if other members of the Committee want to come in, but that is the thrust of the discussion that took place in Committee.

The City of London Labour party is trying to get the best that it can from the legislation. I shall explain to the hon. Gentleman on another occasion the concept of transitional demand, which he may not have come across in the Conservative tradition. The City of London Labour party is trying to ensure that at least some minor improvements are made, even if we cannot go the whole way.

I am trying to explain my position on the amendments, and at a later date I shall be happy to explain my overall position, but I could sum it up in one word: abolition. I accept, as do the City of London Labour party and the other petitioner, Mr. Malcolm Matson and others, that we must take what we can. Even if we cannot get universal adult suffrage, which exists throughout the rest of the country and which we fought so hard to achieve, at least let us get a recognition of the fact that businesses exist only as a result of their workers, and that we should give the vote to the employees.

I hope that that answers the hon. Gentleman. I shall be happy to explain to him in further detail the overall policy to be pursued through abolition of the City corporation and its division into the individual boroughs or transfer to the auspices of the new mayor and assembly. It would be a wonderful financial base for the new strategic authority for London, but I am afraid that we have missed that opportunity. I tried to move an amendment to that effect on the Greater London Authority Bill, but we never reached it.

I return to the import of the City of London corporation's role and the need to ensure that it will be representative of residents and employees. Within the new structure of London government, it will have a say equal to that of those other authorities which have a direct democratic mandate. Therefore, my amendments seek to ensure that, if we cannot go to the full extent of the democratic mandate, we at least move towards a halfway house. That recognises that there may well be a special area with large numbers of people working within it who should have their own say.

There are opportunities within the legislation to ensure a modernising approach which will gear up the new structure of the City corporation, which will come out of the Bill, to meet more effectively the challenges of the new structure of governance for London overall.

If the new City corporation reflects its residents and those who work within it rather than just businesses, there will be a significant voice to be heard on issues such as traffic congestion. The workers within the City corporation endure a daily life of traffic congestion from one end of the square mile to the other. There have been some improvements, but we need to hear from those who work in that area what it is like there, what are their concerns and what can be done to improve traffic congestion but—because no traffic problem in London can be solved within the square mile—within the strategic approach that the new strategic authority for London will undertake. That is why it is critical to engage those people in this debate. It is not just a matter of consulting them, but of ensuring that they participate democratically in the debate. That can come only if they have the right to vote.

Other aspects that I have identified within the new strategic authority are ambient noise, waste management, biodiversity and the London development agency. I do not want to stray too far from the Bill, but I hope that the London development agency will be the engine for economic growth within London. We need to take on board the voice of business, and that is contained within the composition of the London development partnership, which it is hoped will become part of the new London development agency. We also need to ensure that, within London's economic development programme, we take into account the voice of those with a hands-on approach to working within the City—in other words, the employees, the workers. I want them to have a say in the development of London's economy.

In the new structure of governance for London, such people will be consulted. Clause 33 of the Greater London Authority Bill obliges the mayor to consult on all the strategies of the Assembly, the functional bodies, the London local boroughs and the common council. What better than to have feeding into the views of the City corporation the views of those who create the wealth within the City on issues such as our city's economic development. I would welcome their views to nourish the discussion.

The amendments make the City corporation accountable to real-life people. I hope that they protect the residents' vote as best they can. In addition,

[Mr. McDonnell]

they introduce into the system not businesses, but workers: people who provide us with the economic base for Britain's future stability.

8.15 pm

Amendment No. 7 defines a relevant employee. I have lifted part of that definition from the clause that I mentioned earlier relating to the work force. The amendment seeks to define a relevant employee as someone

"whose principal or only place of work on the qualifying date"—

the date of registration—

"is ordinarily the hereditament in respect of which the entitlement to appoint a voter arises and who works for that qualifying body."

Clause 3 contains three classifications of those entitled to vote. The first is those who are

"ordinarily in occupation for relevant purposes as owner or tenant of a hereditament . . . having a rateable value of not less than £200".

The second is a "resident in that ward". The third

"is a person appointed"—

not elected—

"as a voter in writing by a qualifying body".

A qualifying body is defined previously in the Bill. Therefore, amendment No. 7 identifies a relevant employee as someone who works in a hereditament.

In amendments that have not been selected, I attempted to ensure that only residents could vote. The clause goes on to say that a qualifying body would be able to appoint, not elect, a person as a voter only if it undertook a ballot of its employees. We have discussed the logistics of undertaking a ballot of employees.

The proposal envisages a qualifying body registering itself with the City corporation, as would be necessary anyway because of the rateable value commitments, identifying to the town clerks, or the chief executive as he now is, the number of employees located within that hereditament, having that verified by the chief executive, and then, if necessary—in the event of an appeal, contest or whatever—the City corporation itself funding an independent commissioner to enable an assessment to be made in any disputes. Such disputes could arise from an individual employee contesting a matter, or his or her trade union representative.

I thought hard about whether to build some concept of trade unions into the amendment, but I did not want to frighten the horses. To the City corporation it would be like a red rag to a bull. Nevertheless, there would be an opportunity for individual representatives to contest the calculation of the number of employees and the registration. If necessary, that could be part of any future report to Parliament about the operation of the system, which is contained elsewhere in the Bill.

Amendment No. 13 may be the crux of the debate. Rather than have the appointment of a voter by whim, the onus must be on the qualifying body to go through some process in order to verify that the voter is acting in the interests not just of the individual company, but of those who work in that company, and those who can take a broader view in terms of the City corporation, the City area and its role in the governance of Greater London through the Greater London Authority and the advice that it provides, along with other London boroughs, to the mayor of London.

The current legislation proposes that, when there is a dispute about an hereditament that straddles more than one ward, a determination should be based on the rateable value. I suggest, in amendment No. 16, that the determination should be based, for electoral purposes, on where the greatest number of employees are. If a building or company was located across two wards, the vote would be cast in the ward where the most people were employed. The people involved could then participate in discussion.

Amendment No. 17 provides for the appointment of voters to relate not just to rateable values, but to the number of employees. All the amendments are intended to reflect the concept of voters as individuals—living human beings—rather than buildings, as it were, or owners of businesses.

Amendment No. 30 is, to an extent, an attempt to challenge the concept of the Bill. It proposes the replacement of the word "appoint" with "elect". If a ballot were introduced among employees, someone voting on behalf of the business concerned would not be appointed, but elected. The amendment may seem trivial, but every reference to democratic processes that we can introduce in the Bill will send a message. It will send a message to the corporation of London that the days of appointments are over and that the days of rotten boroughs are over. We now demand elections. We demand democracy; our cry is "Democracy".

I actually consider amendment No. 33 to be quite weak. I apologise for it. Schedule 1 establishes a principle relating to rateable value. The original proposal was amended in Committee; I welcome that amendment, which resulted from pressure exerted by petitioners. Originally, the relevant rateable value of an hereditament occupied by a qualifying body was £200 up to £10,000; that has now been amended to £200 up to £20,000. In the case of rateable value of more than £20,000 but not over £1 million, the maximum number of persons who can be appointed will be

"1 for every complete £20,000 of that rateable value, plus 1 for any further amount thereof less than £20,000".

On Second Reading, we were anxious about that purchasing of votes. I admit that the amendment may not be as well worded as it might be. I have suggested that there should be one vote for every 1,000 employees. I now understand the problem that that entails. It is not a practical problem; the problem is that rather than being rateable value, the currency is now employees. A body can now purchase a vote according to how many employees it has. Perhaps we should suggest to other Ministers that that arrangement could be part of the new deal. It could provide an employment creation scheme in the City. I jest, Mr. Deputy Speaker.

Amendment No. 33 suggests one person for every 1,000 employees. That is a crude calculation. I have heard that there are about 250,000 employees in the square mile, although there may be more. The problem with the amendment is that, if a firm is broken down into a number of individual units, the one vote is there for up to 1,000 employees. That confronts us with the same issue with which we were confronted by the employment rights legislation: how do we define a particular unit?

Perhaps we shall be able to solve that problem later. Perhaps we shall be able to amend the amendment in another place. The Minister shakes his head, but one never

knows: there could be a revolution in the Upper House at some point in the near future. Perhaps their Lordships will recognise that this could provide them with a bargaining gambit for their future survival.

Anyway, I want to ensure that the trade is not in individual employees, and that we do not reach a point at which companies break themselves down in order to gain the required number of votes, rather than being honest. Of course, instead of requiring one for every 1,000, we could have specified one up to 1,000, and then one for every 10,000 thereafter. That would have provided an incentive, and it was my original intention; but, again, I should like to return to the matter at a later stage.

Amendment No. 33 is consistent with the principle that we have established. We are, in effect, throwing out the words "rateable value". This is not about rateable value: it is not about how much land someone purchases, how much he owns and what his wealth is. It is about real people: it is about thousands of workers and what they bring to our city overall—not just the City of London, but the city of London according to the old Greater London council boundaries.

Amendment No. 35 is similar to amendment No. 16. It, too, deals with circumstances where there is more than one hereditament in the same ward. Again, we reject the idea that there should be an aggregate of rateable value, but suggest an aggregate of relevant employees. We want to be fair to individual companies and to enable them to exercise their right to vote, although they may not be based on a particular unit or may have split their operations between different areas in a particular ward.

The overall process that I envisage is a dialogue with the corporation about the practical implementation of the amendments. I welcome the corporation's views on the concept of the definition of a relevant employee. I understand some of the difficulties that have been experienced with that definition, and I understand the point made in Committee—I think that it was the only valid point in this regard—about the change that has taken place in the operation of City companies. Employees used to be located in the City itself, operating on a day-to-day basis; nowadays, they hot-desk. An employee of a company may visit the site only once every three or six months. We need to construct a definition of a relevant employee that takes account of modern industrial and commercial practices in the City.

Other people may be employed in the City and therefore count as relevant employees according to this definition, but may share a contract with a number of companies. Where will their ballot take place? It may be carried out on the basis of proportionality, or they may opt for a specific company.

I would welcome the corporation's views because I think that it could advise us on a number of issues. I would also welcome a discussion with the London Chamber of Commerce and Industry, the south-west branch of the Trades Union Congress and the south-west branch of the Confederation of British Industry. As we know, working practices in the City change day by day, and that is bound to affect definitions in the legislation.

The argument that the City has put forward in promoting the Bill is that one of the things that does not change is ownership of property. That is not true either. There is as much change of property and difficulty of definition of property as there is change of employee and difficulty of definition of employee.

Mr. Mackinlay: I bet the British Oxygen Company has an office there.

Mr. McDonnell: If that was an intervention, I would welcome it.

Mr. Deputy Speaker: Order. Let me make it absolutely clear: we are not going to have sedentary comments interrupting speeches.

Mr. McDonnell *rose—*

Mr. Mackinlay: Will my hon. Friend give way?

Mr. McDonnell: Certainly.

Mr. Mackinlay: Does the BOC, for example, have an office there? If so, that is a classic example of where those things could be sold like chattels; indeed, the employees could be sold like chattels.

8.30 pm

Mr. McDonnell: I would not want to get into a dispute about the BOC, as it is located in my constituency as well. I suppose that the following point is a declaration of interest: I hope that it will sponsor the Hayes horticultural show, which I have just re-established.

Mr. Jeremy Corbyn (Islington, North): My hon. Friend has made a point about what he called hot-desking in the City. People there can rent a desk for a short time and move on. I am unclear about something in relation to the Bill; I would be grateful if he could explain what his amendment means in this respect.

If votes are to be distributed for a particular building, does the owner of the leasehold who sublets those desk places decide who has the vote, or does an amalgamation of the people who are the tenants of the leaseholder of the building decide how the vote will be allocated for that particular place? As part of a wholly extraordinary system of voting, that seems to be the most bizarre aspect imaginable.

Mr. McDonnell: We can approach the matter through a definition of the business that is located within the boundaries of the City corporation. The corporation is right: we can base it on some concept of rateable value to a certain extent. Having identified that that company operates in the area, the company is invited—the Bill does it, anyway—to acquire a vote.

If the company so wishes to acquire that vote—it can do so under the Bill as it now stands, anyway—it will be just a small step on to say, "If you wish to acquire that vote, you must ballot your employees in the exercise of that vote. To do that, we need to verify the number of employees that you have. The number will determine how many votes you gain."

Therefore, we seek to establish a self-reinforcing, self-interested system. In many respects, it could be a model for concepts of industrial democracy elsewhere.

Mr. Corbyn: I want to press my hon. Friend a little. In trade union recognition legislation, there are problems about who is to decide what is a work force and what is not, but, clearly, where the building has the vote,

[Mr. Corbyn]

if you like, and where a number of people there are self-employed—indeed, they might be self-employed for short periods—how do we decide which group of people has some say, or otherwise, in the selection of those who will be eligible to vote under the legislation?

Mr. McDonnell: It is a problem. We need to establish a mechanism, as we do in other areas, under which there is an incentive for the company to register—it will want to influence the City corporation. Having done that, the mechanism needs to incentivise the company to engage its work force, and to incentivise the work force itself to ensure that it works with the company to define where it is located, how it wants to be involved and how it will become engaged in the democratic process in the area.

It is not that different from the early processes that this country went through in establishing a democratic process overall. In some of the debates in the Chamber about the Great Reform Bills that were passed, all the arguments were advanced; people said, "How can you identify where people are? There will be problems of corruption in terms of multiple voting." It is not beyond the wit of man to devise a system whereby we can engage workers themselves, so that they have a role and a say within not just their firm, but their locality. There is a ready mechanism.

There is a classic example in my constituency. It was referred to in Committee by Mr. Malcolm Matson. There is almost a mini-city in my constituency. It has virtually 60,000 inhabitants. They do not live there; they work there. It is called Heathrow airport. However, those people have no say whatever—there is no democratic engagement—in the processes that govern that working area; that is what it is.

There is one road left within the boundaries of Heathrow; it just comes within it. The houses there are largely bought up now. We used to canvass them years ago. Again, the proposals in the amendments are a model for the workers within Heathrow to have a say not over the wider area in my constituency, but within that defined area of Heathrow. The aim is to give them a say in what some of the companies are undertaking.

In that instance, the company that controls the whole area is the British Airports Authority. Since its denationalisation, it has retained its planning powers—for example, it still has the power of compulsory purchase.

The Minister and I had a discussion about the matter on another occasion. The statements that were made at that stage had to be corrected because, within that area, the BAA exercises a role almost like that of the City corporation. The model for the City corporation gives opportunities for engagement in those sectors of the working locality where employees have a right to have some say. That is what the amendments propose.

I refer to the proposals of the City of London Labour party during its discussions in Committee. It recognised that the principle of the payroll needed to be examined further. It accepted that there were some problems, but did not accept—the hon. Member for Wantage, who chaired the Committee, has now left the Chamber—that they were practical problems involving the operation of the system; it said that they were to do with the drafting of the Bill.

I can understand that, because the City corporation was determined to ensure that there was no movement on the original Bill. However, I have been at other situations where sponsors of Bills have been willing to discuss and to amend their Bill before presentation to Committee. That did not happen in this case.

Mr. Mackinlay: As I understand it—perhaps my hon. Friend will clarify the matter for me—although the intention behind his amendment is to extend the franchise to employees, the arguments that he is advancing to support it are the same as those that were used by the right hon. Member for Cities of London and Westminster (Mr. Brooke) and his parliamentary colleagues when they amended the law to grant the right, elsewhere in England and Wales, to stand in local authority elections on the basis of "principal place of work". The arguments that they used were that people identify with their work, and that, although some people may not sleep in a certain area, they identify with their place of work because they live, sleep and breathe work.

The previous Conservative Government—on the basis that people identified with, shared in, and were proud of, where they worked—advanced the argument that the law should be amended to extend the right to stand for election to municipal office. The *Official Report* will show that such arguments were advanced by, among others, this Bill's principal advocate, the right hon. Member for Cities of London and Westminster. I should think and hope that he might reflect on the fact that those were powerful arguments not only then, but now in our consideration of the Bill.

Mr. McDonnell: My hon. Friend is right—there is undoubtedly an irony in all of this. If Labour Members stand for anything, we stand for people's right to exercise their democratic wishes to achieve their ambitions and objectives—which we would identify as socialism. The irony is that, here we are, almost at one with the right hon. Member for Cities of London and Westminster (Mr. Brooke) in arguing for some form of recognition that elements within industry or commerce should have a role to play in the City of London corporation and should exercise a vote. Ironically, that runs counter to much of what we stand for. For that reason, I have been arguing that my amendments are transitional ones—compromises—and an attempt to ameliorate the Bill's provisions, so that the work force might have a vote.

Mr. Phil Sawford (Kettering): I served on the Committee, and I sought clarification on the matter of declarations of interest, as I knew that the Labour party was one of the petitioners. At no time did anyone advise or suggest to me that I had an interest in the City of London simply because I had a bank account. However, as the issue has arisen, I shall declare such an interest: I have a bank account, which is usually in deficit.

Throughout the Committee stage, I felt that we were restrained by the Bill's scope in the type of amendment that we could table. However, I settled for a type of

uneasy compromise that I felt made some moves in the right direction. The special report that accompanied the Bill stated:

"the Committee is, however, of the view that neither the Bill nor the additional assurances"—

Mr. Deputy Speaker (Mr. Michael Lord): Order. I am sorry to interrupt the hon. Gentleman, but interventions are increasingly stretching into mini-speeches. Could he make his point now, quite briefly?

8.45 pm

Mr. Sawford: It finished:

"can entirely remedy the problems in the governance of the City."

I simply draw the attention of my hon. Friend to that fact.

Even at the end of the Bill's Committee stage, the Committee members, with the restraints that we were under, still felt that much more needed to be done.

Mr. McDonnell: I accept that point. Although I had some anxieties about it, I think that the Committee, within certain bounds, did a reasonable job. Earlier in the debate, I expressed my anxiety that the Committee would not be able to take proper cognisance of some of the issues raised in Second Reading, and therefore would not be able to give the advice that was required of it.

When, for example, the City of London Labour party suggested enfranchising the work force, in a payroll vote, the Committee should have sought advice on whether it should seek such an amendment from the City of London corporation. I think that, at that stage, the Committee could have been sufficiently forceful to ensure that the corporation accepted the amendment being promoted by the City of London Labour party. I believe that moral pressure could have been employed to ensure that the amendment was accepted. I regret that advice on the matter was not taken by the Committee at that point, so that such an amendment could have been tabled. It was a valid issue in the Bill.

When I drafted amendments to enable that to happen—again I apologise to the City of London Labour party for not consulting it on my amendments' detail, which is most probably why they are not particularly eloquent ones—and sought the Private Bill Office's advice, I was told that the Private Bill Office would check whether it would be in order to amend the Bill in such a manner. My amendments were in order, and they were selected.

If Committee members and the City of London Labour party petitioners had been made aware of that fact, the point on the amendment could have been made more forcefully. The City of London corporation could have compromised on that issue, as it has on so many other, relatively minor ones—except for the right to veto, which is an important one. If that had happened, we would today have been debating a fundamentally different Bill. We may not necessarily have been happy with such a Bill, but we would have been closer to being able to say, "Some form of democracy is being practised in the City of London corporation."

Mr. Colman: My hon. Friend has spoken about compromise. We have all received a letter from the City of London Labour party, which supports the Bill in its current state. Does he agree that the worst possible situation would be for the Bill to fall, because, if it fell, the status quo would persist and we would not make the advance that, I believe, everyone accepts that the Bill represents?

Mr. McDonnell: That is a valid point to raise when we are discussing an amendment, because the amendment seeks to amend the Bill, not to defeat it. If it were a wrecking amendment, it would not have been called. Therefore I take my hon. Friend back to the point that I made—I shall not delay the House—in relation to the earlier intervention.

When representatives of the City of London Labour party appeared before the Committee, they said:

"We have commended to the corporation an alternative proposal that votes should relate to the number of staff employed by bodies within the City—a system we refer to as a payroll vote."

I shall not waste the time of the House by reading out more of the detail of the minutes, but they show that the representatives were obviously of the view that such an amendment could not be made to the Bill. I commend them for it.

I had a conversation with Kate Green, secretary of the constituency party—one of the best advocates for the Labour party that the party could have. In a considered way, working with her colleagues, she drafted amendments, discussed the matter in detail with the Corporation of the City of London, sought compromises and achieved some. Nevertheless, I believe that, if members of the constituency party had been aware that it was possible to amend the Bill in this way, they would have pressed further, and I believe that, in that case, the Corporation of the City of London would have provided us with something tonight that we could have debated, thus maintaining some semblance of a feeling that we were reforming.

I would willingly give way to my hon. Friend the Member for Kettering (Mr. Sawford), who served on the Committee, to allow him to say whether that is his impression, because I believe that there is a real opportunity here.

Dr. Godman: In relation to amendment No. 13 and the view of the City of London Labour party on the Bill, might I remind my hon. Friend that the promoters of the Bill have promised, inter alia, that

"the number of members returned by residential wards will be reviewed to protect their proportion on the Court of Common Council"?

Does my hon. Friend know who will conduct that review?

Mr. McDonnell: It relates partly to a later amendment on the report of the Secretary of State, which I should like to discuss at some stage. However, I shall answer that question because it partly relates to the point that my hon. Friend the Member for Putney raised, which is that the review of the wards is a significant amelioration of the current system. Who won that amelioration? The City of London Labour party campaigners and Malcolm Matson and other petitioners. That is excellent, but, even in that regard, a compromise has been accepted, because who conducts the boundary review? The Corporation of the City of London itself, because it does not come under the auspices of the boundary commission. In fact, one of the proposals that was advanced in the statement was that

[Mr. McDonnell]

the boundary commission should be involved in the redrawing of ward boundaries. I would welcome—it does not have to be written in blood—a statement from the City of London corporation, confirming that it will involve the boundary commission in that process.

Mr. Corbyn *rose—*

Mr. McDonnell: I shall press on, if I may.

That situation is very similar to that regarding the City cash; this does relate specifically to my amendment. One of the reasons to empower employees in the system is to enable them to have the power to have some oversight of the corporation and its finances. Some say that £1.6 billion is sitting in the City cash—money which is not audited by the district auditor or by the Audit Commission. It is a separate account, hidden from view.

Mr. Corbyn: If the boundary commission is not involved—and if the court of common council is, in effect, the boundary commission—is my hon. Friend aware whether any of its decisions, were they to be perverse, could be challenged by judicial review on the grounds of fairness towards those who live and work in the City of London?

Mr. McDonnell: I am not a lawyer, although I have some historical experience of libel law which I wish to put behind me. I would suggest that anybody, including the City corporation, is open to judicial review on the basis of the Wednesbury principles of reasonable behaviour. In any decision, the City corporation—as a local government body—would come under those Wednesbury principles which, as you know, require any body or individual, alderman, councillor or whatever—

Mr. Deputy Speaker: Order. First, may I remind the hon. Gentleman to use the correct parliamentary language? Secondly, he is getting away from the amendments. I would be grateful if he would return to them.

Mr. McDonnell: I apologise for the language, Mr. Deputy Speaker. It requires one to take a decision, having taken into account all the relevant factors and dismissed all the irrelevant factors. That is a definition of the Wednesbury principles.

The issue of the City cash is critical and relates to the boundary issue. The Committee observed that there would be the benefit of increased transparency if the corporation were to seek the opinion and experience of the boundary commission for England in conducting a boundary review. That is a request, and I urge the City corporation to accede to it.

My hon. Friend the Member for Putney asked why the amendments that I tabled were not previously pressed by the petitioners in Committee, and why the Bill does not contain them. We will have received correspondence from the two petitioners. One, from Malcolm Matson, sets out the basic arguments against the Bill and asks us to vote against it. On the amendments, however, the City of London Labour party wrote to a number of hon. Members, explaining their acceptance of what I consider to be considerable victories for the party in its petitioning of the Bill. However, the party accepts that there has to be a further process.

The local Labour party was grateful to those hon. Members who supported and endorsed the proposed amendments by contacting the corporation. However, I am not sure how many pressed the issue of empowering the payroll vote, as is set out in the amendment. The Committee members and the petitioners were of a view that that was beyond the remit of the Bill, when clearly it was not. That is why we are debating the matter tonight.

The Committee was minded to go further, and the City of London Labour party was able to strengthen the amendments, to the extent that the Committee produced a Bill which was substantially different and essentially more democratic. The Labour party's letter lists those reforms. However, it was unable to list any proposal or amendment similar to my amendment on empowering employees because, like others, those concerned thought that it was beyond the power of the Bill.

My hon. Friend the Member for Putney prayed in aid the City of London Labour party, and said that we should accept what we have. If this does not happen, he suggested, there will be catastrophe—the status quo will continue for another millennium and we will never get the chance to make the body in some way accountable and democratic.

The letter says:

"The City of London Labour Party agrees that the amended Bill delivers less than the ideal reform to bring the City into line with democratic local government practice. Further reform will not be easy but is necessary. The Committee itself made certain suggestions. The challenge will be to find ways to advance them."

The amendments take up that challenge.

It was clear that those petitioners were frustrated in their proposals because of a view that was taken of the amendability of the Bill.

Mr. Colman: Clause 7 clearly states that there will be a full review after not more than five years, and that gives us the chance to make progress.

Mr. McDonnell: That part of the Bill is important. I have tabled a further amendment reducing that time from five years to two. I sought to embody the call for further reforms in amendments, so that the report to the Secretary of State would have to contain reference to progress on all those matters; but I was told that that was out of order and such amendments could not be tabled. It does not help to pray in aid clause 7, because it is so weak and ill defined and does not force the corporation to implement the recommendations in the statement. I understand why my hon. Friend the Member for Putney is clutching at straws. I am, too. I am trying to achieve the best possible amendment of a poor piece of legislation.

Mr. Connarty: I have some interest in the correspondence and petitions on behalf of one particular organisation. I hope that my hon. Friend will take it into account that the idea of giving the widest possible franchise is of interest to democrats regardless of whether they live in the City or in the adjacent area. Will he use more force in arguing on behalf of the democrats that if the provision that he seeks is in order it is justifiable to insert it in the Bill?

Mr. McDonnell: I accept that point and my hon. Friend's remonstration. There is an argument that we are

setting a precedent in this Bill for a widening of the franchise in particular areas. That has some advantages and some dangers and—

Mr. Deputy Speaker: Order. The hon. Gentleman's remarks are getting increasingly general. He is to some extent going over ground that he has already trodden. The House will be well aware that he has dealt in some detail with all the amendments in the group. Perhaps he should now move on to new ground or think of concluding his remarks.

Mr. McDonnell: Can I take your advice on that matter, Mr. Deputy Speaker? Do you mean new ground in terms of arguments on this group of amendments, or moving on to new amendments?

Mr. Deputy Speaker: Provided that the hon. Gentleman's remarks are specific to the amendments, I will allow him to carry on, but they are becoming increasingly general and unrelated to the amendments and, as I have already said, he has covered each amendment in great detail.

Mr. McDonnell: Thank you, Mr. Deputy Speaker.

Mr. Paul Burstow (Sutton and Cheam): The hon. Gentleman acknowledged that amendment No. 33 might be inadequate or slightly defective in its drafting.

What discussions has he sought to have or has he had with the corporation about the amendments, their effectiveness and workability?

9 pm

Mr. McDonnell: That is a good point, and I apologise to the City of London corporation for not having fully involved it in the discussions around the amendments. My only excuse—it is a reason as much as an excuse—is that the time scale did not permit it. The initial view that the payroll issue would not be contained in the Bill was thought by us all to be appropriate. Having tested that point late in the day because I thought it was ultra vires, I was able to draft the amendments only in the past 48 hours.

Discussion of the amendments tonight gives us the opportunity of consultation with the City corporation before the Bill goes to the other place and then comes back to us. The mind frame on the Bill was set early on by the non-advice to the Committee or it failing to seek advice on the remit of the Bill.

Mr. Deputy Speaker: Order. The hon. Gentleman clearly did not understand what I said earlier. His remarks are again general in nature and he must, if he is going to continue, confine himself to the amendments.

Mr. McDonnell: Thank you, Mr. Deputy Speaker. I was responding to an intervention. If that was inappropriate, fair enough. I will want to engage in as much consultation on the amendments as possible after they have been approved, as I hope, this evening. There is an opportunity, for example, to consult the City corporation on the detailed implementation of the amendments.

Amendment No. 33 is not adequate, but I moved it tonight to provoke debate. The issue contained in the amendment is whether the figure of £1,000 is correct. As I suggested earlier, perhaps it should be up to £1,000 for the first vote and £10,000 after that. One approach would be to make a proper analysis of the working population within the City corporation boundaries and then to work back from that, through the definition of relevant employees within individual companies, to calculate the distribution of votes in such a way that we would not introduce a system that would swamp the residential vote by employee or payroll votes. That is one way of tackling the individual problem highlighted in amendment No. 33. It would be a simple mathematical calculation and would be obtainable fairly easily from the information that we have. That is another issue for consultation with the City corporation and others. We need to engage in that calculation in discussions with the business representatives. I mentioned the LCCI and the CBI earlier and I have welcomed their involvement throughout, as well as trade union representation.

The amendments would improve the Bill in an unexpected way and the City corporation will welcome them. It would welcome the voice of employees in its deliberations. I would certainly welcome the voice of employees in the Londonwide deliberations. There are arguments about the democratic nature of the City corporation being based solely on a business franchise.

Mr. Corbyn: I am interested in what my hon. Friend has said about employees and residence. The City of London has many unique features, but an interesting feature that is not entirely unique is that most of its housing stock owned by local authorities is without the purview of the City of London. For example, there is a large City of London housing estate in my constituency. It is well run and I have no complaints about that, but do any of the amendments envisage a role for City of London tenants to have a say about how housing policy is managed?

Mr. Deputy Speaker: Order. That again is wide of the amendments before the House. The hon. Member for Hayes and Harlington (Mr. McDonnell) ought not to respond to it.

Mr. McDonnell: I shall therefore refer my hon. Friend to amendments that were not selected for debate.

The thrust of my arguments has been to challenge the anti-democratic nature of the Bill, and to ensure that democracy is heard in the debate. On Second Reading and elsewhere, democracy has been very narrowly defined, based on voting either by residents or by businesses. We have introduced a wider definition which, if accepted, could introduce for the first time a concept of industrial democracy. That would be based not on the power of a particular firm, but on employees having a role in their firm and in their firm's locality.

Some hon. Members will have engaged in the debate in the 1960s and 1970s, during the Bullock inquiry into industrial democracy. That debate was based on matters such as working practices, the work environment, health and safety and adequate representation. At no stage in that debate—

Mr. Peter Brooke (Cities of London and Westminster) *rose in his place and claimed to move*, That the Question be now proposed.

[Mr. Peter Brooke]

Question put, That the Question be now proposed:-

The House divided: Ayes 199, Noes 62.

Division No. 241] **[9.8 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Anderson, Janet *(Rossendale)*
Arbuthnot, Rt Hon James
Atherton, Ms Candy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bayley, Hugh
Beard, Nigel
Beresford, Sir Paul
Bermingham, Gerald
Betts, Clive
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Bradshaw, Ben
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browne, Desmond
Bruce, Ian *(S Dorset)*
Burns, Simon
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell–Savours, Dale
Casale, Roger
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clifton–Brown, Geoffrey
Coaker, Vernon
Coffey, Ms Ann
Collins, Tim
Colman, Tony
Corbett, Robin
Cormack, Sir Patrick
Corston, Ms Jean
Cox, Tom
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Quentin *(Grantham)*
Day, Stephen
Dewar, Rt Hon Donald
Donohoe, Brian H
Dorrell, Rt Hon Stephen
Dowd, Jim
Drown, Ms Julia
Ellman, Mrs Louise
Fabricant, Michael
Fallon, Michael
Fitzpatrick, Jim
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Bruce *(Walsall S)*
Gill, Christopher
Gillan, Mrs Cheryl
Gilroy, Mrs Linda
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Grocott, Bruce
Gunnell, John
Hague, Rt Hon William
Hain, Peter
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Hanson, David
Harris, Dr Evan
Heathcoat–Amory, Rt Hon David
Hepburn, Stephen
Heppell, John
Heseltine, Rt Hon Michael
Hill, Keith
Hodge, Ms Margaret
Hogg, Rt Hon Douglas
Howarth, George *(Knowsley N)*
Howarth, Gerald *(Aldershot)*
Howells, Dr Kim
Hughes, Kevin *(Doncaster N)*
Hunter, Andrew
Hutton, John
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkin, Bernard
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Kaufman, Rt Hon Gerald
Khabra, Piara S
King, Andy *(Rugby & Kenilworth)*
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Lawrence, Ms Jackie
Laxton, Bob
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
McNulty, Tony
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Moonie, Dr Lewis
Moss, Malcolm
Murphy, Jim *(Eastwood)*
Nicholls, Patrick
Norman, Archie
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Pickthall, Colin
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prior, David
Randall, John
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robathan, Andrew
Robertson, Rt Hon George *(Hamilton S)*
Robertson, Laurence *(Tewk'b'ry)*
Rooney, Terry
Roy, Frank
Ruffley, David
St Aubyn, Nick
Sarwar, Mohammad
Simpson, Keith *(Mid–Norfolk)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Southworth, Ms Helen
Spellar, John
Spelman, Mrs Caroline
Squire, Ms Rachel
Stanley, Rt Hon Sir John
Starkey, Dr Phyllis
Stoate, Dr Howard
Streeter, Gary
Sutcliffe, Gerry
Swayne, Desmond
Syms, Robert
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Trickett, Jon
Turner, Dr George *(NW Norfolk)*
Vaz, Keith
Vis, Dr Rudi
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wilshire, David
Wilson, Brian
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Wyatt, Derek

Tellers for the Ayes:
Mr. Robert Walter and Mr. Nick Hawkins.

NOES

Adams, Mrs Irene *(Paisley N)*
Ashton, Joe
Atkins, Charlotte
Barnes, Harry
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony *(Chesterfield)*
Burstow, Paul
Butler, Mrs Christine
Campbell, Rt Hon Menzies *(NE Fife)*
Cann, Jamie
Chaytor, David
Clarke, Tony *(Northampton S)*
Coleman, Iain
Corbyn, Jeremy
Cousins, Jim
Cryer, John *(Hornchurch)*
Dalyell, Tam
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Etherington, Bill
Fearn, Ronnie
George, Andrew *(St Ives)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Gordon, Mrs Eileen
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hinchliffe, David
Hood, Jimmy
Hopkins, Kelvin
Hurst, Alan
Iddon, Dr Brian
Jones, Ms Jenny *(Wolverh'ton SW)*
Keetch, Paul
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Livsey, Richard
McDonnell, John
Marsden, Gordon *(Blackpool S)*
Michie, Bill *(Shef'ld Heeley)*
Palmer, Dr Nick
Perham, Ms Linda
Pike, Peter L
Prentice, Gordon *(Pendle)*
Rapson, Syd
Sanders, Adrian
Sawford, Phil
Shaw, Jonathan
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Sir Robert *(W Ab'd'ns)*
Steinberg, Gerry
Stinchcombe, Paul
Stunell, Andrew
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Wise, Audrey
Wood, Mike
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Noes:
Mr. Andrew Mackinlay and Mr. Michael Connarty.

Question accordingly agreed to.

Mr. Brooke: On Second Reading, I took advice on the declaration of an interest in the Bill. I was told that I had no interest to declare, but, in order to make it clear beyond peradventure, I am content to refer the House to my entry in the Register of Members' Interests, and am happy to stand by anything that appears in that entry.

The Second Reading debate was excellent, good-humoured and germane. I mean no disrespect to the hon. Member for Hayes and Harlington (Mr. McDonnell) when I say that so far this evening, we have heard a bit of a monologue.

Mr. McDonnell: Will the right hon. Gentleman give way?

Mr. Brooke: As my speech will be shorter than the one made by the hon. Gentleman, I shall wait a moment before giving way, although that is uncharacteristic of me.

Under some compulsion from the House, the hon. Gentleman's amendments were put, and I shall speak briefly in rebuttal of them. The most enjoyable moment in his speech was when he got to amendment No. 33 and, in a manner worthy of the former Member for Burnley—who, on one memorable occasion, said, "I intervene upon myself, Mr. Deputy Speaker"—

Mr. Nicholas Winterton (Macclesfield): Was that Dan Jones?

Mr. Brooke: As my hon. Friend says, it was indeed Mr. Dan Jones. However, I should rather not take interventions unless they are absolutely necessary.

The substance of the remarks of the hon. Member for Hayes and Harlington in moving the amendments was contained in his observations on amendment No. 13, which he described as the key amendment. He looked forward to amendment No. 33, which amended the schedule; that amendment also dwelt on the process. The majority of the other amendments were either paving or consequential amendments, so I shall run through them quickly; I shall concentrate on amendments No. 13 and 33.

I think that the hon. Gentleman would agree that amendment No. 7 was a paving amendment. He took the view that amendment No. 13 was the key amendment. It would make an insertion in clause 3 so as to require the conduct of a ballot of relevant employees to decide who is to be appointed as a voter. No details are given about how such a ballot would take place, or about how the selection of candidates would be made. In any case, the amendment is inappropriate, because it harks forward to a proposed amendment to the schedule—amendment No. 33—which links the entitlement to appoint voters to numbers employed rather than to rateable values. As will be apparent under the substantive amendment to the schedule, that system is not workable for reasons to which I shall come.

The hon. Gentleman spoke to amendment No. 16, to which I shall return because it is a little different from the others. Amendment No. 17 appears to be consequential, as does amendment No. 19. Amendments Nos. 30 and 31 are also consequential.

Amendment No. 33 represents the heart of the hon. Gentleman's argument that, instead of an election system based on rateable value, we should have an election system based on payroll. The amendment replaces the existing scale of appointments in paragraph 1 of the schedule by a scale related to the numbers of employees. Qualifying bodies having up to 1,000 employees would receive one appointment, with one each for each subsequent 1,000. The possibility of using employees as an index was given detailed consideration before the promotion of the Bill. In the event, it became apparent that such a scheme would not be administratively workable.

Mr. McDonnell: The right hon. Gentleman suggests that there was detailed consideration of the proposal before the Bill was promoted. Who was consulted in that detailed consideration? It was certainly not London Members of Parliament, London local authorities or many of those who were involved in the petition against the Bill. That consultation does not seem to have taken place.

Mr. Brooke: The hon. Gentleman knows well that the Government made it clear that, if the corporation was not to be abolished, it had to reform its franchise. As it was to be reformed through the business vote, the consultations and discussions, not unreasonably, took place with business interests.

In the event, it became apparent that a scheme such as that to which the hon. Gentleman addressed his speech would not be administratively workable. Such an approach would also mark a departure from the current principle of business voting in the City, and would therefore set a precedent for commuter voting.

Rateable value has been chosen as the basis of the system for reasons of administrative convenience. By contrast, the allocation of votes by reference to the size of a company's work force would represent a considerable burden on business. The House should be aware that in developing the proposals for reform, the corporation gave full consideration to allocating votes on the basis of the number of employees. They found that asking companies to furnish the town clerk with their employment details is not as straightforward a task as it may seem.

Many firms hold their payrolls centrally in regional centres. That may include information on all employees, whether or not they work in the City, and extracting the information on employees working in the City may not be especially easy. At the same time, there is considerable volatility in the City work force, with a staff turnover of up to 26 per cent. per annum. That would mean that the number of people employed within a company—

Mr. Andrew Dismore (Hendon): Will the right hon. Gentleman give way?

Mr. Brooke: I would be grateful if the hon. Gentleman would let me finish my point.

That would mean that the number of people employed within a company over a year will be highly variable. Adopting employment as a measure of entitlement to voting rights would therefore cause business greater

[Mr. Brooke]

expense to comply with voter registration than is the case with rateable values. I shall now give way to the hon. Gentleman.

Mr. Dismore: Will the right hon. Gentleman explain the difference between compiling a register of employees on a given day of the year, such as 10 October, and compiling an ordinary electoral register, as every local authority has to do—which is a much more complex job—on exactly the same date? Certainly in London boroughs the turnover of electors is greater than that of staff in businesses in the City.

Mr. Brooke: The hon. Gentleman has been involved in the City of Westminster, and he knows the rate of turnover there. I very much doubt if there is the same degree of turnover in his constituency. At any rate, an annual staff turnover of 26 per cent. is massive.

It was also felt that if voting rates were allocated on the basis of employment, the scheme would become much more than just a modernisation of the existing business vote system. Allocating voting rights on the basis of employees rather than property would mean the introduction of a whole new principle into the British electoral system and might, as I said, provide a precedent for the introduction of the commuter vote.

The rateable value of a property occupied by a qualifying body will, in any event, have some relation to the number of staff that it employs and thus the size of the payroll. Within each ward, therefore, the properties with the largest rateable values also have the most employees. Recognising that there might be some properties that carry high rateable values, but have few employees, the Committee amended the Bill to provide that a company or qualifying body cannot receive a greater number of votes than it has employees. That will prevent the potential abuse identified by the hon. Members for Tatton (Mr. Bell) and for Southwark, North and Bermondsey (Mr. Hughes) on Second Reading, whereby a qualifying body could sell voting rights to the highest bidder.

The hon. Member for Hayes and Harlington will, as a result of the debate so far, be amply aware that the City of London Labour party is also of the view that the entitlement to vote ought to be related to the number of employees rather than rateable value. On day three of the Committee stage, Christopher Haines, chairman of the local Labour party, told the Committee:

"We have commended to the Corporation an alternate proposal, that votes should relate to the number of staff employed by bodies within the City, a system we refer to as the payroll vote . . . However we recognise that to amend this Bill to incorporate the principle of payroll votes would be a fundamental change".

The City of London Labour party chose not to press the amendment in Committee and I hope that the hon. Member for Hayes and Harlington will withdraw his amendments tonight.

9.30 pm

Mr. McDonnell: I shall not repeat what was said in a lengthy debate earlier, but I thought that I had made it clear to the right hon. Gentleman that the City of London Labour party, members of the Select Committee and other petitioners were constrained in that way not because of any refusal to support the principle of a payroll vote, but because of advice that it could not be included in the Bill. Now that we have discovered that it can, I am sure that they would support the amendment.

Mr. Brooke: I remind the hon. Gentleman that neither of us can rewrite history. The Select Committee sat in a quasi-judicial manner and made the determination that it did. The City of London Labour party chose not to press that particular element of its petition.

I now turn to amendment No. 16 which I said was a little different. It seeks to amend clause 3(5) to provide that where a hereditament is in more than one ward it should be taken as situated wholly within the ward in which the larger number of employees are located. That is a wholly unworkable suggestion, as employees move around the premises rather in the same way as cattle move across the Irish border. It is unreal to attempt to make an assessment by reference to such a fluctuating quantity. The present arrangement is decided by reference to the greater part of the hereditament which is a physical entity, not a fluctuating quantity. For that reason I urge the House to reject amendment No. 16 as well.

The Minister for London and Construction (Mr. Nick Raynsford): We had a full debate on Second Reading on the merits of the Bill and I do not propose to reiterate that tonight. It is not a Government Bill, but it is the product of the Government's desire to see the City of London reform and modernise its electoral arrangements.

The City is a unique and ancient institution. Its customs and practices are held dear by many people, but it is clear that some of those customs and practices are archaic and do not contribute to good effective and accountable local government. The corporation has recognised this and the current Bill is part of its response.

The Government welcome the fact that the City is beginning to face up to the need to put its governance on a more modern footing. We believe that the proposals in the Bill are a step in the right direction. They recognise the special and unique nature of the square mile and the need for an inclusive form of local government that reflects the needs of all those who have an interest. That must include the companies and institutions established in the City, the workers employed by them and the people who live there.

Mr. John Cryer (Hornchurch): Is my hon. Friend arguing that basing voting power on wealth or rateable value represents a modernisation of the franchise?

Mr. Raynsford: If my hon. Friend will bear with me, I shall make the point clearly. We propose changing the current franchise from one that is limited to sole traders and certain people with property interests and excludes the vast majority of firms that operate in the City. It is not essentially a business franchise. The change extends the franchise to businesses in general within the City and that is a step in the right direction.

The Select Committee considered the Bill carefully and found that the measures within it were justified and that the Bill should proceed. It considered the detail of the Bill

and took evidence from its promoters and from petitioners against. As a result, the Committee asked for a number of amendments to be made to the Bill.

Dr. Godman: I live in the City for some six months of the year. As is well known to my fair-minded adversaries, I am a council tenant of the City of London corporation. Is my hon. Friend satisfied that these developments will not in any way diminish the interests of the residents of the City who number some 5,000 compared with 250,000 people who come into the City every day? Some of my neighbours in Willoughby house in the Barbican are deeply concerned about the measures.

Mr. Raynsford: I can give my hon. Friend the assurance that he seeks. The matter was debated extensively on Second Reading. It has been established that while there has been an overall increase in the franchise because of the proposed extension of the business vote, the interests of residents are fully protected because the number of wards with a predominance of residents remains the same. Therefore, the number of councillors who are elected—*[Interruption.]*

Mr. Deputy Speaker: Order. I say to the hon. Member for Harwich (Mr. Henderson) before he leaves the Chamber, and to the House in general, that electrical devices of the sort that have interrupted our proceedings should be switched off or left outside the Chamber. Madam Speaker takes an extremely strong line on this.

Mr. Raynsford: I was explaining, Mr. Deputy Speaker, that the make-up of the electoral pattern in the City is such that the wards that are predominantly—

Mr. Ivan Henderson (Harwich): On a point of order, Mr. Deputy Speaker. I apologise for interrupting the proceedings of the House. I shall make sure that it does not happen again.

Mr. Deputy Speaker: I am grateful for that apology.

Mr. Raynsford: I was in the process of explaining to my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) that the number of representatives who represent residents in the City of London will not reduce. Indeed, against the background in which there will be an overall reduction in the total number of councillors, the interests of residents will not be adversely affected. I know that the matter was considered carefully by a number of people who were particularly interested in the issue.

Mr. Gareth R. Thomas *rose—*

Mr. Raynsford: I want to make some progress but I shall give way to my hon. Friend, who was a member of the Committee.

Mr. Thomas: I wonder whether my hon. Friend is aware that one of the reasons why those of us who sat on the Committee agreed to allow the Bill to proceed was the evidence that we received that there are so few voters in some of the wards that there is the potential for abuse, manipulation and a packed vote. Is my hon. Friend aware also that there is a strongly held view, at least by me, that the City corporation's leadership must respond to the challenges laid down for it within the special report and bring forward reforms and suggestions on how the reforms outlined in the special report can be brought forward?

Mr. Raynsford: My hon. Friend makes two extremely valid points. The process of reform is necessary because the current arrangements, as I have already said, are archaic and not conducive to proper and accountable systems of government. Secondly, as the Committee rightly stressed, a step has been taken in the right direction, but there is a need to go further. I have made that point personally to representatives of the City corporation on several occasions and I know that they take seriously my views and, above all, the views of the Committee. I believe that they intend to carry forward a further process of reform. They have given an undertaking that they will report on that within five years as part of the process. That undertaking was also given, I think, to the Committee.

Mr. Sawford *rose—*

Mr. Raynsford: I give way to my hon. Friend, who was also a member of the Committee.

Mr. Sawford: My hon. Friend was in the Chamber when I said that the Committee felt constrained by the type of Bill that was before us. We felt that we were restricted in the sort of amendments that we could make to it. I drew attention to the special report, which clearly states that view.

I learned a great a deal when considering the Bill. I learned of wards where there were no electors and of wards where there have been no elections for 25 years. I learned also of a veto system that prevented democratically elected people taking their place on the court of common council.

At the outset of my consideration of the Bill I was reminded of a story about a chap who walked into a bank with a £18 note. When told that it was not legal currency and could not be accepted, the member of the bank's staff said, " We can change it for you. Do you want three £6 or two £9?" At the end of the Bill's—

Mr. Deputy Speaker: Order. Order. The hon. Gentleman must take his seat when I am on my feet. That intervention was far too long.

Mr. Raynsford: My hon. Friend makes better than anyone else could the case for reform. The status quo is untenable and the Bill is moving us forward in the right direction. I accept entirely, as I have already made clear, that there is a need to take the reform process further.

The Committee asked for a number of amendments to be made to the Bill, covering a number of important issues raised by hon. Members on Second Reading. They include a test of "connection" with the City, which people nominated as corporate voters must satisfy; an inflation-proofing mechanism for the rateable value bands

[Mr. Raynsford]

and thresholds, to ensure that the size of the new business electorate does not increase just because property values rise; and a provision—

Mr. McDonnell: On a point of order, Mr. Deputy Speaker. Can you advise us whether the Minister is speaking to the amendment, the Bill, or Third Reading? What is he speaking on?

Mr. Deputy Speaker: If the Minister were not in order, I would have stopped him.

Mr. Raynsford: Thank you, Mr. Deputy Speaker. I am slightly surprised that my hon. Friend, who spoke for two hours, questions whether I am in order.

The Committee proposed amendments to ensure that the size of the new business electorate does not increase just because property values rise, and a provision to ensure that, in appointing voters, companies have regard to the composition of the work force—a point which my hon. Friend the Member for Hayes and Harlington recognised in his speech as a significant forward move. I believe that all those represent sensible improvements to the proposals for the new franchise.

The Committee stated in its special report that it does not feel that the measures in the Bill go far enough. I do not dissent from that view. We have welcomed the proposals, but have always regarded them as a first stage in the process of reform. There is clearly much more that the City could do to improve the accountability and transparency of the way in which it is governed, and to streamline its decision taking. The Committee's report provides a useful indication of the priorities for the next phase of reforms.

If this Bill is prevented from proceeding in its current form, the City franchise will remain unchanged, and the drive for reform from within the corporation will be stifled. I do not think that anyone who cares about reform wants that outcome. Significantly, the City of London Labour party—one of the two original objectors to the Bill—is now prepared to accept the proposals as a first stage in the process of reform, and has written to express that view to hon. Members, as we have heard from several hon. Members tonight.

By allowing the Bill to proceed, the House will be giving further encouragement—

Mr. Connarty: My hon. Friend spoke about the principles that the Government were applying and the fact that certain groups would be aided by amendments to the Bill. One group that he mentioned was workers, but he did not—

Mr. James Gray (North Wiltshire): On a point of order, Mr. Deputy Speaker. What possible interest can the Member of Parliament for Grangemouth have in the City of London (Ward Elections) Bill?

Mr. Deputy Speaker: The hon. Gentleman should know full well that hon. Members' constituencies do not prevent them in any way from taking part in our proceedings.

Mr. Connarty: I am grateful for that, Mr. Deputy Speaker, and hope to see it underlined again and again. I am keen to hear from my hon. Friend the Minister how that throw-away phrase, "the enfranchisement of the workers", is linked to the logic whereby a company or body will appoint one or two people, according to its rateable value, and how that gives the workers anything. Is that a new departure—the third way—in industrial democracy?

Mr. Raynsford: As I said earlier in my speech, and as was pointed out earlier in the debate, clause 4 specifically requires a qualifying body to

"ensure that the appointments which it makes reflect, in so far as is reasonably practicable, the composition of the workforce."

My hon. Friend the Member for Hayes and Harlington recognised that that was an important shift, compared with the Bill as previously presented. I believe that that is a significant step forward.

By allowing the Bill to proceed, the House will be giving further encouragement to the City to continue the process of reform. The new electorate that the Bill will create, covering the full range of businesses operating in the City in place of the much more restrictive business franchise that previously existed, will become an added incentive.

However, the amendments would fundamentally alter the way in which the Bill works. They have not been fully considered. Practical issues were raised by the Chairman of the Select Committee and by the right hon. Member for Cities of London and Westminster (Mr. Brooke), who is sponsoring the Bill, about the difficulty of implementing the proposals contained in the amendment. Nor have the amendments been the subject of local consultation, as the City of London Labour party had to point out to my hon. Friend the Member for Hayes and Harlington.

Mr. Dennis Skinner (Bolsover): How many votes will the Worshipful Company of Skinners get?

Mr. Raynsford: I would require notice of that question. However, I undertake to look into it and to write to my hon. Friend.

As my hon. Friend the Member for Hayes and Harlington admitted, amendment No. 33, the crux of the amendments, is a weak one. It would be inappropriate at this stage to insert the amendments in the Bill. The Government cannot, therefore, support them, and I hope that the House will not do so either.

9.45 pm

Mr. Winterton: I fully support the measured remarks of my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke)—and, if I may say so without ruining his career, the constructive, positive and reasoned response to the debate by the Minister. He understands the City.

I declare an interest in response to the intervention of the hon. Member for Bolsover (Mr. Skinner), with whom I have a great deal in common and whom I happen to admire immensely as a considerable parliamentarian, although he is out of place sitting where he is. The role played by the City provides a substantial advantage to the people of that area and considerable advantages to those who live within the City of London. I speak as an immediate past upper bailiff of the Worshipful Company

of Weavers—the oldest, but in no way the most senior company in the City of London. We trace our foundation back to 1130.

Mr. Deputy Speaker: Order. I remind the hon. Gentleman that we are discussing a group of amendments. Perhaps he could come directly to them.

Mr. Winterton: As one of my hon. Friends says, I am weaving a particular line in the case that I seek to make.

The Minister, in responding to the amendments—

Mr. Clive Efford (Eltham) *rose—*

Mr. Winterton: I am happy to give way to the hon. Gentleman, who happens to be an articulate and positive member of the Procedure Committee.

Mr. Efford: I used to do quite a bit of weaving in the City myself, but no one has ever given me a vote.

Mr. Winterton: Democracy is an interesting animal. In itself, it does not necessarily provide the quality of service which the people of London expect and which all the residents of the City of London receive from the City corporation.

My brief contribution to the debate is to support my right hon. Friend the Member for Cities of London and Westminster in the constructive remarks that he has made. If the hon. Member for Falkirk, East (Mr. Connarty), who represents a Scottish constituency with great distinction, and the hon. Member for Greenock and Inverclyde (Dr. Godman), another distinguished and experienced Member of the House, can participate, I hope that the Member for Macclesfield, which is in the north-west of England, can also contribute, bearing in mind my intimate knowledge of the City of London. Although, as the hon. Member for Bolsover will know, I do not support many of the things that the City does in an economic context, I believe that it plays a major, positive and very beneficial role in local government.

Mr. Skinner *rose—*

Mr. Winterton: I give way to the hon. Gentleman with immense pleasure.

Mr. Skinner: All I can say is that the hon. Gentleman is now in favour of the block vote, and has deserted "one person, one vote".

Mr. Winterton: I have immense respect for the hon. Gentleman, and I like the point that he has made. I am highly principled: I believe in one man, one vote—or one man/one woman, one vote. We are dealing, however, with the City of London, a uniquely successful entity.

Mr. Corbyn: Will the hon. Gentleman give way?

Hon. Members: Go on.

Mr. Winterton: I give way.

Mr. Corbyn: A moment ago, the hon. Gentleman spoke of the City's good works and administration of local government. He will have heard my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) say that the City has reserves amounting to £1.6 billion in its coffers. I represent a borough that borders on the City. We have 10,000 families on housing waiting lists. Does the hon. Gentleman think that some of that money could be better spent in Hackney, Islington—

Mr. Deputy Speaker: Order. The hon. Gentleman's intervention does not relate in any way to the amendment, and I ask the hon. Member for Macclesfield (Mr. Winterton) not to respond to it.

Mr. Winterton: Of course I accept your ruling, Mr. Deputy Speaker. I have a full answer to the question put to me by the hon. Member for Islington, North (Mr. Corbyn), but, owing to my deep respect for the Chair, I will not give it.

I merely say that I agree with the Minister that the Bill represents a considerable advance on what has preceded it, and I think that, for that reason alone, it would be inappropriate for it to be voted down. Bearing in mind the City corporation's assurance that it will continue to consider reform of what goes on in the City, I believe that the House should oppose the amendments, and support the Bill as it stands.

Mr. Sawford: My speech will be short, as I intervened a couple of times earlier.

I found serving on the Committee an enlightening experience. The Committee sat for several days, during which we listened to a good deal of evidence on behalf of the promoter and the petitioners. I learned a great deal about the inner workings of the City in that time, which led me to believe that it must be the most undemocratic, unrepresentative, unaccountable system left in this country. I felt, however, that it was making a genuine commitment to reform its methods of operation, and to increase its democratic accountability.

The Bill proposes to extend the franchise by, in effect, giving votes to buildings. Votes would accumulate on the basis of the value of those buildings.

Mr. Corbyn: My hon. Friend has examined the Bill. What evidence was there, in the response of the City of London corporation, of consultation with either individual businesses in the City or employees of those companies?

Mr. Sawford: We were presented with a considerable amount of evidence that there had been consultation through the City of London corporation. There had also been residents meetings. There had been much consultation. The one group of people which probably had not been consulted in particular were employees. Residents and businesses had had consultation, but that brings us back to the amendments. My hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) is trying to include employees within the process.

Although extending the franchise on the basis of property values is one way to give a broader franchise to people who are involved and who make their living in the City, it is very much on a corporate basis. The amendments would extend it to people who have a working interest, who make their living and earn their livelihood there. It is still less than full democracy.

Mr. McDonnell: The Minister raised the issue of consultation with those employees. My hon. Friend has

[Mr. McDonnell]

alluded to that. In the previous debate, we proposed that, although there has been difficulty over consultation until now—the House has been constrained with regard to the Bill—if the amendment were passed, there would be a real opportunity for consultation. We could consult the City corporation, take the Bill to the other place and refer it back here, so that we could get the practicalities right.

Mr. Sawford: As, I think, the only member of the Committee who has sat through the whole debate, it is not being disloyal to the Committee to say that the amendments were not considered. I am sure that others on the Committee were not aware that such amendments were acceptable within the terms of the Bill. Having looked at the amendments and considered their implications, I believe that there is a serious democratic deficit within the workings of the City of London corporation. No hon. Member can deny that. No democrat elected to the House can deny that.

Mr. Dismore: I am sure that my hon. Friend has heard of the homes for votes scandal in the neighbouring Westminster city council, which gerrymandered elections. Is not what is proposed in the Bill—votes for business—an even greater affront to democracy?

Mr. Sawford: I thank my hon. Friend. I make no comment on the Westminster situation. I would rather concentrate on the issue that is before us this evening. My hon. Friend is right—it is capitalism gone mad. We now give votes to buildings. The bigger the building, the higher its rateable value, the more votes are obtained.

Mr. Brooke *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 218, Noes 101.

Division No. 242] **[9.58 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Alexander, Douglas
Allen, Graham
Amess, David
Anderson, Janet *(Rossendale)*
Arbuthnot, Rt Hon James
Atherton, Ms Candy
Atkins, Charlotte
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Banks, Tony
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Beresford, Sir Paul
Betts, Clive
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Bradley, Keith *(Withington)*
Brady, Graham
Brazier, Julian
Brinton, Mrs Helen
Brooke, Rt Hon Peter
Bruce, Ian *(S Dorset)*
Burgon, Colin
Cabom, Rt Hon Richard
Campbell–Savours, Dale
Casale, Roger
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clifton–Brown, Geoffrey
Coaker, Vernon
Coffey, Ms Ann
Collins, Tim
Colman, Tony
Cormack, Sir Patrick
Corston, Ms Jean
Cox, Tom
Crausby, David
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donohoe, Brian H
Dorrell, Rt Hon Stephen
Dowd, Jim
Drown, Ms Julia
Ellman, Mrs Louise
Ennis, Jeff
Faber, David
Fabricant, Michael
Fallon, Michael
Fitzpatrick, Jim
Flight, Howard
Fraser, Christopher
Gale, Roger
Gapes, Mike
Gardiner, Barry
Garnier, Edward
George, Bruce *(Walsall S)*
Gill, Christopher
Gillan, Mrs Cheryl
Gilroy, Mrs Linda
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Griffiths, Win *(Bridgend)*
Hague, Rt Hon William
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hanson, David
Heal, Mrs Sylvia
Healey, John
Heathcoat–Amory, Rt Hon David
Henderson, Doug *(Newcastle N)*
Heppell, John
Heseltine, Rt Hon Michael
Hill, Keith
Hodge, Ms Margaret
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hunter, Andrew
Hutton, John
Jack, Rt Hon Michael
Jackson, Ms Glenda *(Hampstead)*
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkin, Bernard
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Khabra, Piara S
King, Andy *(Rugby & Kenilworth)*
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lloyd, Tony *(Manchester C)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
McAvoy, Thomas
McCafferty, Ms Chris
McIntosh, Miss Anne
McKenna, Mrs Rosemary
Maclean, Rt Hon David
McLoughlin, Patrick
McNulty, Tony
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morley, Elliot
Murphy, Jim *(Eastwood)*
Nicholls, Patrick
Norman, Archie
O'Brien, Bill *(Normanton)*
Olner, Bill
Osborne, Ms Sandra
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Pollard, Kerry
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, Dawn
Prior, David
Quinn, Lawrie
Randall, John
Rayner, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roche, Mrs Barbara
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ruffley, David
St Aubyn, Nick
Simpson, Keith *(Mid–Norfolk)*
Singh, Marsha
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Spellar, John
Spelman, Mrs Caroline
Spicer, Sir Michael
Squire, Ms Rachel
Stanley, Rt Hon Sir John
Stoate, Dr Howard
Streeter, Gary
Stuart, Ms Gisela
Sutcliffe, Gerry
Swayne, Desmond

Syms, Robert
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Vaz, Keith
Walley, Ms Joan
Waterson, Nigel
Wells, Bowen
White, Brian
Whittingdale, John
Wicks, Malcolm
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Wilshire, David
Wilson, Brian
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun

Tellers for the Ayes:
Mr. Robert Walter and Mr. Nick Hawkins.

NOES

Adams, Mrs Irene *(Paisley N)*
Ashton, Joe
Barnes, Harry
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony *(Chesterfield)*
Bermingham, Gerald
Best, Harold
Bradley, Keith *(Withington)*
Brown, Russell *(Dumfries)*
Burstow, Paul
Butler, Mrs Christine
Campbell, Rt Hon Menzies *(NE Fife)*
Cann, Jamie
Cawsey, Ian
Chaytor, David
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Dalyell, Tam
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Efford, Clive
Etherington, Bill
Fearn, Ronnie
Flynn, Paul
Forth, Rt Hon Eric
Fyfe, Maria
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Gordon, Mrs Eileen
Gorrie, Donald
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hinchliffe, David
Hood, Jimmy
Hopkins, Kelvin
Hughes, Simon *(Southwark N)*
Hurst, Alan
Iddon, Dr Brian
Jones, Ms Jenny *(Wolverh'ton SW)*
Jowell, Rt Hon Ms Tessa
Keen, Alan *(Feltham & Heston)*
Keetch, Paul
Laxton, Bob
Lepper, David
Llwyd, Elfyn
McDonnell, John
Marsden, Paul *(Shrewsbury)*
Michie, Bill *(Shef'ld Heeley)*
Morgan, Alasdair *(Galloway)*
Naysmith, Dr Doug
O'Hara, Eddie
Palmer, Dr Nick
Perham, Ms Linda
Pike, Peter L
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Rammell, Bill
Rapson, Syd
Rooney, Terry
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Southworth, Ms Helen
Steinberg, Gerry
Stinchcombe, Paul
Stringer, Graham
Stunell, Andrew
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Vis, Dr Rudi
Watts, David
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. Andrew Mackinlay and Mr. Michael Connarty.

Question accordingly agreed to.

Question put accordingly, That the amendment be made:—

The House divided: Ayes 102, Noes 209.

Division No. 243] **[10.11 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ashton, Joe
Atherton, Ms Candy
Barnes, Harry
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony *(Chesterfield)*
Bermingham, Gerald
Best, Harold
Brown, Russell *(Dumfries)*
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Campbell, Rt Hon Menzies *(NE Fife)*
Cawsey, Ian
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Tony *(Northampton S)*
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Efford, Clive
Etherington, Bill
Fearn, Ronnie
Flynn, Paul
Fyfe, Maria
Gibson, Dr Ian
Godman, Dr Norman A
Gordon, Mrs Eileen
Gorrie, Donald
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hinchliffe, David
Hood, Jimmy
Hopkins, Kelvin
Hughes, Simon *(Southwark N)*
Hurst, Alan
Iddon, Dr Brian
Jones, Ms Jenny *(Wolverh'ton SW)*
Keen, Alan *(Feltham & Heston)*
Keetch, Paul
Laxton, Bob
Lepper, David
McCafferty, Ms Chris
McDonnell, John
Michie, Bill *(Shef'ld Heeley)*
Moffatt, Laura
Naysmith, Dr Doug
O'Hara, Eddie
Olner, Bill
Palmer, Dr Nick
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Pollard, Kerry
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Rammell, Bill
Rapson, Syd
Rendel, David
Russell, Bob *(Colchester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Steinberg, Gerry
Stevenson, George
Stinchcombe, Paul
Stringer, Graham
Stunell, Andrew
Taylor, Ms Dari *(Stockton S)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Trickett, Jon
Vis, Dr Rudi
Watts, David
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wise, Audrey
Wood, Mike
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Andrew Mackinlay and Mr. Michael Connarty.

NOES

Ainsworth, Peter *(E Surrey)*
Alexander, Douglas
Allen, Graham
Amess, David
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Arbuthnot, Rt Hon James
Atkins, Charlotte
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beresford, Sir Paul
Betts, Clive
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Bradley, Keith *(Withington)*
Brady, Graham
Brazier, Julian
Brinton, Mrs Helen
Brooke, Rt Hon Peter
Browne, Desmond
Bruce, Ian *(S Dorset)*
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor

Casale, Roger
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clifton-Brown, Geoffrey
Coaker, Vernon
Coffey, Ms Ann
Collins, Tim
Colman, Tony
Cormack, Sir Patrick
Cox, Tom
Crausby, David
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davies, Quentin *(Grantham)*
Day, Stephen
Dobson, Rt Hon Frank
Donohoe, Brian H
Dorrell, Rt Hon Stephen
Dowd, Jim
Ellman, Mrs Louise
Ennis, Jeff
Faber, David
Fabricant, Michael
Fallon, Michael
Field, Rt Hon Frank
Fitzpatrick, Jim
Flight, Howard
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fraser, Christopher
Gale, Roger
Gapes, Mike
Gardiner, Barry
Garnier, Edward
George, Bruce *(Walsall S)*
Gillan, Mrs Cheryl
Gilroy, Mrs Linda
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hanson, David
Heal, Mrs Sylvia
Heathcoat-Amory, Rt Hon David
Henderson, Doug *(Newcastle N)*
Hill, Keith
Hodge, Ms Margaret
Hogg, Rt Hon Douglas
Howarth, George *(Knowsley N)*
Howarth, Gerald *(Aldershot)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hunter, Andrew
Hutton, John
Jack, Rt Hon Michael
Jackson, Ms Glenda *(Hampstead)*
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkin, Bernard
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Khabra, Piara S
King, Andy *(Rugby & Kenilworth)*
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Levitt, Tom
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lloyd, Tony *(Manchester C)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
McAvoy, Thomas
Macdonald, Calum
McIntosh, Miss Anne
McKenna, Mrs Rosemary
Maclean, Rt Hon David
McLoughlin, Patrick
McNulty, Tony
Marsden, Paul *(Shrewsbury)*
Maude, Rt Hon Francis
May, Mrs Theresa
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Milburn, Rt Hon Alan
Moran, Ms Margaret
Morley, Elliot
Murphy, Jim *(Eastwood)*
Norman, Archie
O'Brien, Bill *(Normanton)*
Osborne, Ms Sandra
Ottaway, Richard
Page, Richard
Paice, James
Pendry, Tom
Pickles, Eric
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, Dawn
Quinn, Lawrie
Randall, John
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Laurence *(Tewk'b'ry)*
Roche, Mrs Barbara
Roy, Frank
Ruane, Chris
Ruffley, David
St Aubyn, Nick
Savidge, Malcolm
Short, Rt Hon Clare
Simpson, Keith *(Mid-Norfolk)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Spelman, Mrs Caroline
Squire, Ms Rachel
Stanley, Rt Hon Sir John
Stewart, David *(Inverness E)*
Stoate, Dr Howard
Streeter, Gary
Stuart, Ms Gisela
Sutcliffe, Gerry
Swayne, Desmond
Syms, Robert
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Touhig, Don
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Vaz, Keith
Walley, Ms Joan
Wells, Bowen
White, Brian
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Wilshire, David
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Worthington, Tony

Tellers for the Noes:
Mr. Robert Walter and
Mr. Nick Hawkins.

Question accordingly negatived.

Debate to be resumed on Tuesday 20 July.

BUSINESS OF THE HOUSE

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Commonwealth Development Corporation Bill *[Lords]* and Trustee Delegation Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Allen.]*

Question agreed to.

Commonwealth Development Corporation Bill

Postponed proceedings resumed.

New Clause 3

SALE OF SHARES OR OTHER SECURITIES

'. It shall be the duty of the Secretary of State—

(a) in disposing of shares or other securities held by him; or

(b) in directing a person to dispose of shares or other securities held on the Secretary of State's behalf

to ensure that the price obtained for those shares or other securities is in the best commercial interests of the Corporation.'.—*[Mrs. Gillan.]*

Brought up, and read the First time.

10.23 pm

Mrs. Cheryl Gillan (Chesham and Amersham): I beg to move, That the clause be read a Second time.

At this late hour, it is fitting that we return to consideration of the Bill and I am pleased to see the Secretary of State in her place. I understand that she will reply to the debate on the new clause. During the stages of the Bill, the Opposition have been greatly concerned about the way in which the shares and securities in the new Commonwealth Development Corporation will be disposed of and, in particular, the price that will be achieved. None of the replies given during our proceedings on the Bill so far has reassured me that the best possible price will be obtained for the sale of the Commonwealth Development Corporation.

The new clause reflects those concerns, because we need to ensure that the price obtained is the best possible, and that the CDC is not sold off cheaply at a knock-down price.

Clare Short: Unlike your performance.

Mr. Deputy Speaker (Mr. Michael Lord): Order. Perhaps we might begin as we plan to continue, without sedentary interventions from the Front Benches or even the Back Benches.

Mrs. Gillan: The right hon. Lady intervened from a sedentary position to cast aspersions on the privatisation programme of the previous Conservative Government. In the light of the report that came out today, I hope that she will undertake not to do for the CDC what she did for the Railtrack privatisation. That would make Conservative Members a lot happier.

Clare Short: The hon. Lady should apologise.

Mrs. Gillan: At least we are not talking down the price of the CDC. We are trying to ensure that appropriate safeguards are included in this privatisation process. In any case, methinks the lady doth protest too much. She has been telling us that this is not a privatisation process.

Mr. Douglas Hogg (Sleaford and North Hykeham): Does my hon. Friend agree that, given the Chancellor's disposal of the country's gold reserves, a statutory obligation of this kind is justified?

Mrs. Gillan: My right hon. and learned Friend is right. I shall come to the question of the Chancellor's gold sales later, as it will have a direct effect on the price achieved on the CDC privatisation. We must make no mistake: Labour Members, when they vote to support the Bill, will be voting for a privatisation.

First, I shall look at some factors that could affect the price. I shall refer to the CDC's annual report for 1998, which contains some interesting facts and figures. The CDC's investments are listed in the final pages—a rather large population of relatively small investments. The number and variety of those investments mean that they are inherently difficult to manage. Also, realising the value of such a large and diverse portfolio will pose problems.

The management problems need to be examined, as at no stage in our proceedings have we explored them properly. They would also, of course, affect the price. I hope that the Secretary of State will comment on the portfolio, and undertake to give the House an analysis of the business itemised between pages 65 and 73 of the report in terms of cost, estimated current values and the income stream produced. That is an essential element in setting out this privatisation so that potential investors can see what is on offer.

I hope also that the Secretary of State will say what percentage of the portfolio produces an income stream. In how many cases is the income stream column blank? In other words, I hope that she will give an idea of the value of all the businesses, as any interested buyer will have to understand that it will be difficult or impossible to realise their value in practical terms. Unless information is readily available to investors, it may be impossible to establish whether we obtain the best price for privatisation.

10.30 pm

Mr. Leigh: My hon. Friend's remarks on price are directly relevant to our earlier debate on new clause 1. The more someone is required to pay for the CDC, the less willing he or she will be to do the corporation's traditional work in difficult markets and with difficult customers. The Government cannot have it both ways.

Mrs. Gillan: My hon. Friend goes to the heart of the matter. The nature of the CDC will be fundamentally changed by its privatisation.

The Secretary of State must tell us what effect the sale of gold has had on the CDC's three gold-mining investments—the Abosso and Satellite gold fields in Ghana and the East Africa gold mines in Tanzania. Has any of those operations been directly affected by the Chancellor's actions? We have heard alarming stories about redundancies and a crisis in South Africa. *[Interruption.]* The Secretary of State is laughing; she is plainly amused by the thought of a crisis in South Africa. No doubt, like the Under-Secretary, she will blame the crisis on other countries selling their gold. However, has the status of those three investments been affected? If they can be damaged even by the actions of the UK Government, the risk involved in the CDC will be clear, and the portfolio will be even less interesting to investors.

The Secretary of State must consider what buyers might be looking for. The price obtained for the CDC could be badly affected by the amount of Government management control of which the Under-Secretary boasted during our previous debate. The Under-Secretary must appreciate

[Mrs. Gillan]

that a full transfer of ownership and management—implying an ability to act commercially—would maximise the value of CDC shares. *[Interruption.]* The Minister says that I should be referring to the Secretary of State, but it was he who dealt with the previous group of new clauses and amendments, and he who trumpeted the control that he would retain over the CDC.

The golden share and the ability to block CDC actions will also reduce the price. Rather than protecting the CDC, the Government will diminish its value. The Secretary of State must let us know why the vehicle she is using to maintain the CDC's character may work against our obtaining a fair price for it.

The hour is late, and I do not wish to delay the House. The Under-Secretary earlier filled some of the gaps that he had left at the Committee stage. He also sent me a letter—it arrived only yesterday—on some points raised in Committee, particularly concerning the CDC's operating costs. *[Interruption.]* The Minister laughs and asks what is wrong with that. A considerable time has elapsed since the Committee stage, and the Minister could have made an effort to send the replies a little earlier than the day before the debate. That is how the Department has handled the Bill. The taxation provisions for the CDC were tabled at the eleventh hour. The whole passage of the Bill has been punctuated by the late arrival of information.

To give the Minister his due, the letter did arrive, and I thank him for giving us the information. However, once again there are unanswered questions. I raised with the Minister the issue of the large rise in staff costs and operating charges. The staff costs rose between 1997 and 1998 from £13.2 million to £16.3 million, and the other operating charges rose from £11.6 million to £17.6 million in a 12-month period. I asked for a breakdown of the CDC's operating costs.

Will the Secretary of State explain item five in the Minister's letter, which deals with the business change management costs and costs related to the preparation of the PPP, which stand at £1.8 million for the 1998 accounting period? How much does she expect those costs to be in the 1999 accounting period? Will they be similar, or will they be larger? That is an astronomical cost, and I presume that it will not be repeated. However, there must be some carry over into the 1999 financial year, and I hope that she will be able to tell us what those charges are to date.

There is also an item on the increase in general administration costs, which is a round figure of £1 million. That requires further and better explanation. Even at this late stage on Report, the Department and the Secretary of State should give us a breakdown of that £1 million figure, which is a large increase in general administration costs on a relatively small budget. A financial director of any company would look at that item on the accounts and ask those questions. To reassure potential investors that this set of accounts is not profligate, to say the least, we should know to what that £1 million increase in general administration costs is attributed.

The Minister's letter also refers to training costs. He says:

"Training costs and costs directly related to preparation of the public private partnership are exceptional costs, but are expected to continue over the next few years."

Surely exceptional costs are one-off costs, but if they are expected to continue over the next few years they must have an implication for the privatisation of this company and the price that will be paid. At this stage, the Secretary of State should let us know exactly what those costs will be and why they will continue over the next few years. They are exceptional if they are continuing annually. Light needs to be shed on that.

I have taken up enough of the House's time at this time of night. I am letting the Secretary of State off lightly, because so many questions need to be asked. I reiterate what my hon. Friend the Member for South-West Devon (Mr. Streeter) said at the beginning of the last group of amendments. We want the privatisation of the Commonwealth Development Corporation to succeed. We are not content that this matter has been thought through, and we are certainly not content that a fair and good price will be obtained for this investment unless the Secretary of State and her Minister answers these detailed questions. I believe that, long before we get to the market, the Department will be forced to answer even more detailed questions. It is our duty to examine what the Department is doing, and to ensure that it gets it right. After all, the Secretary of State does not have much of a track record on privatisation, other than in talking down the prices of privatisations.

Mr. David Heath (Somerton and Frome): It is a shame that we could not consider this new clause with new clause 2, which was not moved; it would be interesting to judge the effects of incorporation in sub-Saharan Africa on the price of assets on sale.

In the latter part of her speech, the hon. Member for Chesham and Amersham (Mrs. Gillan) addressed some interesting questions about the present functioning of the CDC and its finances. However, the early part of her speech and the main thrust of the new clause deals with the pricing of assets on their disposal. I cannot help but hear the resounding noise of stable doors being firmly closed, several years after some choice horses bolted from the public sector. The structures already exist—through the National Audit Office and the Public Accounts Committee—to provide checks and balances in these matters. Furthermore, I believe that the Secretary of State does have the best interests of that partial flotation in mind, so that it can produce the assets that we hope will enable the corporation to do its job.

The narrowness of the new clause causes me some concern. It proposes that the sole criterion to be used by the Secretary of State is

"the best commercial interests of the Corporation."

It is important that we receive the maximum return compatible with the other objectives set by the House and the Government for the change of status of the CDC.

However, there are conflicting pressures; I hope that the Secretary of State will bear them in mind when the sale of the assets takes place. Those pressures will also bear on the board, which will have a duty under the Companies Acts to maintain the best commercial interest, but that will be qualified by the structures to be established under the Bill in respect of business principles and investment policy. The interests will not be purely commercial; there will be a commercial interest tempered by the need to produce effective development in those parts of the world where it would otherwise not occur.

If the sole criterion were to be the best commercial interests of the corporation, a different picture would emerge. There would be a different distribution of assets within the corporation before flotation; there would undoubtedly be an increasing asset base at the expense of effective investment in many parts of the world. The sole shareholder—the Government with the Secretary of State as their embodiment—should have a range of other interests in mind: development, which we have already discussed; other policies of the British Government, which may or may not be in conflict with the commercial interest; and the diversity of the eventual share holdings, because a diverse ownership of the company will produce that vitality in investment that we want.

The potential buyers of the business will want to consider other factors, such as the exceptional tax status that has been invoked as the main thrust of the Bill. I still have some residual concerns as to that tax status, although I am willing to suspend some of my disbelief in order to see the measure through. However, I am worried about the way in which profits and dividend will be apportioned between the tax-exempt parts of the company and those that are not exempt. I am concerned about the potential for windfall earnings during that seven years of grace, if the golden share is disposed of. Although I pay tribute to the Minister's willingness to provide lucid answers to those points, he did not entirely convince me in Committee. Some matters remain opaque.

All those factors must be borne in mind. That is why I must reject the new clause; it puts too close a straitjacket on the Secretary of State, by asking her to consider only the commercial interests of the corporation in finding a price.

As I said, of course we want to see the maximum return on the investment that the Government and the British people have put into the company over the years, but we also want a successful flotation and continuing interest to ensure that there is investment in developing countries in the future. A basket of criteria is involved, and the amendment will not provide the Secretary of State with the freedom of choice that will allow her to do her duty by the House and the Government.

10.45 pm

Mr. Hogg: I listened carefully to the hon. Member for Somerton and Frome (Mr. Heath). He is wrong because he has failed to focus on the purpose of the new clause. His remarks would have some force if we were discussing the general investment policy of the Commonwealth Development Corporation. There is a distinction to be drawn between the CDC's general investment policy and the price at which one subsequently seeks to dispose of shares. They are not the same. Clearly, the disposal of shares reflects in part the pre-existing investment policy, but the two considerations are different, and it is fair-minded of the hon. Gentleman to acquiesce on that point.

I support the remarks of my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan), who spoke from the Front Bench. Reading the new clause, it seems to me that we are doing little more than asserting in the Bill the obligations that are already those of directors under the Companies Act 1989. I find it difficult to understand why Ministers should resist the incorporation of a general statutory obligation into the Bill, unless they have a private agenda.

Mr. Heath: Does not the right hon. and learned Gentleman accept that there is a difference between the obligation on directors and the obligation on the shareholder, who is the Secretary of State? The Secretary of State has other interests that she must consider in determining what is the appropriate disposal price.

Mr. Hogg: I am grateful to the hon. Gentleman for making that point because he reinforces my concern. We must remember that when the CDC has been privatised, there will be many private investors who will hold up to 75 per cent. of the equity. They have a right to expect that their equity price will be protected against the depredations of a Secretary of State who may be minded to dispose of equity for a price other than a commercial one. That is the point that the hon. Gentleman is making.

Mr. Foulkes *indicated dissent.*

Mr. Hogg: The Under-Secretary shakes his head, but he is a little premature because he has not yet heard my argument. If he wants to intervene, I will of course give way. If not, perhaps he would be well advised not to interrupt.

The point is that we are discussing the equity in the CDC, in which there will be many private investors. If we are to encourage private investment in the CDC, it is essential that prospective investors feel confident that their investment will be treated in a proper commercial way. The new clause would do no more than assert that in the Bill. Prospective investors will be entitled to be concerned about the security of their investment if there is no statutory protection.

The hon. Member for Somerton and Frome observed that there might be other, proper considerations that the Secretary of State could take into account. If I were an investor, I would not want the value of my shares to be determined at the discretion of the Secretary of State, however well intentioned she might be. I should want the value of my shares to be determined by straightforward commercial criteria.

Mr. Foulkes: Well, we know that.

Mr. Hogg: Of course I should want that. If the hon. Gentleman wants to get investment into the CDC, he would be well advised to ensure that the investment is safe. *[Interruption.]* The hon. Member for Hove (Mr. Caplin) is right to gesture to the Under-Secretary that if he wants to keep the debate short, he should keep quiet. I praise the hon. Member for Hove. After the 19 or so years in which the Under-Secretary has been a Member of the House, I should have thought that silence would have been commended to him by experience and practice.

Mr. Crispin Blunt (Reigate): He is a well-known control freak.

Mr. Hogg: The Labour party is full of control freaks.

[Mr. Hogg]

I may be enjoying myself, but there is a serious point to be made about the protection of investors.

Mr. Heath: I am listening carefully to the right hon. and learned Gentleman's argument which might have some force if it were envisaged that the sale of shares should take place in a series of tranches—a sequential sale—so that the Secretary of State would be affecting the price of shares that were already held by members of the public. However, that would not and could not apply if the shares were sold in a single block.

Mr. Hogg: I am grateful to the hon. Gentleman for coming some way towards my position. He should come the whole way, however, as giving the Secretary of State the ability to crystallise the value of an equity holding—as that is what happens when there is a disposal for value—also determines the value of the residual equity. Giving the Secretary of State the right to dispose of shares other than at their commercial value also crystallises the value of shares held by the other equity holders. The price might be less than the commercial value so that would be wrong.

This is not idle speculation. Anyone who is aware of the Government's policy on realising the gold reserve will recognise that they are not to be trusted with the realisation of assets. Not only have they managed to sell the gold reserve at a low value, but they have had a permanently diminishing effect on the gold reserve held by others; and, incidentally, they have diminished the employment in South African and other gold mines for which the Secretary of State for International Development and the Commonwealth Development Corporation have some responsibility. So we are absolutely justified in being very cautious.

Moreover, new clause 3 has another great benefit. When one sets out a duty, as new clause 3 does, one also prescribes a remedy. If the Bill states that the Secretary of State has a duty to realise at commercial value and it then appears that the Secretary of State is not doing that and there is some private agenda or other motive such as the hon. Member for Somerton and Frome alluded to, it is possible for a private investor to go to the court, first for an injunction—I hope that we are all in favour of the rights of the citizen—and, secondly, alleging loss arising from misfeasance on the part of the Secretary of State.

The proposal set out by my hon. Friend the Member for Chesham and Amersham is very desirable. It crystallises within the Commonwealth Development Corporation an obligation which is extraordinarily similar to that imposed on a board of directors. It provides a protection to prospective investors that means that there will be more prospective investors and it provides them with a remedy. The House should seek to assert and protect all those measures—*[Interruption.]* I am awfully glad to see that on this matter I have the support of the Deputy Chief Whip.

Mr. Leigh: As I said on Second Reading and in respect of new clause 1, many of us who take an interest in the future of the corporation are concerned about whether the unique work that it has carried out over the years can continue. Opposition Members are also concerned about whether the articles of association that the Government tell us are adequate and the golden share are sufficient to ensure that.

As the articles of association make clear—it will be inevitable in what will be a privatised company—the corporation will have to put the shareholders' interests first. We receive assurances from the Government that by retaining the golden share the Government will be able to ensure that the corporation continues the valuable work that it has undertaken in the past, not only in difficult markets in countries where other investment institutions may be less than willing to take an interest but in helping smaller, struggling companies in those difficult markets.

We live in the real world and we all know that if the new clause is voted on in a few minutes from now, the Government will vote it down. However, I hope that it will crystallise some of the arguments. When the Secretary of State responds, we must try to get out of her more information about how the sale will be financed to ensure that the traditional work of the corporation is maintained and protected.

This privatisation is quite different from many others with which we were involved with in the past, which were fiercely opposed by the Labour party. They were often difficult privatisations. There was considerable public interest. We were concerned with British Gas and British Telecom, for example. They were difficult but at least we were dealing with companies that were fundamentally commercial. They were engaged in what would become, once they were privatised, very profitable work.

We are now undertaking a different sort of privatisation and not one that the previous Conservative Government were prepared to undertake because of the unique difficulties that would be faced. When we were dealing with large monopolies in the highly successful market that appertains in this country, it was easy to obtain a good price. There was argument about whether the best price was obtained, but let us not go back over all that.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Indeed, let us not go back on all that, nor on the hon. Gentleman's speech during an earlier part of the proceedings on the Bill. I must ask him to direct his remarks specifically to the duty of the Secretary of State to obtain the best price in the commercial interests of the corporation. That is the point that is under consideration.

Mr. Leigh: That is the point, Mr. Deputy Speaker. It would be easy for the Secretary of State to obtain a very good price if it became generally known that the Government were watering down their commitment to maintain the traditional work of the corporation. I do not think that we have received adequate reassurances so far that the Government are prepared to sell the corporation for rather less than they might otherwise hope because they are determined to maintain the traditional work of the corporation.

It would be easy for the Government to obtain an extremely good price for the corporation. Will they do that, or are they prepared in the marketplace to remind people in the most forceful terms possible of the articles of association, of the existence of the golden share and of their determination to maintain the corporation's work in very difficult markets? If they do all that, the price that they obtain may be very different from what it would be in the open marketplace.

The Government cannot have it both ways. They must be honest with the House and with others who take an interest in these matters. They must make clear their aim. If it is to maintain the corporation in its present form following a pseudo-privatisation and to maintain its ethos—*[Interruption.]* The Under-Secretary is shaking his head. If the Government adopt that approach, they will not get a very good price. They will find that investors fight shy. I suspect that investors will see through what the Government are saying. They will see through the sham reassurances that have been given. They will realise that the golden share and the articles of association mean very little. Previous privatisations have always started with a golden share—

Mr. Deputy Speaker: Order. The hon. Gentleman is repeating himself, in territory where I suggested that he should not be treading.

Mr. Leigh: I am coming to the end of my remarks, Mr. Deputy Speaker.

On the issue of price, we are entitled to obtain a reassurance from the Government that they will not undersell the traditional work of the corporation.

11 pm

Clare Short: This is a rather depressing set of events. We all agree that it is an important principle of democracy, and the tradition of the House, that it is the duty of the Opposition to oppose, but that does not mean that it is the duty of the Opposition not to understand anything that is discussed on Second Reading or in Committee. There is either a complete incapacity on their part to understand, or a necessity continually to repeat mantras, which means that none of our proceedings have created any understanding on the part of those on the Opposition Front Bench. That is regrettable and disappointing.

All parties claim—I believe that it is the position of the Liberal party—that the Commonwealth Development Corporation is a precious asset, and that the creation of a public-private partnership would enable its development interests to be entrenched. That could not be achieved by a privatisation, but through the change that we are making, we can get more private sector involvement into very poor countries which are not attracting much private sector investment, thereby enhancing their economic growth and demonstrating that a good rate of return can be gained by the private sector in those countries. Everyone agrees that that would be a success, and that it is a shared objective, but much of the discussion proceeds as though we had not previously agreed on that principle.

The hon. Member for Somerton and Frome (Mr. Heath) made clear the purpose of the new clause. The official Opposition are trying to impose on the Secretary of State a duty, when disposing of shares,

"to ensure that the price obtained for those shares or other securities is in the best commercial interests of the corporation."

However, on new clause 1, the official Opposition stated that they were anxious to retain the development objectives of the corporation, and therefore that commercial objectives must not be primary.

Two absolutely contradictory new clauses have been moved tonight, but it is the duty of the Opposition to oppose and not to be coherent or intelligent or to understand the purpose of the Bill. They have argued for two entirely contradictory sets of objectives. That is interesting and notable.

Mrs. Gillan: The hour is late.

Clare Short: That partly explains it.

We agree with the Opposition that the CDC needs a strong balance sheet that will equip it for the challenges under the new structure. Both the Government and the CDC have a strong interest in the partnership leading to the CDC's long-term success. We agree that that should be achieved through financial restructuring, and that that should not be dependent on the proceeds from the sale. Those proceeds are important, but they are no substitute for the effectiveness of the financial restructuring and the track record created by it.

Restructuring is likely to involve the conversion of existing Government debt into equity or commercial debt with an appropriate repayment profile. We need a track record so that any private-sector interest considering investing in the new partnership CDC can see the likely rate of return. The purpose of the restructuring is to give the CDC a capital structure that balances the needs of the business, the capacity for future growth and financial prudence.

Opposition Members are game-playing for purely ideological reasons and pretending that this is a privatisation, and that they are against the outcome of a privatisation. As we said repeatedly in Committee, a straightforward privatisation would mean that, within a short time, the CDC would move out of the poorest countries and into investment in countries with a safer rate of return. It would cease to be a development instrument. Conservative Members claim to be opposed to that, but the new clause requires that—the biggest and fastest rate of commercial return on the sale, although that is not the objective of the exercise.

Mr. Hogg: Will the right hon. Lady give way?

Clare Short: I will, but I shall come to what the right hon. and learned Gentleman had to say. He is quite clever, and thinks that he is enormously clever, but what he said today showed that he had not attended to the Bill's detail and the arrangements that are being made for the partnership, or to previous proceedings, so what he said did not make sense.

Mr. Hogg: The right hon. Lady does not advance her case by insulting her opponents. I suggest that she addresses new clause 3, which deals with the realisation of the equity. That is different in kind from the fashioning of the investment policy. She may well be right to say that, in the structuring of the investment policy, there is a case for having regard to the broad developmental considerations, to which she has referred, but, in realising the equity, does she not understand that she has the same kind of duty that the board of directors has to ordinary equity holders?

Clare Short: If the right hon. and learned Gentleman listens for a little while, he might understand better the whole structure of the arrangements that we are making,

[Clare Short]

and then he would see that his arguments do not hold up and that the point that he made just now is not of much value to the House.

The hon. Member for Chesham and Amersham (Mrs. Gillan) said—

Mrs. Gillan: Will the right hon. Lady give way?

Clare Short: No. I would like to proceed.

Mrs. Gillan: Will the right hon. Lady give way?

Clare Short: No, I am sorry.

Mrs. Gillan: Will the right hon. Lady give way?

Clare Short: No. That is the third time. Is that clear?

The hon. Lady claimed that she was greatly concerned about the way in which the shares were to be disposed of and the price that they were likely to obtain, then she made a series of points that were not connected with that. For example, she talked about the disposal of Railtrack. As you allowed that, Mr. Deputy Speaker, I presume that an answer to that is in order.

The way in which Railtrack was privatised, the increase in the subsidy from the public sector and the factoring of the railways, astonished the markets and meant that the price obtained was low in terms of the assets being privatised. The hon. Lady might have read the press today, but I bet that she has not read the prospectus for the sale. Had she done so, she would have seen that the policy commitments that I put in there on behalf of the Labour party said that we would use the regulatory regime, in the way in which the new regulator now says that he will use the regulatory regime, to ensure that the railways operate efficiently in the interests of the—

Mr. Deputy Speaker: Order. I think that honour is satisfied on that point now. May we return to the Bill?

Clare Short: I am sorry, Mr. Deputy Speaker, but surely an ill-informed insult cannot be made and the short answer not be provided. That is surely not the usual practice of the House.

Mr. Deputy Speaker: Order.

Clare Short *rose—*

Mr. Deputy Speaker: Order. When I am on my feet, the right hon. Lady will sit down. I decided that enough had been said and that honour had been satisfied. We must now return to the subject matter of the debate.

Clare Short: As the hon. Member for Chesham and Amersham said, Railtrack was sold—

Mr. Leigh: Mr. Deputy Speaker has told you to stop talking about that.

Mr. Deputy Speaker: Order. I am sorry to interrupt the right hon. Lady. The hon. Gentleman would do well to leave me to judge these matters. I do not need his advice.

Clare Short: Railtrack was sold cheaply because the commercial sector was astonished by the privatisation. Proper regulation will ensure that it acts in the interest of the public. That means that the rate of return will be lower, and that is relevant to the question of a public-private partnership, how one secures a public interest, and whether one obtains a high price at the point of sale. That is relevant to the CDC.

Mrs. Gillan *rose—*

Clare Short: No, I shall not give way.

The hon. Lady went on to say that the Opposition were not talking down the likely interest in the CDC's partial flotation. It may come in tranches or in one block. That is yet to be determined. It does not have to be sold at one time.

Either the official Opposition do not understand the structure, or they are trying to talk it down by saying that it will not work. They cannot have it both ways, and, because I want to be charitable, I shall conclude that they do not understand. That is probably the reality.

As for the question of gold sales—I am not sure that this is in order or relevant, Mr. Deputy Speaker—

Mr. Leigh: Try it.

Clare Short: Remarks have been allowed. Can they be answered? May I invite you to make a ruling, Mr. Deputy Speaker?

Mr. Deputy Speaker: The right hon. Lady is stretching things to the limit. The raising of matters as comparative examples in debate does not provide a platform for discussion. All that I seek is a sense of proportion. I am not saying that the right hon. Lady cannot refer to such matters, but I believe that she went on far too long—even beyond the extent of my ruling—on the previous matter.

Clare Short: We shall all look at *Hansard* tomorrow, and see how much time was devoted to the subject of gold sales in the earlier speech. I accept your ruling that the point cannot be responded to, Mr. Deputy Speaker, but I feel that there is a slight imbalance.

Mrs. Gillan: Will the Secretary of State give way?

Clare Short: No.

If it were the duty of the Government to secure the maximum commercial return when the shares were sold, either as one block or in tranches, it would be impossible to entrench the development interests about which Opposition Members claim to be so concerned. The whole structure of the partnership—the requirement that there should be an ethical investment strategy, and an entrenched requirement to invest in the poorest countries—is there not to maximise the return when the shares are sold, but to develop a public-private partnership, and to ensure that the private sector invests more in the poorest countries. If Opposition Members pushed the new clause to a vote, they would be trying to secure the highest possible short-term price for the shares, and trying to diminish the strength of the new Commonwealth Development Corporation.

Let me say to the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg)—is that right? It is an unusual-sounding constituency—that the structure

of the public-private partnership does not depend on the fickle intervention of a Secretary of State. As the right hon. and learned Gentleman suggested, that would cause unpredictability for the markets, and would be likely to affect the price. This does not depend on political intervention. Those who buy into the new arrangements will know that they are buying into a development organisation, seeking a return that is reasonable for the private sector, but not the maximum commercial rate. Those who seek the maximum rate should invest in a different organisation.

It is difficult to discuss these matters thoroughly and rationally at such a late hour, but we are talking about a public-private partnership that seeks to build on the best of what the CDC has achieved in the past. We consider it to be a complete misapprehension on the Opposition's part that there can be only highly labour-intensive investments with a low rate of return in developing countries. It is perfectly possible for the CDC to move to equity investment, to secure a reasonable rate of return, to persuade the private sector to hold some shares in it, to increase private-sector investment in the poorest countries, to increase their rate of economic growth, and to increase private-sector investment generally.

That is the purpose of the organisation. The new clause would destroy that objective, and we ask the House to reject it.

11.15 pm

Mrs. Gillan: I used to have respect for the Secretary of State, but, after that performance, I will have to revise my opinion of her. I made the points on the new clause in good faith. She overreacted. She has not answered a single point that was made by Conservative Members. Observers of her performance will be bitterly disappointed because she has let down both herself and the Commonwealth Development Corporation.

Observers will find it difficult to understand why the Secretary of State did not accept the new clause. In particular, she has signalled to the market that she is willing to sell the CDC off cheap to her friends—at a low price. That is a betrayal of what the CDC has stood for during its 50-year existence. *[Interruption.]* The Under-Secretary says from a sedentary position that I am making cheap political points. I will give way to him if he wishes to intervene. He is saying that I am talking the CDC down. I have not talked it down, but the Secretary of State has. She is going to sell it cheap.

I asked the Secretary of State, reasonably, to provide us with an analysis of the portfolio of all the businesses in the annual report. She did not reply. She has not addressed the management issues that we raised, on which the price will turn.

The more control that is exercised by Government as the golden shareholder, the more the opportunity to make commercial returns diminishes. To spell it out for the Minister and the Secretary of State, if there is 75 per cent. ownership and 45 per cent. management control, that will be poor for value and poor for the price at which the CDC can be sold. The reverse, of course, would be good for the price at which the CDC could be sold.

A crippling influence on the price flows from Government and the proposals on control. The Secretary of State has let the House and all potential investors know that she is willing to sell the CDC cheap. I and other Conservative Members have been appalled by her performance.

Mr. Foulkes: Will the hon. Lady confirm that, in Committee, when we discussed the matter in detail, she and her colleagues did not divide the Committee on one occasion? We provided four days for the Committee. That time was not taken up. She could have asked all those questions in Committee. She is making cheap party political points, undermining the whole basis of the CDC. It is a disgrace to her and to the House.

Mrs. Gillan: It is good to see that the age of chivalry is not dead and that at least some men on the Labour Benches rush to the defence of the ladies in their party. However, the Minister's reaction only goes to make my point.

We were not going to divide the House on the matter, but this evening's performance has led Conservative Members to believe that the Secretary of State does not know what she is doing and that the CDC will suffer. Therefore, I will press the new clause to a vote.

Question put, That the clause be read a Second time:—

The House divided: Ayes 21, Noes 293.

Division No. 244] **[11.18 pm**

AYES

Blunt, Crispin
Boswell, Tim
Brady, Graham
Brooke, Rt Hon Peter
Fabricant, Michael
Garnier, Edward
Gillan, Mrs Cheryl
Hammond, Philip
Hawkins, Nick
Hogg, Rt Hon Douglas
Howarth, Gerald *(Aldershot)*
Jackson, Robert *(Wantage)*
Laing, Mrs Eleanor
Lewis, Dr Julian *(New Forest E)*
Lidington, David
McIntosh, Miss Anne
Maclean, Rt Hon David
Stanley, Rt Hon Sir John
Streeter, Gary
Tredinnick, David
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Eric Forth and
Mr. Edward Leigh.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blackman, Liz
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burgon, Colin
Burnett, John
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann

Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Palmer, Dr Nick
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Roche, Mrs Barbara
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Keith Hill and
Jane Kennedy.

Question accordingly negatived.

Clause 25

INTERPRETATION: COMPANIES AND SHARES.

11.30 pm

Mr. David Heath: I beg to move amendment No. 2, in page 10, line 31, leave out from 'nominee' to end of line 32.

Hon. Members who served on the Committee will recognise that the amendment has some similarities to the discussion that we had on clause stand part on what was then clause 24 and is now clause 25. Yesterday, I received a letter from the Secretary of State which attempted to elucidate the reasoning behind the original wording of the Bill. I thought that I might have struck a slightly curious position when I realised that neither the Ministers in Committee nor the civil servants—which was the crucial thing—quite knew why that part of the clause had been put in. I realise now that it was a slightly tortuous formulation.

There is still an ambiguity in the Bill which I would like to test with Ministers. If I understand the Secretary of State's letter correctly, clause 25(2)(b), which has the effect of allowing a company to be placed between the Secretary of State and the CDC, is inserted there for one purpose, and one purpose only—to qualify clause 25(4), which deals with associated companies.

If I understand it correctly, where an associated company is a wholly owned subsidiary of the CDC, it qualifies as a company that is wholly owned by the Crown, and therefore qualifies for associated company status. I do not entirely understand why the Bill is drafted as it is, as an ambiguity is introduced. There is a possibility that a future Government could interpolate a company between the Secretary of State and the CDC, and that is acknowledged in the letter to me.

Would not it have been easier to qualify clause 25(4)(b), which refers to a company that

"is wholly owned by the Crown"?

Why not make it "wholly owned by the Crown or by a company that is wholly owned by the Crown" at that point? Or—perhaps this is an easier way of dealing with it—why not rely on the ordinary understanding of the Companies Act 1985 provision dealing with wholly owned subsidiaries, which provides a perfectly appropriate definition of a wholly owned subsidiary company which could have been interpolated in clause 26 in the definition section? That would have had the effect of allowing a wholly owned subsidiary of the CDC to be treated as an associated company without providing the ambiguity which the Bill provides.

Will the Minister explain why the Bill is drafted as it is? I appreciate that it is difficult to change the Bill at this stage. Had I received the Secretary of State's letter a few days earlier, I might have tabled a slightly different amendment which would have had the same effect, but in a different way. If he does not explain, we will have to rely on the assurances that the Secretary of State gave in Committee and which I would be grateful if the Minister could repeat—that there is no intention on the part of the Government to interpolate a further company between the Secretary of State and the CDC.

Mr. Foulkes: First, it is sensible and reasonable for the hon. Gentleman to raise the question, particularly in the terms and manner that he did.

These are tortuous provisions, as are a number of the Bill's provisions. It is not the only such Bill that I have experienced in 20 years. I had the honour earlier tonight of celebrating 20 years in this House. [HON. MEMBERS: "Hear, hear."] I am grateful to my right hon. and hon. Friends.

If we had had the wisdom of the hon. Member for Somerton and Frome (Mr. Heath) when drafting the Bill, we might have done it differently. It is largely a matter of drafting style and a matter of taste by the parliamentary counsel. We employed a parliamentary counsel who suggested that it should be done in this way. In this case, as in others, he advised us to retain as much flexibility as possible, to cover all eventualities. The hon. Gentleman will remember that in Committee we discussed dealing with a number of eventualities, however unlikely.

While the CDC is technically wholly owned by the Crown, we want to ensure that the rights that extend to it as a plc also extend to companies that are wholly owned by it. I give the hon. Gentleman the absolute assurance and guarantee that we do not intend to put a holding company above the CDC as he feared. We foresee no circumstances in which we would want to do that, but the provision allows the flexibility to cover any eventuality.

For example, at the moment we guarantee a loan from the European investment bank by one of the CDC's subsidiaries, CDC (Euro) Ltd.; the amendment would prevent us from taking similar action in the wholly owned period, notwithstanding clause 10, because the subsidiary could not be an associated company. That is why we included the provision. We might have done it more elegantly and less tortuously with the hon. Gentleman's advice at an earlier stage, but the effect remains.

I hope that in the light of my reasoned explanation, the hon. Gentleman will see fit to withdraw the amendment.

Mr. Heath: With the leave of the House—[HON. MEMBERS: "No."] May I speak, Mr. Deputy Speaker?

Mr. Deputy Speaker: I call the hon. Gentleman for his right of reply.

Mr. Heath: I am most grateful, Mr. Deputy Speaker. I listened carefully to the Minister. I am of course flattered by what he said about my drafting skills or otherwise. I do not believe that they are exceptional. There is an ambiguity in the clause, but I accept entirely the intention behind the original wording. I therefore beg to ask leave to withdraw the amendment.

Hon. Members: No.

Question put, That the amendment be made:—

The House divided: Ayes 9, Noes 265.

Division No. 245] **[11.37 pm**

AYES

Blunt, Crispin
Brady, Graham
Brooke, Rt Hon Peter
Fabricant, Michael
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Maclean, Rt Hon David
Russell, Bob *(Colchester)*
Winterton, Nicholas *(Macclesfield)*

Tellers for the Ayes:
Mr. Eric Forth and
Mr. Douglas Hogg.

NOES

Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David

Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Roche, Mrs Barbara
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Joan
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Keith Hill and
Jane Kennedy.

Question accordingly negatived.

Order for Third Reading read.

11.49 pm

Clare Short: I beg to move, That the Bill be now read the Third time.

The purpose of the Bill is to convert the Commonwealth Development Corporation, which was founded by the great post-war Labour Government in 1949, into a public-private partnership, in order to increase the amounts of private-sector investment going into the poorest countries in the world.

If this were a straight privatisation, the investment pattern would move away from the poorest countries. That is why there has to be a partnership. If the corporation were to remain entirely in the public sector, the quantity of investment would be limited and it would have to be a lender of last resort so that it did not compete unfairly with commercial investment. Our objective is to reduce poverty in the world by assisting the poorest countries to attract beneficial investment and to grow their economies. We sought to entrench the public sector interest in an ethical code and by placing in the Bill a requirement to invest in the poorest countries. Anyone who seeks to invest in the CDC will know what it involves. There is no dependence on the use of powers by any fickle Secretary of State.

Second Reading and the Committee stage provided useful clarification of the Bill's objectives and purposes, and I am grateful for the points made. There has been some conflict—some of it unnecessary—but we all enjoy

a bit of that. The Bill is a single stage in advancing the public-private partnership, and we must now restructure the company, create a balance sheet, decide when to take the CDC to the market to maximise the partnership's investment. That would in turn maximise investment in the poorest countries and reduce poverty. I commend the Bill to the House.

11.51 pm

Mr. Streeter: We support the Commonwealth Development Corporation, which has flourished for 50 years, primarily under Conservative leadership. We certainly support the objective of reducing poverty in the developing world, and we recognise the need to take the CDC into the next millennium in a new way.

We continue to have some reservations about the means that the Government have chosen. We will not be able to judge the Bill's success or failure for many years. We will not know whether the Government obtain a fair price for the investment of the past 50 years. Nor will we know for years whether the new CDC will be able to raise its return on capital invested from 8 per cent. at present to the 18 per cent. that investors must receive. We shall not know for several years whether shareholders will achieve a proper return on their investment without bringing pressure to bear on the board of CDC to shift inch by inch away from its developmental objectives—the vital niche roles of investing in pre-emerging markets, creating jobs and changing lives.

The jury is still out on the Government's Bill. We want it to succeed, but we are taking a step of faith. We have done our best to improve the Bill, but the Government have chosen to turn their back on our wisdom, preferring their own prejudices. I regret that they have done so, and I continue to hold grave reservations.

The job is not yet done. Some big decisions remain to be taken, and the company go to the market at the right time. It must be floated properly, and the best possible advice is necessary. We call on the Government to rise to the challenge of delivering on promises that are important to us and to thousands of people in the developing world who have a right to look to the new CDC for jobs, hope and dignity in the years to come.

11.53 pm

Mr. Wells: The Select Committee on International Development issued two reports on the Bill, setting out detailed considerations that face the House. We are experimenting, and the Commonwealth Development Corporation will move into a different world to that in which it operated before the Bill came before us. It is not only a matter of enabling the CDC to borrow in the private sector, an objective aimed at by the Department for International Development, its predecessor the Overseas Development Administration and the CDC itself. Because of Treasury mumbo jumbo, borrowing by the CDC is part of the public sector borrowing requirement and has been deemed to be Government borrowing. If the CDC wanted to borrow for good reason to invest overseas in good, productive assets, it was prevented from doing so, and we wanted to free it from that.

The Secretary of State and the Minister have explained that that is not the motivation for transforming the CDC. The Select Committee report accurately reflected what they said. A different CDC has been set before the House, which will begin to function in a new way.

Some things will change radically as a result of the Bill. I do not think that there is any difference between us on how they will change. The CDC will have to look for a much higher return on equity, so it will not be able to undertake some of things that it has traditionally undertaken, such as initial infrastructural development. It will not be able to undertake to plant a forest in Swaziland, which for 25 years earned no money, but was transformed into a viable, vibrant business in paper production and other wood products.

The Department should replicate that activity but in a different way. It should set up a fund that works with the CDC and uses grant money from the Department to undertake infrastructural green-field site developments alongside the CDC, which it now cannot do. The Department could get the CDC to manage such developments in the initial stages. An example would be a farm producing avocado pears. We do not get them in the Tea Room at eight o'clock in the morning, when you normally have tea, Mr. Deputy Speaker. A farmer must wait seven years before a tree produces an avocado pear. For that seven-year period, it may be sensible for the Department to invest in the avocado pear farm, have it managed by CDC and then let CDC buy it or have it transferred—I would suggest buy it—when it comes to fruition. It could then take it into the commercial world. That is a serious consideration if we are to get the initial development that the CDC would not otherwise be able to undertake.

There will have to be a closer relationship between the Department's grant money and initial pump-priming development—which the Department is interested in—and the commercial and private sector. The Bill will separate the two functions, and make each directly accountable.

The Department will have to consider whether it will give additional loans to the CDC during the period from which it will be formed into a public limited liability company, with all the shares owned by the Government. As I understand the current Treasury rules, the CDC will not be permitted to borrow from the private sector. To develop the CDC—I know that this is in the Government's mind—we want more of its activity in the private sector to be in the least developed countries. I am glad to see in the Department's estimates a provision for lending the CDC up to £1 million, if I interpret the annual report and the estimates for the next three years correctly. I urge the Government to put aside some money to inject additional capital into the CDC when required during the period from which it will become a public limited liability company and before the shares are sold off in the future.

My next point relates to the sale of the shares when the track record of the CDC has been established. At present, the CDC's annual report reveals that, this year, it made a loss for the first time in many years. It has traditionally made a return on capital of 7 per cent., falling to 6 per cent. It will need to build up its track record to between about 16 and 18 per cent. That requires a huge change in investment—in the direction of investment and in the type of people conducting business in the CDC. Those people will need to find investments and put deals together so as to make that sort of money in some of the least developed and most poverty-stricken countries of the world. Like the Secretary of State, I am convinced that it can be done—it must be done.

[Mr. Wells]

The Secretary of State has often said that she sees the measure as a catalyst that will pull in other private sector investment to the least developed countries. If we achieve that, that will be hugely beneficial to those countries. However, after we have established a record of good investment and returns, we shall have to sell the shares to private sector investors safely in order to undertake that catalytic role. If we do that, it will release more funds that will—I hope—return to the Department for International Development to be used for pump-priming investment in the least developed countries.

I can see how that would enable the Government's proposals to work. The balance sheet structure will be crucial; that relates to the point made by my hon. Friend the Member for South-West Devon (Mr. Streeter) about selling off the CDC for a fraction of its real value. If we are to avoid doing that, we must get the track record right. We must then sell the corporation to extremely discerning investors, who want an ethical investment in the least developed countries. I suggest that they would be looking for a supra-normal return because they are taking extra risks. However, that does not mean that the countries in which they invest will be exploited—rather it will encourage other people to invest there.

If the CDC can pull of that kind of track record, it will make a huge contribution towards the solution of a problem that we have never been able to solve: how to get private sector investment into the least developed and poorest countries of the world. It will take some time to do so—perhaps between three and five years. On the other hand, there is the possibility of selling earlier. There are attractions in doing so, but it would mean that we should have to sell the value of the CDC at a discount. I am sure that the Secretary of State and those who succeed her will make a judgment as to that. However, there would be value in taking the course that I have described, because private investment could be attracted, not only in shares, but in the ability to raise private capital in the private market. That is a huge prize to be grasped at the right moment. We do not have to obtain the maximum value for the shares in the CDC, if we can find a way to expand it earlier than we might otherwise have done, hence achieving the objectives set out in the Bill.

The Secretary of State has chosen to produce a unique taxation arrangement for the CDC. I have always argued that the CDC should never have had to pay British taxes—I made that point in Committee. The CDC was a vehicle for investment in overseas development. Many of the countries in which it invested did not make a tax charge on the CDC; it seemed immoral that the British Treasury should exact tax. In some cases, the CDC was paying more tax than it was returning in capital and interest to the Treasury. That was stupid because matters then had to be reversed through investment by the Department for International Development.

With this unique taxation arrangement, the CDC avoids going offshore. Of course, its competitors operate offshore; they invest offshore and raise their money offshore, and there is absolutely no reason why they should not do so. The Secretary of State has set her face against that solution and produced a unique taxation arrangement that puts the CDC on an equal footing with its commercial competitors.

This is, however, a strange arrangement, and I know that my hon. Friend the Member for South-West Devon objects to it, as demonstrated by some of the amendments and new clauses that he tabled in Committee and on Report. The situation is as broad as it is long and it does not make any difference in the end which arrangement is used. The Bill is psychologically and philosophically in line with the Secretary of State's thinking and the arrangement makes no difference to what we are trying to achieve.

This is a huge step along a path that we have not yet trodden, and it will be an interesting experiment. If it works, we will all value it highly and commend it.

12.6 am

Dr. Tonge: I thank the hon. Member for Hertford and Stortford (Mr. Wells) for his contribution to what has been an extraordinarily acrimonious debate on a well-intentioned Bill. It has been interesting to hear the official Opposition defending God, on the one hand, in their new clause on investment policy, and mammon, on the other hand, in their new clause on share pricing. I suspect that it is yet another example of the increasing schizophrenic tendencies within the Tory party.

The Liberal Democrats welcome the Bill. There is the potential for more investment in developing countries. Foreign investment is already the largest source of financial flows to the third world and it is increasing rapidly. However, as hon. Members have pointed out, we need the right kind of investment.

On Second Reading, the Secretary of State said:

"We hope . . . that the new CDC will encourage by example much larger flows of foreign investment into the least-developed and poorest economies, by proving that such investment can be safe and profitable."—[*Official Report*, 24 May 1999; Vol. 332, c. 38.]

She also said that the Government

"expect the CDC to operate as an exemplary social, environmental and ethical business. That approach is reflected in its business principles and policies, which cover social, environmental, health and safety matters and business ethics, as well as a statement of the general principles by which the CDC will conduct its business."—[*Official Report*, 24 May 1999; Vol. 332, c. 43.]

That is agreed.

During the various stages of consideration of the Bill, I have tried to express my fears and reservations, particularly on the business principles and ethics of the new CDC. They are absolutely crucial because they replace the additionality test of the old CDC structure.

I turn briefly to the Organisation for Economic Co-operation and Development's guidelines for multinationals. They have been in place for 20 years and are now under review. They have not had a substantial impact. Some say that things are getting better, but not by very much. Those guidelines could be valuable, and the CDC business principles could be even more valuable in setting an example to other big companies operating in the world.

As I have said before, many multinationals that subscribe to the OECD guidelines produce wonderfully glossy brochures. However, I have here a dossier of complaints entitled, "Problems caused by Multinationals". It refers to labour rights and standards, communities and their environment, consumer protection, national Governments' development strategies, effects on local employment, threats to infant or indigenous industries and

more. It mentions all the usual multinationals. We have all heard of them, and I shall not go through the list of names because it is late. That is the result of business principles and ethical guidelines to which multinationals subscribe in glossy brochures, but in name only, as all hon. Members know only too well.

The CDC must not let standards slip. It is clear from the countries that I have visited in a limited way in the past two years, and from Government officials that we have consulted, that they want investment and development. Regrettably, they often dismiss environmental and labour standards and sustainability as they are so desperate for growth in their economies. So it will be up to the CDC to make sure that things are done properly.

The Liberal Democrats support the policy if the Government guarantee that it will not result in less money going to the aid budget and that the business principles and investment policies will really work. In three or four years' time, I do not want to be asking parliamentary questions about labour standards or the destruction of the environment in some country where the CDC is operating. That is why I have had reservations about the Bill, but I wish it well.

Question put and agreed to.

Bill read the Third time, and passed, with amendments.

Trustee Delegation Bill *[Lords]*

Not amended in the Standing Committee, considered.

Order for Third Reading read.

12.11 am

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Keith Vaz): I beg to move, That the Bill be now read the Third time.

I am pleased to bring before the House for its final appearance this short Bill, which sets out to clarify the law relating to the delegation by individual trustees of their trust responsibilities and to improve the protection of beneficiaries. It is the consequence of a report by the Law Commission and it met with support on all sides in another place.

The noble Lord Goodhart said:

"I welcome the Bill wholeheartedly . . . I am sure that it will do considerable good and no harm."

The noble Lord Kingsland said:

"I believe the Opposition have absolutely no quarrel with it whatsoever."

The noble Lord Falconer of Thoroton said:

"It is unusual to encounter such relative complexity in so short a Bill, but I genuinely believe that this is a worthwhile Bill."—[*Official Report, House of Lords*, 11 January 1999; Vol. 596, c. 17-18.]

In Standing Committee, the hon. Member for Surrey Heath (Mr. Hawkins) said:

"The Bill will provide a helpful simplification of the law of trusts, and will correct one or two anomalies in decided cases. The Bill is uncontroversial and the official Opposition welcome it. I thank the Law Commission for all its work on this measure."

On the same occasion, the hon. Member for Torridge and West Devon (Mr. Burnett) said:

"We welcome the Bill . . . I congratulate the Law commission on its work. We hope that the Bill has a speedy passage through the . . . House."—[*Official Report, Standing Committee F*, 22 June 1999; c. 3-4.]

I was grateful to the hon. Gentlemen for their constructive and helpful approach to the Bill. It mirrored the approach taken in the Second Reading Committee.

Though short and technical, the Bill will be of some benefit, particularly to joint owners of real property, and I commend it to the House.

12.13 am

Mr. Nick Hawkins (Surrey Heath): At this fairly advanced hour I can be relatively brief. As the Minister has made clear, the Bill is a simplification of the law. I am sure that my right hon. and hon. Friends will be pleased to see a group of lawyers speaking for all the major parties welcoming simplification.

I should mention that after our Second Reading Committee a couple of small points were raised with me by some trusts experts. Although it is too late for any substantive amendment, in fairness to Macfarlanes, a major City firm which has partners specialising in trust law, I should mention a couple of points. Even after the Bill receives Royal Assent and becomes law, the Government may be able to consider those points and perhaps issue some guidance for clarification.

[Mr. Nick Hawkins]

Clause 1 provides for the delegation of trustee functions where the trustee has a beneficial interest in the trust assets in certain circumstances and, as the Minister pointed out in Committee, this replaces the delegation of trustee functions under section 3(3) of the Enduring Powers of Attorney Act 1985, which is repealed by clause 4 of the Bill.

The explanatory notes covering the Bill state on page 3 that the provision

"will enable a co-owner of land to make effective provision for the disposal of the . . . land if he or she becomes mentally incapable."

However, it is not entirely clear how this result might be achieved as the power of attorney provided for in clause 1 is not an enduring one. Macfarlanes was concerned whether, on the face of it, the power would lapse on the donor becoming, in some sad cases, mentally incapable.

Macfarlanes other query related to the power of attorney under section 25 of the Trustee Act 1925, which is an enduring power. It felt that clarification was required. It wonders whether such a power, even if a donor becomes mentally incapable and the power—

Mr. David Maclean (Penrith and The Border): I am listening carefully to my hon. Friend. It seems that he has found a serious lacuna in the Bill at this late stage. Surely my hon. Friend should be advising us to vote against the Bill to enable the Government to reintroduce it at an early stage when they have dealt with the lacuna.

Mr. Hawkins: I am grateful to my right hon. Friend for his intervention. I should tell him that although Macfarlanes is raising some points of clarification, it states that it welcomes the Bill. It feels that it is a measure that will help to simplify the law of trusts. From his experience of the law, I am sure that my right hon. Friend will agree that any simplification of such a complex area of the law is greatly to be welcomed.

I shall complete the point that I was making. The query was whether, if a donor becomes mentally incapable and the power of attorney is registered within the year, the power will cease to be exercisable after the year has elapsed. Clause 8 authorises an attorney under a registered power to exercise certain powers of appointment of new trustees. Macfarlanes was concerned that it might not be entirely clear how this would extend beyond the initial one-year term of the power of attorney. It may be that the Minister can deal with these points when he replies—

Mr. Eric Forth (Bromley and Chislehurst): My hon. Friend is obviously trying to be helpful to the House, but he is in danger of having the opposite effect. He seems to be saying at one and the same time that the Bill will help to clarify the law, while going to great pains to explain how those whom he says are experts are telling us that there are points of difficulty. How can it be that if a firm called Macfarlanes believes that there are points that require clarification, the Bill still simplifies the law? This sounds to me like a lawyers' ramp to ensure that we think that the Bill will simplify matters when in fact it requires clarification, with additional legal advice being provided at great expense.

Mr. Hawkins: I think that I can reassure my right hon. Friend. I understand his concern, but I should tell him that Macfarlanes prefaces its helpful comments in seeking small points of clarification by saying that the policy behind the Bill is "greatly to be welcomed." The Law Commission recognised one or two difficulties in decided cases and the Bill certainly removes some of the difficulties that arose in the Michael Norton case of 1985. I can echo what my noble Friend Lord Kingsland said in another place: that Her Majesty's loyal Opposition welcome the Bill.

12.18 am

Mr. John Burnett (Torridge and West Devon): We welcome the Bill. I shall be interested in what the Minister says in response to the points made by my hon. Friend the Member for Surrey Heath (Mr. Hawkins) on the mental incapacity of a person who is the donor of a power of attorney or who has had powers delegated by trustees to him. However, tonight is not the night to be prolix, nor is it the night to be verbose.

We discussed the Bill at great length on 17 March—*[Interruption.]* Well, at fairly great length. That was on Second Reading. I made a number of points to the then Minister of State and I received a lengthy letter of 29 March dealing with them. We also discussed the Bill at not such great length in Committee on 22 June.

We welcome the Bill. I pay tribute to the Law Commission for its excellent work. This is a Law Commission Bill which will simplify the law. Nevertheless, I look forward to hearing from the Minister in response to the points made by Macfarlanes, a noted firm of trust lawyers.

Question put and agreed to.

Bill accordingly read the Third time, and passed, without amendment.

PARLIAMENT

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

That the draft Ministerial and other Salaries Order 1999, which was laid before this House on 29th June, be approved.—[*Mr. Mike Hall.*]

The House proceeded to a Division—

MR. MIKE HALL *and* MR. DAVID HANSON *were appointed Tellers for the Ayes; but there being no Tellers for the Noes,* MR. DEPUTY SPEAKER *declared that the Ayes had it.*

Question agreed to.

BUSINESS OF THE HOUSE
(Statutory Instrument)

Motion made, and Question proposed,

That, if a Statutory Instrument relating to a Northern Ireland matter be laid before the House on Friday 16th July, a Minister of the Crown may, notwithstanding the practice of the House, make without notice a Motion for the approval of the said Instrument at the sitting that day.

Hon. Members: Object.

DELEGATED LEGISLATION

Motion made, and Question proposed,

DATA PROTECTION REGISTRAR

That the Motion in the name of Mr. Secretary Straw relating to the salary of the Data Protection Registrar shall be treated as if it related to an instrument subject to the provisions of Standing Order No. 118 (Standing Committees on Delegated Legislation) in respect of which notice has been given that the instrument be approved.

Hon. Members: Object.

Motion made, and Question proposed,

FOOD SAFETY

That the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Amendment (No. 2) Regulations 1999 (S.I., 1999, No. 1585) be referred to a Standing Committee on Delegated Legislation.

Hon. Members: Object.

Motion made, and Question proposed,

NATIONAL HEALTH SERVICE

That the National Health Service (General Medical Services) Amendment (No. 2) Regulations 1999 (S.I., 1999, No. 1627) be referred to a Standing Committee on Delegated Legislation.

Hon. Members: Object.

Motion made, and Question proposed,

That the National Health Service (General Medical Services) (Scotland) Amendment (No. 3) Regulations 1999 (S.I., 1999, No. 1620) be referred to a Standing Committee on Delegated Legislation.

Hon. Members: Object.

NHS Trusts

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

12.23 am

Mr. Graham Brady (Altrincham and Sale, West): I am pleased to have the opportunity to raise an important matter in the Chamber. There seems to have been a change of personnel on the Government Front Bench, and I compliment the hon. Member for Delyn (Mr. Hanson) on attaining the position of Minister.

Mr. Gerry Steinberg (City of Durham): Get on with it.

Mr. Brady: The hon. Member for City of Durham (Mr. Steinberg) has obviously had an enjoyable evening, but perhaps he can contain himself while we proceed with the important matters relating to the future of the health service, particularly the rather chaotic situation into which the Trafford Healthcare NHS trust

Mr. Philip Hammond (Runnymede and Weybridge): Does my hon. Friend agree that it is rather a chaotic situation when there is no Minister on the Front Bench to listen to such an important debate?

Mr. Brady: I entirely agree with my hon. Friend. I was under the impression that a reshuffle had already taken place on the Government Benches, and I therefore congratulated the hon. Member for Delyn.

I am delighted to see that the Minister for Public Health is now in her place. When she kindly agreed to see me with constituents of mine who work at Altrincham general hospital, representatives of Unison and the Royal College of Nursing, she was not only courteous but had clearly taken the trouble to acquaint herself well with the case, for which I am grateful.

I sought a broader title for the debate not only to raise the chaotic handling of the future of Altrincham general hospital by the Trafford Healthcare NHS trust, but to consider what the episode tells us about the realities of the NHS two years into the Labour Government's tenure—a Government who were elected on lavish promises to reduce waiting lists and to improve pay and service provision in the NHS. They promised nirvana, but they are delivering chaos and cuts.

There is constant spin about extra billions supposedly being spent in the NHS, but that spin cuts no ice with hundreds of my constituents who are waiting longer than they need for treatment. It cuts no ice with the 850 constituents who have contacted me to express their dismay at the proposed closure of wards at Altrincham general hospital.

The spin cuts no ice with the 500 people who die every year unnecessarily because they have to wait too long for heart bypass surgery, according to Mr. Ben Bridgewater, a consultant surgeon at Wythenshawe hospital, which serves many of my constituents. Nor did the Prime Minister's rather flimsy and flippant answer to me when I raised that matter in the House a few weeks ago cut any ice with local people, or those throughout Britain who are concerned about the devastating problems which result from lengthening waiting times for treatment in the NHS.

[Mr. Brady]

The Government's spin does nothing to alleviate the suffering of the 456,000 people who are on the waiting list for the waiting list, an increase of 84 per cent. under the Labour Government. It does nothing to alleviate the suffering of the 153,000 who are now waiting more than 26 weeks on the waiting list for the waiting list, up 115 per cent. since the Government took office.

If I can bring the matter more specifically to my region in the north-west of England, the Government's spin does nothing to help the 79,000 people there who are now on the waiting list for the waiting list. Those are the Government's own figures, showing an increase of 76 per cent. since they took office. In the north-west, 29,000 people are now waiting more than 26 weeks to get on to the waiting list. That is up a staggering 263 per cent. since the Government took office. This is a Government who promised an improvement in health services, not just for my constituents but for people across the north-west and throughout Britain.

It is a remarkable day in the history of the NHS—a milestone under the Government—when we discover that four consultants at the North Hampshire hospital have today been found to be contributing money out of their own salaries to fund another consultant post at their hospital. That does not seem to tally with what we hear repeatedly from Ministers about additional funding for the NHS.

The picture, confirmed by the NHS Confederation, which surveyed its members in May this year, is depressing. It found

"declining confidence amongst health authorities and trusts about their financial health."

Where are the extra billions when confidence is declining in the real world of the NHS—the confidence of the real people who are trying to manage an effective service for the benefit of patients throughout Britain? The survey also found that a number of important developments would be postponed. It said that the real impact of the problems would not be felt until 2000-01.

The cost pressures identified by the confederation's members included those caused by the meeting of pay awards, drug costs and higher pension contributions, and those caused by having to increase funding for additional staff as a result of the implementation of the EU working time directive.

The confederation went on to say that the problems were recurring, and that

"consequently there will be a legacy of unachieved efficiency savings and ongoing recovery plans".

That does not present the rosy picture that Ministers repeatedly try to paint of what the NHS is currently experiencing under Labour's stewardship. It is not by any means what the people were promised by the Government. It is a rather sorry picture.

The confederation says that the problems will be felt only in 2000-01, but in Altrincham people are already feeling the harsh realities of the NHS under Labour. The chairman of Trafford Healthcare NHS trust is a Trafford Labour councillor, one of 232 Labour councillors who have been given political appointments by the Secretary of State since 1997. Some weeks ago he presented proposals for the closure of two of the three wards at Altrincham general hospital. Before any Labour Members try to suggest that the scandal of political appointments in the NHS is a question of rebalancing the years of Tory appointments to the health service—

Mr. Jeff Ennis (Barnsley, East and Mexborough): Hear, hear.

Mr. Brady: If the hon. Gentleman paid some attention to the figures supplied to me by the Commissioner for Public Appointments, I think that he might be a little less content. The commissioner's office tells me that of those appointed to health authorities and trusts who declare any political activity whatever, 546 declare political activity on behalf of the Labour party, while 149 declare activity on behalf of the Conservative party.

It is a scandal—what is more, it is a scandal that the Commissioner for Public Appointments has begun to recognise may have very damaging consequences for the management of NHS trusts. The commissioner's 1998–99 report—prepared by the previous commissioner, although published under the tenure of the new one—says that the trend of appointing Labour councillors to trusts and health authorities may lead to the loss of

"the wider management and professional skills and competencies which those holding office need to fulfil the responsibilities".

That is a worrying indictment of the policy of stuffing the boards of health authorities and trusts with Labour councillors—people appointed for political reasons rather than because they have the management and professional skills and competence required for the execution of the important functions that fall to them.

A Trafford Labour councillor announced the plan to close two of the three wards at Altrincham general hospital on 10 May, one working day after local elections in the borough. Those elections were closely fought: Labour retained control of the borough council by just three seats. I suspect that the result might have been slightly different had there been proper consultation when the decision-making process was under way.

In fact, there had been no consultation at all before the announcement of ward closures. There had been no consultation with the public; the community health council had not been consulted or, indeed, informed; the trouble had not even been taken to inform Salford and Trafford health authority of the proposal. This constituted a major change in health provision for people living in Altrincham and Sale, but no one was allowed to know about it until one working day after the local elections were safely out of the way.

John Sargent, the chief executive of Trafford Healthcare NHS trust, told the chief officer of the community health council on the telephone on the day on which the closures were announced that they were needed because the Government had failed to fund the nurses' pay wards in full. One is prompted to wonder what damage the Government's recent announcements of £40,000-a-year super-nurses might cause to the health service. If the Government are not prepared to fund existing pay awards, what confidence can we have that they will fund any new proposals that they have introduced, although it is possible that they are just a gimmick and will not be brought into effect for any health service staff, meaning that they will make little difference to the provision of health services throughout the country.

I and Conservative councillors from Altrincham have joined staff at Altrincham general hospital to fight to preserve a much-loved local hospital and vital in-patient care, which is necessary for many patients with high dependency—patients who could not be cared for at home, even if the care programme were in place, which it is not.

We have pressed the health authority to insist on proper and full public consultation and to wait for the King's Fund Research Institute report, which had already been commissioned by Trafford South primary care group before the closure plans were announced. The institute's review concentrates on the whole area of provision of services for the elderly in south Trafford. It is nonsensical that the trust even contemplated going ahead with closure of important services for the elderly without waiting for the outcome of that review.

The trust, however, has continued to press for closure on the ground of supposed urgent financial need—a need that arose, it seems, a day after the local elections. That was the picture until this week. Those who occasionally question the importance of Parliament in national life may care to ponder whether there is any connection between this week's events and the fact that I had secured the debate.

Perhaps it is just coincidence, but yesterday I was informed by staff at Altrincham general hospital that the chief executive of Trafford Healthcare NHS trust was to be seconded for two years and sent to the regional executive. The supreme irony is that his brief at the regional executive is to develop a new performance assessment framework for the NHS. How would one assess the performance of Trafford Healthcare NHS trust, which has not had the decency to consult local people about a profound change in health service provision that directly affects them, and which has behaved in a manner that raises serious questions about the competence of those involved?

What are we left with if the chief executive is shunted off on to a two-year secondment? We do not know. When the provision of health care in my area is in the gravest doubt, we lose the chief executive of the NHS trust. According to the trust, we will gain an acting chief executive. We do not know who that will be. We do not know when the appointment will be made. We are left simply with more uncertainty, when what we need is someone to take a clear lead to sort out the mess in the provision of local health services.

Today, staff at Altrincham general hospital have informed me that Trafford Healthcare NHS trust has issued a statement—it did not come to me directly, but it did go to staff at the hospital, which was an improvement on earlier performance. The statement sets out the trust's decision

"to defer any final decision on the proposed bed closure until at least the spring of 2000".

I am relieved and delighted that those of us who care about Altrincham and Sale, about the NHS and about proper health provision have won at least a stay of execution, but I say emphatically: Altrincham and Sale needs its hospital not just until next year, but for good. There is a real need in the area for in-patient facilities. There is a need for such facilities to benefit high-dependency patients who cannot be cared for at home. There is a need for them to provide respite care. My constituency needs hospital beds, not sham provision—undelivered promises—of community services.

If I may, I should like to give the Minister a warning. In 1997, the Labour party did not promise the British people increased waiting lists, ward and hospital closures, or massive politicisation of the national health service. They did not promise people in my constituency, or anywhere else, that they would reduce resources and close facilities. Although the Government talk about new billions supposedly being made available for the national health service, they only run down our health service. If they continue doing so, they will pay the price.

12.40 am

The Minister for Public Health (Ms Tessa Jowell): Form says that I should congratulate the hon. Member for Altrincham and Sale, West (Mr. Brady) on securing this Adjournment debate, but I think that his constituents will judge whether he has used the time available to him as they would wish. He has spent most of the time available launching a rather cheap and unpleasant attack on national health service staff and a campaign of general smear and innuendo.

I met the hon. Gentleman, and two nurses working at the hospital, to discuss what I took to be his real concerns about the future of his hospital, and we had a useful and productive discussion—which stands in marked contrast to his speech today. Nevertheless, in the time available to me, I shall try to deal with some points of substance, rather than the political smear in which he indulged.

The Government have backed up our commitment to the national health service with a real increase in resources. In our first two years in office, we provided for the NHS an extra £2.25 billion, which has allowed an unprecedented number of extra patients to be treated. This year is the first following the comprehensive spending review. As we announced in July 1998, in the next three years, £21 billion extra will be made available to the NHS. Consequently, in England, NHS expenditure will rise by 5.1 per cent.

Mr. Brady: Waiting lists will rise.

Ms Jowell: I shall address the issue of waiting lists later.

In Salford and Trafford, in the current financial year, the unified allocation is £310 million, representing a £19.5 million—6.72 per cent—cash increase. I should be very interested to hear from the hon. Gentleman if his constituents ever received such an increase when the previous Government were in office.

Mr. Brady: Will the right hon. Lady give way?

Ms Jowell: Let me finish this point.

Those resources will allow the NHS locally to treat steadily increasing numbers of people, meet the pay awards for doctors and nurses, and begin the modernisation process that all of us—Ministers, doctors, nurses, other staff, patients, managers and members of the public—so badly want to see.

Mr. Brady: If all that is true, is the right hon. Lady able to say why the Trafford Healthcare NHS trust should suddenly be in financial crisis? Will she also comment on the trust chief executive's view, expressed to the

[Mr. Brady]

community health council, that the crisis had been caused by the Government's failure to fund the nurses' pay award?

Ms Jowell: I shall deal with that point in a moment.

As I said, in the current financial year, the Trafford Healthcare NHS trust received a 6.72 per cent. increase.

As part of our modernisation of the national health service, we are supporting the biggest hospital-building programme ever in this country. Since 1 May 1997, 31 major hospital developments, worth more than £2.9 billion, have been given approval to proceed under the private finance initiative. The PFI was much vaunted by the previous Government, but not a single hospital was started as a result of their PFI. *[Interruption.]*

Mr. Deputy Speaker (Mr. Michael Lord): Order. I remind the hon. Member for Runnymede and Weybridge (Mr. Hammond) that Front-Bench spokesmen do not take part in half-hour Adjournment debates.

Ms Jowell: Two of our developments are very close to the constituency of the hon. Member for Altrincham and Sale. They are the Central Manchester Healthcare NHS trust and the Manchester Children's Hospitals NHS trust joint venture, which is being redeveloped at an overall scheme cost of more than £200 million, and the South Manchester University Hospitals NHS trust, which is due to be redeveloped at an overall scheme cost in excess of £100 million.

As part of developing consistency and care based on the best available evidence, providing the context in which care in new buildings will be delivered, the national service framework for older people will focus on those parts of the NHS that are especially important to elderly people. The issues raised by the hon. Gentleman specifically focus on the quality of care for elderly people. Above all, we believe that older people want to retain as much independence and dignity as possible; as members of the external reference group, the views of older people and those who care for them will be taken into account during the development of that framework.

However, services must evolve and change to keep pace with local demand. In some places, that might mean new hospitals; in others, it might mean closing old ones, changing their use or using hospital facilities in new and innovative ways. It may involve transferring services that have traditionally been provided in hospital into the community, closer to where people live. Indeed, I believe that that was one of the original intentions of the proposals advanced in 1996 for the people of Trafford South, to which I now come.

Altrincham general hospital is one of four hospitals that make up the Trafford Healthcare NHS trust. It is not a district general hospital in the conventional sense. The hospital provides a range of out-patient services, a minor injuries clinic and three wards with 42 dedicated rehabilitation beds for the elderly.

In 1996, under the then Government, Salford and Trafford health authority carried out a full public consultation exercise, at the request of the Trafford Healthcare NHS trust. Its purpose was to canvass public opinion on proposed changes to the hospital and to some community services for the population of Trafford South.

Mr. Brady: I shall be brief. The purpose of that consultation was to assess opinion on the proposal to build a new community hospital. It had always been promised that Altrincham would not lose Altrincham general hospital unless and until that new community hospital was built.

Ms Jowell: I shall continue to deal with the substance of this debate.

The health authority received and considered a range of responses to these proposals. At its meeting in November 1996, it approved the provision of a new community hospital at Broadheath. It also accepted that there were genuine concerns about the overall reduction in the number of available in-patient beds, and deferred a decision until a review of rehabilitation services for older people in that area could take place.

More recently, and against a background of having to balance a forecast end-of-year deficit of £2.2 million, the trust identified savings of £1.4 million. As part of its proposals to address the remaining deficit of £800,000, the trust proposed closing two of the three wards at Altrincham general hospital and increasing its investment in community-based rehabilitation services for older people.

Regrettably, the trust's proposals for achieving its financial balance had not been formally discussed in advance with the health authority or members of the local health and social care community. Instead, on 4 May, they were agreed in a closed session by the trust board. Salford and Trafford health authority was advised by fax on Friday 7 May of the trust board's intentions.

I fully appreciate and share the concerns of the hon. Member for Altrincham and Sale, West about the manner in which the trust has sought to achieve a substantial change in service provision. Understandably, the plans agreed by the trust board, and the way in which they were developed and announced, did not receive the support of the health authority or the community health council.

On 18 May, in response to a question tabled by the hon. Gentleman, my hon. Friend the Minister for Health confirmed that the regional office of the NHS executive had instructed the trust and health authority to agree a joint approach on the future of in-patient services at Altrincham general hospital and on the future shape of its community-based services.

As a result, the trust board withdrew the decision that it had previously made on 4 May. However, at a public trust board meeting on 1 June, it once again endorsed proposals that involved the closure of two wards at Altrincham general hospital.

The hon. Gentleman is aware that, at its meeting on 10 June, members of the health authority were unable to support the decision taken by the Trafford Healthcare trust. Instead, the authority noted the trust's decision and agreed to consult with key stakeholders about the nature, availability and adequacy of alternative services before agreeing to any closure of wards at Altrincham general hospital—a point raised by the hon. Gentleman.

The authority agreed also to take legal advice to determine the need for further public consultation and to review the full range of the trust's proposals for achieving financial balance, including the need for public consultation. I hope that the actions taken by the health authority address the hon. Gentleman's concerns and I understand that, in any event, no decision will be taken by the trust or health authority on the future of the elderly care wards at Altrincham general before spring 2000.

Furthermore, this time scale will coincide with the publication of the national service framework for older people, which I mentioned earlier.

The chief executive of Salford and Trafford health authority has indicated that the authority will want to consider also the report being commissioned by the primary care group on services for elderly people, along with other relevant information, before taking any formal action to determine the future pattern of care.

Hon. Members will find offensive the hon. Gentleman's claim about political bias in appointments. It is our determination to make sure that the best people are chosen to represent a wide range of community interests. As someone who has overseen the process and ensured that all appointments comply with the guidelines issued by the Commissioner for Public Appointments, I hope that the hon. Gentleman will consider withdrawing that remark—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at seven minutes to One o'clock.

House of Commons

Thursday 15 July 1999

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TRADE AND INDUSTRY

The Secretary of State was asked—

Engineering Innovation

1. **Mrs. Linda Gilroy** (Plymouth, Sutton): What steps his Department is taking to encourage innovation in engineering. [90006]

The Minister for Energy and Industry (Mr. John Battle): Engineering companies are eligible for a wide range of Government-sponsored schemes designed to stimulate innovation in industry. There has been a 20 per cent. increase in the innovation budget spread over three years, the purpose being to promote and foster innovation in engineering.

Mrs. Gilroy: Will my hon. Friend acknowledge and encourage the sort of awards that the Design Council and the Royal Academy of Engineering make? Can I draw his attention to a remarkable product made in Plymouth by British Aerospace—the silicon gyroscope, which received the Design Council award and is on the shortlist for the McRobert award?

Mr. Battle: Yes, I want to acknowledge all efforts to promote excellence and innovation in engineering. The Plymouth-based British Aerospace Systems has come up with a highly innovative silicon gyroscope, which is one of the four finalists for that prestigious Royal Academy of Engineering award. The device—which has been referred to as the transistor of the 21st century—will be used in cars, for example, to improve anti-lock braking systems and will improve safety and vehicle performance. That links in with the Government's priorities to build and blend in the cleaner, leaner, safer and smarter vehicles of the 21st century. That is what the Government and the people want.

Mr. David Chidgey (Eastleigh): I join the Minister in his congratulations for British technology. However, is he aware that, over the past 12 months, this country has fallen from fourth place in global competitiveness to eighth place? Studies have shown that the reasons are a combination of the strong pound, new business regulations and an underlying weakness in science and technology. I know that the Minister personally feels this way, but will he make a commitment, on behalf of the Government, to provide some joined-up Government in tackling those problems so we can nurture British industry?

Mr. Battle: I wonder where the hon. Gentleman has been. Of course there is a challenge in global competitiveness, but where was he when we boosted the science, engineering and technology budget by £1.4 billion to underpin basic research? We have £25 million for the science enterprise challenge and £20 million for the reach out fund, as well as funds for the SMART schemes and the foresight-link awards to foster engineering. We believe that we will address the shortfall not by doing things for industry, but by putting in schemes to underpin the innovative approach to competitiveness to ensure that our engineers make world-class products and can win their way forward.

Mr. Michael Clapham (Barnsley, West and Penistone): Does my hon. Friend intend to have discussions with his colleagues at the Department of the Environment, Transport and the Regions regarding regional development agencies and the way in which they might be encouraged to promote innovation in engineering, particularly by developing mechanisms to transfer technology from the universities and colleges into industry?

Mr. Battle: My hon. Friend makes a good point. I am encouraged that the RDAs are already drawing up innovation strategies at the regional level. For example, in our region of Yorkshire, the RDA has drawn up an innovation strategy, and the same is true in the west midlands. We look for the template throughout the country, and then our schemes can be tailored in to help encourage the technology transfer to which my hon. Friend refers.

Mr. John Bercow (Buckingham): What does the Minister of State say to the director of policy at the Engineering Employers Federation, who insists that UK-based companies will shift their production facilities to other countries or will simply close down if he and his right hon. and hon. Friends persist with their plans for an energy tax? Now it is clear that that tax will discriminate against high value-added, capital-intensive firms, is certain to cost jobs and will undermine British competitiveness, why does not the hon. Gentleman cease just to be a carpet on which Treasury Ministers trample and instead go to his right hon. Friend the Chancellor of the Exchequer and tell him to withdraw this stupid proposal?

Mr. Battle: I seem to recall that the Conservative party imposed stupid proposals with no consultation in their Budgets. This is the first time that we have had two years of consultation. The consultation document has been put out, and there are sector meetings with the Deputy Prime Minister across Departments, including the Treasury and DTI, to work through the proposals. It has been encouraging that employers in all sectors have said that we need to do something about climate degradation and that they will come in to talk about practical measures to address it. Those details are being discussed.

Of course the measure will have different impacts on different sites, companies and sectors. That is the whole point of moving forward to a negotiated agreement. That is in stark contrast to the previous Government, who simply imposed taxes on business without a hint of consultation at any point.

Ilisu Dam

2. **Mr. Harry Cohen** (Leyton and Wanstead): If he will make a statement on his Department's policy toward the proposed Ilisu dam project in Turkey. [90007]

The Minister for Trade (Mr. Brian Wilson): No decision has been taken on whether to make Export Credits Guarantee Department support available. A project of this nature is bound to give rise to major environmental and social issues and I want to be sure that they are properly addressed. That is why we have commissioned our own research, including an assessment of the views of the local population. We are working closely with other Departments, and the other export credit agencies involved, as well as with the Turkish authorities and the contractors. When we have completed our analysis, we will decide whether to make support available.

Mr. Cohen: Is my hon. Friend aware that the dam is being built in an area under emergency rule, to which the Foreign Office has advised against travel unless on essential business? It is a site of on-going ethnic conflict in which the local Kurds have been subject to oppressive action by the Turkish Government. Is my hon. Friend also aware that it has been alleged that the project will flood many Kurdish towns and villages, including the ancient city of Hasankeyf, and violate the World Bank's environmental and resettlement guidelines as well as the European convention on human rights? Hon. Members are highly suspicious of the project. Will my hon. Friend help to reduce that suspicion by guaranteeing that all environmental impact assessment reports that he receives are properly placed in the House of Commons Library?

Mr. Wilson: I am aware of all those concerns. Some of them have been overstated and are not quite in accordance with the facts. It is precisely because such concerns exist that we have sent our own independent mission to the area to assess all aspects of the project, including of course the views of the local people.

It is not in my power to say that reports that do not belong to the British Government will be placed in the Library without the consent of those to whom they belong, but I have undertaken to place the report by our own consultants in the Library as soon as it is available.

Manufacturing (Job Losses)

3. **Mr. Nick St. Aubyn** (Guildford): How many jobs have been lost in manufacturing industry since 1 May 1997. [90009]

The Secretary of State for Trade and Industry (Mr. Stephen Byers): In the two years between April 1997 and April 1999, 118,000 manufacturing jobs were lost, compared with an annual average loss of 150,000 manufacturing jobs in each year between 1979 and 1996.

Mr. St. Aubyn: We have already heard how the index of the World Economic Forum, based in Geneva, has shown that we have dropped under this Government from our zenith of fourth in the world competitiveness rankings to eighth. Which of the Department's measures have most contributed to that loss of competitiveness and how many more jobs will have to be lost before they are reversed?

Mr. Byers: The hon. Gentleman ignores the fact that the labour market figures published yesterday show that more people are working in this country than ever before. I would have hoped that he would welcome this morning's report from British Chambers of Commerce showing manufacturing orders up, which is good news for the manufacturing sector. We are witnessing a clear trend of strength not only in the service sector and construction, but now in manufacturing as well. That is because we are steering a course of economic stability in an uncertain world.

Mr. John Healey (Wentworth): It is not the past two years that bother people in Rotherham; it is the two preceding decades that they cannot forgive, when we lost nearly 12,000 manufacturing jobs in metal-working industries alone.

Despite the pressure that manufacturing is under, will my right hon. Friend pay tribute to the work of local agencies such as the Rotherham industrial development office, which is bringing new jobs to our area at firms such as Toyoda Gosei, the Japanese car company in the constituency of my hon. Friend the Member for Rotherham (Mr. MacShane), and the United States tool manufacturer, Morgan Leigh, at Hellaby in my constituency?

Mr. Byers: I am very pleased to endorse the excellent work carried out by many agencies, including those in Rotherham. During my visit to Japan, when we formally announced the decision of Toyoda Gosei to locate in Rotherham, creating about 400 jobs, it struck me that one of the reasons why it was so enthusiastic was that it could see a real sense of partnership in the agencies in Rotherham. That stands in stark contrast to the situation under the previous Government, when on average 150,000 manufacturing jobs were lost every year from 1979 to 1996. That is the Conservative record in office.

Mr. Richard Page (South-West Hertfordshire): Is the Secretary of State aware that several Labour Members are calling the climate change levy the industrial equivalent of the poll tax? When will his Department argue with the Department of the Environment, Transport and the Regions and the Treasury that any changes must be sustainable, otherwise they are not worthwhile? Is he not aware that if those changes take place, they will mean the loss of tens of thousands of jobs and a reduction in production in this country that will lead to imports coming in that have been made by processes that would not be allowed here? When will he fight for British industry on that issue?

Mr. Byers: The climate change levy is a principle that is accepted by many businesses and the hon. Gentleman should accept that. We are consulting on the detail of its implementation and I believe that our proposals will command broad support in the House and in the business community.

Mr. Barry Sheerman (Huddersfield): Will my right hon. Friend comment on the fact that we have seen yet again this week that Britain is the No. 1 choice for overseas investors looking for the right place to manufacture and to invest in the high technology, innovative sectors? Is that not a cause for celebration, rather than the whingeing that we hear from the Opposition?

Mr. Byers: Yesterday we were pleased to announce the results from the Invest in Britain bureau for 1998, which showed clearly that the United Kingdom was an attractive place for inward investors because they support our policy on the single currency. They do not like the Opposition's policy of ruling out joining the single currency for 10 years and most of those inward investors would not have come to the United Kingdom if we had a Government with that policy. We do not, which is why we remain an attractive place for inward investors.

Mrs. Angela Browning (Tiverton and Honiton): Office for National Statistics figures show 140,000 fewer jobs in manufacturing than this time last year. Does the Secretary of State still support the words of the Prime Minister at last year's Labour party conference, when he told business:

"your fundamental problem is not high interest rates or a high pound. It is too few first class managers. Too little investment. Too little productivity."?

Mr. Byers: I support the comments made by the Prime Minister and I hope that the hon. Lady would agree that we need to improve productivity and the management of British companies. That is certainly on the agenda of my Department and will remain there. The hon. Lady should reflect on why this country is so attractive to inward investment. Some 40 per cent. of all Japanese investment in Europe comes to the United Kingdom, because those investors recognise the positive measures we have taken. That is a strength of this country and, instead of carping on the sidelines, the Conservatives should occasionally celebrate the success of our economy.

Mrs. Browning: Perhaps the Prime Minister was referring to his Front Benchers. With manufacturing jobs slumped to their lowest in six years, a north-south divide now clearly evident and a widening traded goods deficit, does the Secretary of State think that it will be of help to manufacturing for the Prime Minister to hold a conference on manufacturing to tell people how they should run their businesses?

Mr. Byers: We make no apology for consulting the manufacturing industry, because that is important. The hon. Lady should reflect on the record of the Government for whom she was a Minister. Under them, on average, 150,000 manufacturing jobs were lost every year. We will not repeat the days of Tory boom and bust, with interest rates at 15 per cent. for a year, inflation at 10 per cent. and more than 1 million manufacturing jobs lost. That is the record of her Government, but we will not repeat those mistakes. Manufacturing industry recognises that we are putting in place the policies that will lead to long-term success and strength.

Single European Currency

5. **Dr. Julian Lewis** (New Forest, East): What assessment he has made of the effect on small businesses of Britain remaining outside the single European currency. [90011]

The Minister for Small Firms, Trade and Industry (Mr. Michael Wills): The hon. Gentleman will be aware that my right hon. Friend the Chancellor of the Exchequer has set out five economic tests that will have to be met before UK membership of the single European currency will be considered. These tests will assess whether it is in our national economic interest—and hence in the interests of small firms—to join. They will include an assessment of whether joining will promote higher growth, stability and a sustainable increase in jobs. The Government have said that they will make that assessment in the next Parliament.

Dr. Lewis: Is the Minister aware that the chairman of the policy unit of the Federation of Small Businesses, Mr. Brian Prime, has stated that about 94 per cent. of the federation's 127,000 members are implacably opposed to membership of the single currency? Mr. Prime has stated also that membership of the single currency has little to do with economics, but is a political device for political ends. Why does the Minister think the Federation of Small Businesses can see so clearly that to which the Government are evidently blind?

Mr. Wills: What the hon. Gentleman has just revealed is an insight into the attitude to Europe not of the Federation of Small Businesses but of the Conservative party, for which the matter is purely one of politics and ideology. For Conservative Members, the matter does not depend on the national economic interest. However, if they want to say that it does, perhaps they will answer two simple questions.

First, do they think that it could ever be in the national economic interest for this country to join the single currency: yes or no? Secondly, if it could be, would they join: yes or no?

Mr. Ian Bruce (South Dorset): Is the Minister resigning so that he can answer the question?

Madam Speaker: Order. It is normally for Ministers to answer questions.

Mr. Denis MacShane (Rotherham): Did the Minister see the remarkable speech by the shadow Chancellor, the right hon. Member for Horsham (Mr. Maude), reported last Monday in the *Financial Times*, in which he said that the euro ultimately would be a success? Whose side does my hon. Friend think the right hon. Gentleman is on?

With regard to the promotion of small businesses, does my hon. Friend agree that encouraging employee share ownership is a good way to keep businesses alive, because it encourages a commitment to the employees of small businesses to the success of this vital sector?

Mr. Wills: I agree with my hon. Friend's second point. On his first, I can tell him that I did see the shadow Chancellor's remarkable speech, which revealed the

Conservative party's attitude to the euro. Even if the currency is a success, the Conservatives will still rule out joining it for 10 years.

Dr. Vincent Cable (Twickenham): Does not the Minister accept that small firms are much more vulnerable than large firms to currency fluctuations, and that they are much less able to hedge against risk? Does he acknowledge that the present fluctuations of sterling against currencies accounting for more than half our visible trade are seriously damaging to the small firm sector?

Mr. Wills: I accept that every small firm and every business in this country has an interest in the success of the euro. It may be worth recalling that 45 per cent. of small and medium-sized companies in this country have a trading link with Europe. It is crucial that those firms are ready for the euro and to make preparations if this country decides to join.

Mr. Geraint Davies (Croydon, Central): Does my hon. Friend accept that the majority of small businesses are commercially linked, directly or indirectly, to larger multinational firms that are linked into the euro? In the same way, they are also linked to companies in Japan and China—which my right hon. Friend the Secretary of State visited recently—whose inward investment depends on the belief that Britain will join the single currency when the conditions are right. Does that not suggest that it is in the interests of small business as well as big business to move towards a single currency? What advice has been provided on the medium-term impact on jobs and investment—both internal and inward—that taking up the option of joining would have?

Mr. Wills: I agree that it is in the interests of every small firm—not only those who trade in the euro, but those whose customers or suppliers trade in the eurozone—to be ready for the single currency. The Government are helping them to get ready: we have issued 380,000 national information packs of fact sheets, 100,000 euro planners and a self-help computer programme to help all businesses to prepare.

Mrs. Angela Browning (Tiverton and Honiton): As the Minister is responsible for small businesses, what calculation has he made of the cost of the single currency to the independent retail sector? Does he expect the sector to absorb the costs, or to pass them on to customers?

Mr. Wills: A number of estimates have been made of the costs of getting ready and of joining the single currency, should we choose to do so. The costs vary.

Miss Julie Kirkbride (Bromsgrove): How much are they?

Mr. Wills: If Opposition Members will be silent, I shall tell them, and they might learn something. Estimates of costs depend on the methodology used. The estimates vary, and it is too soon to tell what the costs will be. However, as Opposition Members are more eager to peddle their own prejudices than to learn anything about the single currency, I shall explain to them that discussions of costs should also involve benefits. Their unremitting emphasis on costs displays their simplistic attitude towards businesses. What matters to all businesses—small and large—is the bottom line. If Conservative Members would concentrate a little more on the opportunities that the euro may offer the UK and our companies, they might do better for themselves and their constituents.

Rover (State Aids)

7. **Miss Julie Kirkbride** (Bromsgrove): What discussions he has held with the European Commission concerning state aids for Rover. [90014]

The Secretary of State for Trade and Industry (Mr. Stephen Byers): I have discussed the matter with Commissioner van Miert; my officials have also had detailed discussions with with Directorate-General IV.

Miss Kirkbride: The Minister will be aware of the great importance of this bid to my constituents who work at Longbridge and to investment and jobs in the midlands. Does he recognise the concern in the midlands that he has put the bid in jeopardy by announcing it prematurely before the Commission approved it, and that we are in an invidious position, as the Commission appears to be blackmailing us? Is the Minister aware of the Commission's double standards? Last year, the Commission agreed that France could spend £2 billion on its state industry, Air France, a decision that the European Court deemed illegal. The Minister's former leader then declared that he did not have to obey the court. Will the Minister bear in mind that double standard during his negotiations with the Commission?

Mr. Byers: For the record, and to help the hon. Lady, let me explain how applications for state aid are made to the European Commission. The procedures that we have followed are exactly those followed by our predecessor. When agreement is reached between the UK Government and the company concerned, an application is made to the European Commission. An application can only be made when the two parties agree, and that is the process in which we are involved. The previous Government went through the same process towards successful applications.

For the record, we have not put the aid—£129 million in regional selective assistance—at any risk because of the procedures that we have adopted. From my conversations with Commissioner van Miert, and from those of my officials and DG IV, the relevant department of the Commission, I am confident that we will succeed in achieving Commission approval for the application.

Mr. Richard Burden (Birmingham, Northfield): May I assure my right hon. Friend that after months of uncertainty and negotiation, my constituents at Longbridge were pleased that the Government shared the details of the deal with them—as was their right—and that, now that uncertainty has ended, Rover can move to achieve its potential? Does my right hon. Friend agree that it is most important for west midlands Members of Parliament to try to contribute to stability rather than talking down Rover's success?

We have fought off substantial competition from outside the European Union to secure the deal and to ensure that work will commence this week to bring the

new Mini to Longbridge. Will my right hon. Friend join me in hoping that the new Mini will be a world-class car for the millennium, bringing success to Birmingham and Rover as the Mini did in the 1960s, 1970s, 1980s and 1990s?.

Mr. Byers: This is one of those opportunities for all Members of Parliament, who have an interest in, and a concern for, the future of Rover—especially at Longbridge—to celebrate the fact that, this week, BMW began a £400 million investment in the new Mini line at Longbridge. In the months and years ahead, the company will build on that within its investment of more than £3 billion in Rover in the UK generally. We were able to secure that investment with £129 million of regional selective assistance, linked to improving skills and raising productivity. That is the new way for regional selective assistance in the future. Rover now has a real opportunity to become a world leader in car production. I urge all Members of the House—whichever party they represent—to celebrate the success that we have been able to achieve, and to work together to ensure that Rover has a real future as a major player in the world car market.

Electricity Companies (Prosecutions)

8. **Mr. Peter Bradley** (The Wrekin): On how many occasions since electricity privatisation *(a)* Her Majesty's Government and *(b)* the regulator have brought a prosecution against an electricity company and on what grounds. [90016]

The Minister for Energy and Industry (Mr. John Battle): There have been three prosecutions by the Department for breaches of the regulatory framework governing overhead lines and related equipment. Two of those were for breaches of the safety requirements for overhead lines and ancillary equipment, and one was for a breach of the overhead lines approvals regime under section 37 of the Electricity Act 1989. There have been none by the regulator.

Mr. Bradley: I thank my hon. Friend for that reply, and for the personal interest that he has taken in the long-running saga of the Hadley pylon in my constituency. About 18 months ago, the Midlands electricity board erected the pylon, without seeking or receiving consent. Will my hon. Friend join me in congratulating the Hadley pylon action group—especially Mrs. Sandra Hodnett and Mrs. Ann West—on the sustained campaign that has been waged during the past 18 months? Does he share my concern about the utter contempt with which MEB approached the matter—in its dealings with the community, the local authority and, latterly, the DTI? Can he give me and the campaign group an undertaking that, in the absence of a complete, valid retrospective application for consent from MEB, he will institute legal proceedings against the company?

Mr. Battle: I compliment my hon. Friend on the tenacious and patient way in which he has raised the Hadley pylon case, both with the company and with the Department, on behalf of his constituents. I have urged the Department to investigate the case, to insist on the information that is required from the company, and to take the necessary steps to call the company to legal account. As my hon. Friend will understand, it is for solicitors to take counsel's advice with regard to prosecution, but I certainly intend to keep a close eye on the case. It is a saga that has gone on for far too long.

Mr. Nick Gibb (Bognor Regis and Littlehampton): This is the first time that I have had the pleasure of questioning the hon. Gentleman; I very much hope that, despite press briefings to the contrary, it will not be the last.

On electricity privatisation, will the Minister explain why the announcement of the privatisation of BNFL was sneaked out through a written answer, rather than being made in a statement to the House that is subject to questioning and debate? Does the Minister believe that the taxpayer is receiving full value from the sale of 49 rather than 51 per cent. of the company?

Mr. Battle: I am not sure how that question connects to pylons. The hon. Gentleman mentioned the privatisation of electricity. We have spent two years in government sorting out the botched job that the Conservatives did on privatising the electricity industry. That is why we are now trying to sort out the wholesale market, and introducing proposals to improve regulation, and put the consumer first—which the Conservatives manifestly failed to do.

With regard to the nuclear industry, I recall holding the same position as the hon. Gentleman when the last lot privatised that industry; they left the liabilities with the Government and sold off the income stream. We do not intend to take that route; we shall do it in a way that benefits the people, the taxpayers and the Government. The announcement was not sneaked out; it was well trailed in the media, it does not need primary legislation and, what is more, a full parliamentary answer was given on the matter. It is open for consultation; I look forward to the hon. Gentleman's further comments.

Mr. David Chaytor (Bury, North): In fact, it was my written question earlier in the week that provoked the statement from my right hon. Friend the Secretary of State for Trade and Industry, whom I congratulate on his interesting and skilful announcement on the future of BNFL.

Will my hon. Friend the Minister for Energy and Industry assure the House, given that this is a matter of major public importance with many billions of pounds' worth of public assets at stake, that there will be the fullest consultation on the detailed implementation of the proposals over the next few months? Will he assure the House that we have learned lessons from the previous Government's mistakes, whereby billions of pounds of public assets were sold at knockdown prices and the taxpayer lost out? Will he also assure the House that, whatever form the introduction of private sector investment in BNFL takes, we shall not find ourselves in a position in which the lucrative side of the business has gone to shareholders and the taxpayer has been left to pick up the bill for many decades to come for the cost of storing our mountains of plutonium?

Mr. Battle: I thank my hon. Friend for those questions, and I can reassure him on all three counts. Yes, there will be full consultation. There has already been full

consultation with those who work at the plant and the trade unions, as my hon. Friend will be aware from their comments, and that consultation is now being widened. The lessons to be learned from the previous Administration have been spelt out in the comments of the Public Accounts Committee and the National Audit Office. They are as plain as day and we are not going down that route, which is why our proposals are innovative and different. I can give absolute assurances on health and safety at the plant. The changes will be good and beneficial.

BNFL has world-class technicians, technologists and scientists who can help to handle the legacy of the nuclear industry from the past 50 years. I have visited work that the company has won in America, where it is cleaning low-level waste from power stations and laboratories. BNFL has management strategies and methods that have been practised here in Britain, at Berkeley and other power stations. Its workers can restore sites so that in future they can be used as offices, perfectly clean and uncontaminated. It is a world-class business, and BNFL needs to be free to win the work and become a world leader in cleaning up and decommissioning the nuclear legacy of the past 50 years.

National Minimum Wage

9. **Mr. James Plaskitt** (Warwick and Leamington): What action he is taking to ensure that employers comply with national minimum wage regulations. [90017]

The Secretary of State for Trade and Industry (Mr. Stephen Byers): The Inland Revenue is enforcing the national minimum wage with inspectors who respond to complaints from workers and employers. The inspectors have powers to inspect records and to issue enforcement and penalty notices. They can prosecute the worst offenders for the criminal offence of refusal or wilful neglect to pay the minimum wage, and for offences relating to record keeping and obstruction of officers.

Mr. Plaskitt: I thank my right hon. Friend for that answer. A strong enforcement mechanism is clearly welcome, but do not the figures so far tell an interesting story, namely that the vast majority of employers have fully and quickly embraced the national minimum wage, in clear contrast to the Conservative party?

Mr. Byers: I am delighted that the implementation of the minimum wage, which makes such a fundamental change, has gone through so smoothly. It will be interesting to learn how the hon. Member for Tiverton and Honiton (Mrs. Browning), now that she has responsibility for these matters, views the minimum wage and whether she now supports the principle. In the past, she was fundamentally opposed to its introduction—

Mrs. Angela Browning (Tiverton and Honiton): We voted against it.

Mr. Byers: The hon. Lady is saying that she voted against it. I am sure that we have all noted that that remains the Conservatives' position.

My hon. Friend the Member for Warwick and Leamington (Mr. Plaskitt) is right to say that the principle of the national minimum wage has won broad acceptance but that we need to have in place strong methods of enforcement. We have that framework in place through the Inland Revenue, whose officers will have new powers as a result of amendments made to the Employment Relations Bill as it passed through the House of Lords. It is clear that the minimum wage is here to stay under the Labour Government, and that it would be threatened by the policies that the hon. Member for Tiverton and Honiton would pursue.

Mr. Desmond Swayne (New Forest, West): Does the Secretary of State agree that compliance will be greater the more reasonable the regulations are? Will he undertake to examine the regulations as they affect the provision of lodgings, for it is unlikely that he would be able to find lodgings anywhere in this country for less than £20 a week? Will he also examine the regulations as they affect the provision of full board, of which the minimum wage takes no account?

Mr. Byers: Both issues are currently being considered by the Low Pay Commission, which is due to report to me in December with its views on how those items are having an impact on the national minimum wage.

Ms Harriet Harman (Camberwell and Peckham): Does the Secretary of State share my view that one of the most important aspects of the national minimum wage is that, coupled with the working families tax credit, it means that parents with young children do not have to work all hours to make ends meet? What plans does he have to monitor another important aspect of the Government's family-friendly policies—the forthcoming rights to parental and family leave?

Mr. Byers: My right hon. Friend makes an important point. We intend to ensure that there is compliance with the national minimum wage, which is why I can inform the House that we have received 1,900 complaints of underpayment since its introduction. Of those, 800 have been settled, and the remaining 1,100 are now being pursued; we shall ensure that there is compliance by the employers concerned. That is part of our family-friendly approach to employment provisions.

My right hon. Friend is absolutely right to say that we shall be setting up important initiatives, which are a result of the measures in the Employment Relations Bill. We have to ensure that the unpaid parental leave regulations are introduced in a way that has support from employers and employees, and that parental leave is a right and entitlement that is taken up by mothers and fathers, discharging their joint responsibility in that important area. I assure my right hon. Friend that we shall want to monitor that closely to guarantee that the rights that we are providing are taken up effectively.

Mrs. Cheryl Gillan (Chesham and Amersham): I presume that the Secretary of State will agree that the Government are the employer of all locally engaged staff in every British embassy and high commission throughout the world. Are all those staff paid above or at the national minimum wage?

Mr. Byers: They are employed in line with the normal civil service provisions.

Biotechnology (Jobs)

10. **Dr. Phyllis Starkey** (Milton Keynes, South-West): What estimate his Department has made of the number of jobs in the United Kingdom dependent on biotechnology. [90018]

The Minister for Energy and Industry (Mr. John Battle): Although that information is not available from official sources because biotechnology cuts across traditional standard industrial classification categories, a report published earlier this year by the BioIndustry Association, entitled "Industrial markets for UK biotechnology—trends and issues", estimates that dedicated bioscience companies employ between 35,000 and 40,000 highly skilled people.

Dr. Starkey: I thank my hon. Friend for that answer. Is he aware that the latest Ernst and Young European life sciences report revealed that this country is home to the largest number of biotech companies in the European Union, and that those companies are largely focused around Oxford and Cambridge and in Scotland? What is his Department doing to ensure that we build on those regional concentrations? May I point out that my constituency is midway between Oxford and Cambridge and is well placed to be part of a biotech innovation corridor?

Mr. Battle: My hon. Friend had much experience in her former life in that sector and brings wisdom to the House in her campaigning for and championing of it. Ernst and Young estimates that the number of UK specialist biotechnology small and medium-sized enterprises has increased from 135 in 1995 to more than 270 in 1999. The sector is burgeoning. We are leading in Europe in that sector with our top-quality expertise.

We ought to remember that the industry contributes to agriculture, health, manufacturing and new clean-up environmental processes. In the future, there will be much work to be won on the greening agenda, using biotechnology techniques. We aim to encourage the development of biotechnology. The Department's work is to focus on the natural clusters that are emerging and to ensure that the whole sector gets an underpinning boost. It is vital to the future of our economy, and it will be vital to the quality of life in the 21st century.

Mr. Nicholas Winterton (Macclesfield): From this side of the House I wish the Minister well, but, in seeking to increase the number of jobs in the important biotechnology sector, he should focus not only on the areas referred to by the hon. Member for Milton Keynes, South-West (Dr. Starkey), but on Macclesfield. The town boasts an extremely go-ahead biotechnology company called Proteus International plc, which is based at the Lyme Green business park in Macclesfield. What help and advice would the Minister give Proteus, which has developed a BSE diagnostic testing technology which could prove of very great benefit to this country, to help the company to market and develop that technology, to the advantage of our beef and cattle industry and of the whole country?

Mr. Battle: I should tell the hon. Gentleman that biotechnology companies are developing in practically every constituency. Biotechnology really is an industry of the future. It is the engineering of the future, and it will be not a small niche but a major segment of our economy in the 21st century.

With regard to the use of the science that has developed, in January we launched the Bio-wise project, to encourage technology transfer and the take-up of that science and research by all sectors of industry, ensuring that the economic and environmental benefits of the research are realised by a widespread application throughout industry and commerce. We have put about £13 million into that scheme over four years, to help companies such as the one in the hon. Gentleman's constituency.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): Does my hon. Friend agree that the term "biotechnology" is widely misused? The agricultural component, involving genetically modified foods, is highly controversial and does not receive the support of the general public, but much the larger component consists of applications to medicine—to health. In that sphere—the design of new drugs, taking a molecular approach to medicine—the prospects for the 21st century are extremely promising, and Britain, given the record of our excellent pharmaceutical companies, is very well placed to exploit those applications.

Mr. Battle: My hon. Friend makes an important point. It is important to emphasise the full range of biotechnologies in the plural. My hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) asked about the number of jobs. The number of jobs in diagnostics—the medical area that my hon. Friend the Member for East Carmarthen and Dinefwr (Mr. Williams) refers to—is estimated to be about 9,000. There are about 6,000 jobs in environmental clean-up, using what is called bio-remediation. There are 4,500 jobs in food biotechnology. It is important that we keep a sense of proportion while appreciating the full range of the sector, which can improve health and revitalise some of the traditional manufacturing sectors of our economy.

Electronic Communications

11. **Mr. Ian Bruce** (South Dorset): What representations he has received about the Government's proposed legislation on electronic communications. [90019]

The Minister for Small Firms, Trade and Industry (Mr. Michael Wills): I am delighted to tell the House that our recent consultation—"Building Confidence in Electronic Commerce"—announced by my right honourable Friend the Secretary of State for Trade and Industry on 5 March, resulted in more than 240 responses from industry and other interested parties.

In addition, both my right hon. Friend and I have frequent meetings with senior industry representatives. The Government's proposed legislation on electronic communications features in those discussions from time to time.

Mr. Bruce: I am surprised that the Minister cannot tell us yet that he is going to publish his electronic communications Bill, at least in draft, because he knows that the last time that the Government produced a draft

Bill on electronic commerce, the comments of industry and the Opposition enabled them to modify it enormously. He knows that, in the Queen's Speech, the Government announced that they would introduce a Bill that would become an Act in this Parliament. I hope that he will take the opportunity to publish the draft Bill, which is in a rather unformed state at the moment, so that industry can comment on it during the summer, thus enabling the Government to fulfil in the next Queen's Speech the intentions that they stated in the last Queen's Speech.

Mr. Wills: I recognise the hon. Gentleman's keen interest in the matter. As he is probably aware, discussions are under way through the usual channels about the best way of bringing that measure forward. It will be brought forward as soon as possible.

Mr. Brian White (Milton Keynes, North-East): Not for the first time, the Tories seem to be putting party advantage ahead of the country's interests. However, the Minister will be aware that biotechnology is a very fast-moving industry, in which six months' delay is the equivalent of two years' delay in any other industry. Given the need to keep Britain ahead in this industry, we cannot afford a six-month delay. Will the Minister outline what steps he will take over the summer, such as consultations with Oftel, to advance measures that will keep Britain ahead in e-commerce? If the price that the Tories want is just digital signatures, may we just have those now and the rest of the Bill in the next Queen's Speech?

Mr. Wills: I thank my hon. Friend for his comments. We are moving ahead on the Bill as quickly as possible. From his keen interest in and in-depth knowledge of the subject, my hon. Friend will be well aware that we are moving ahead on a range of measures to promote e-commerce in Britain. In the past six months we have laid the foundations for a world-class infrastructure. We have announced a consultation on the introduction of broad-band wireless through making available two large packages of spectrum at 28 and 40 GHz. A few days ago, Oftel announced the results of its consultation on unbundling the local loop, which will be a crucial plank in building the access to broad-band that this country will need for effective e-commerce.

We are moving ahead in other areas as well. We have launched the adviser skills initiative to make sure that small businesses get the help and support that they need to use the opportunities that are available to them through e-commerce. We have created Trust UK, which is an industry-led body to boost confidence in internet shopping through an on-line hallmark. We have done more, and I can reassure my hon. Friend that there is much more still to come.

Mr. Alan Duncan (Rutland and Melton): I fear that the Minister rather evaded the question asked by my hon. Friend the Member for South Dorset (Mr. Bruce). Does the Minister accept that we want a short, simple Bill to establish the law of electronic signature and contract? It seems that he is to publish a long, cumbersome blancmange of a Bill, which risks being a drag anchor on e-business. Will he drop his proposed voluntary licensing scheme for encryption service providers in favour of a voluntary code? Will he put clauses dealing with interception in a different Bill? Above all, as my hon. Friend asked earlier, will he publish the Bill now, albeit only in draft form, so that he can hear representations over the summer? Regardless of any carry-over procedure, that would be the speediest way of getting good e-communications law onto the statute book for the benefit of Britain's position in this important commercial sector.

Mr. Wills: I am sure that the hon. Gentleman does not seriously expect me to discuss the content of the Bill before it is introduced in the House. I am sure that you would not appreciate that, Madam Speaker. I have already given my answer on the publication. The hon. Gentleman will just have to be patient a few days longer.

Engineering Manufacturing (Business Activity)

12. **Mr. Michael Fabricant** (Lichfield): When he plans to meet representatives of the engineering manufacturing industry to discuss the levels of business activity. [90020]

The Minister for Small Firms, Trade and Industry (Mr. Michael Wills): DTI Ministers are in regular contact with firms and representative organisations in the engineering manufacturing industry to discuss their industry's affairs, including activity levels.

Mr. Fabricant: The Minister heard the comments of my hon. Friend the Member for Buckingham (Mr. Bercow) with regard to the Engineering Employers Federation. Does the Minister accept that the success of engineering depends to some extent on the success of retail trade in Britain? He will have heard the news this morning that Marks and Spencer's sales are down 10 per cent., although some of the company's problems are not related to the sort of frocks that it sells. Is he aware that the John Lewis Partnership is reporting a 3.2 per cent. drop in sales, in cash terms, compared to the same period last year? The Secretary of State said earlier that we should be celebrating the success of our economy. In any other place, would we not describe the economy now as being in recession?

Mr. Wills: I shall revert briefly to engineering, which was the subject of the hon. Gentleman's original question. Of course I recognise the importance of that sector, and I am delighted to see that it is growing at 2.2 per cent. at an annualised rate, compared to the equivalent quarter last year. All hon. Members will welcome that evidence of growth in engineering.

Mr. Barry Jones (Alyn and Deeside): Does my hon. Friend accept that a prime example of successful engineering manufacturing is the aerospace industry? With that in mind, may I persuade him to make available only £550 million investment launch aid for the Airbus 3XX project? That will create thousands of new jobs. By scheduling my constituency as an assisted area, our right

hon. Friend is giving a tremendous boost to engineering manufacturing in my constituency for the next century, and my people thank him for that.

Mr. Wills: I am grateful to my right hon. Friend for those remarks. I know that the application for launch aid is now in, and I can assure him that it will be considered carefully and in great detail as he would expect.

Mr. Peter Brooke (Cities of London and Westminster): What is the reaction of the Government, who made a lot of noise about competitiveness when they were in opposition, to the sharp fall in the United Kingdom's place in the world competitiveness league announced in Switzerland this week?

Mr. Wills: Of course we are doing everything we can to make sure that this country improves its competitive position. We inherited from the Conservative party not a golden legacy, but a situation that was severely threatening to all our manufacturing industry and businesses. We are taking every step to ensure that that is put right. Having put an end to the boom and bust that characterised the years that the Conservative party spent in government, we have created a new climate of stability, which is the core foundation for economic success. We have cut corporation tax to the lowest levels ever and we are creating a properly competitive environment in which business can flourish and prosper.

Mr. Hilton Dawson (Lancaster and Wyre): Is my hon. Friend aware that he has brought real hope to the manufacturing industry of Lancaster with the announcement that he has made today about levels 2 and 3 assisted area status for the city? Is he further aware that there is singing and celebration throughout the streets of that glorious city because of the coupling of that announcement with the fine announcement on single regeneration budget funding for the Luneside regeneration project? Is he looking forward to his visit to Lancaster on 5 October? Not only will he be celebrated throughout the entire city for putting the benighted Tory years behind us, but he will hear evidence and information about how we intend to use the money well to bring Lancaster back to full employment and prosperity.

Mr. Wills: I have listened to my hon. Friend's eulogies about Lancaster for many months and I am delighted that I am to visit that great city. I am looking forward to that and I welcome his words of thanks about the work that we have put in on the assisted areas map. We have tried to address real need throughout the United Kingdom and I am delighted to hear that we have succeeded.

Mr. Roy Beggs (East Antrim): The policies being pursued by the Government have safeguarded existing jobs in Northern Ireland, and indeed have helped it to attract new investment, but will the Minister and his Department be very conscious of the fact that electricity costs in Northern Ireland are the highest of any region of the United Kingdom? We in Northern Ireland have reached our emissions target through the introduction and use of gas, but will he consider seriously the adverse impact—and the damage to stability, prosperity and peace that could be caused if jobs were to be lost—of increased costs for manufacturing industry caused by the climate change levy?

Mr. Wills: I recognise the hon. Gentleman's concerns. I understand that there is now connection through an interconnector, which ought to bring costs down in the future. Let me say three things in relation to the climate change levy. First, there will be no overall increase in taxation. Secondly, of course we need to promote competitiveness, but we also need to balance that goal with the need to promote sustainable development. Thirdly, we recognise that the energy-intensive sectors have a special case and we intend to set significantly lower rates for them.

Disqualified Directors

13. **Mr. Colin Burgon** (Elmet): What plans he has to increase the penalties for disqualified directors who run businesses. [90021]

The Minister for Trade (Mr. Brian Wilson): There are no restrictions on disqualified directors running businesses on their own account. Accordingly, there are no penalties arising. There are no plans to change that. The penalties for directors who act in contravention of disqualification orders are imprisonment for up to two years or a fine, or both. There are no plans to increase those penalties.

Mr. Burgon: I thank my hon. Friend for that reply. How can disqualified directors acting behind the scenes in the management of companies best be detected?

Mr. Wilson: As my hon. Friend might expect, we are doing a great deal about that. In January 1998, the Insolvency Service launched a telephone hotline for the public and the business community to report disqualified directors who continue to act while banned. There has been a good response: 925 calls were made to the hotline and 125 cases were referred to solicitors for consideration. Companies House checks have also been introduced to ensure that all disqualified directors resign from all current directorships and are not appointed to any new ones. A great deal is being done to curb the activities of rogue directors.

Northern Ireland

12.30 pm

The Secretary of State for Northern Ireland (Marjorie Mowlam): With permission, Madam Speaker, I wish to make a statement.

First I apologise to the right hon. Member for Bracknell (Mr. MacKay) and the hon. Member for Montgomeryshire (Mr. Öpik) for having only just got them a copy of the statement. We thought it most important to finish writing the statement and come to tell the House at 12.30 pm what is going on in Northern Ireland. I hope that they will understand the speed at which we have had to move.

The House will be as sad as I am to hear that the Deputy First Minister designate of Northern Ireland, the hon. Member for Newry and Armagh (Mr. Mallon), has just resigned from that position. He will be greatly missed in Northern Ireland in that job because, as I know only too well from my position, his contribution has been crucial in holding everything together. The experience of over 30 years that he has brought to the process has been incredible. I hope that he can see his way to stand again for an office in the Assembly in the months and years ahead because without him it will be a sadder place. It will miss his skills, oratory and contribution greatly. I am sure that it is a great relief to all hon. Members that his skills, abilities and oratory will not be lost to this House.

On 2 July my right hon. Friend the Prime Minister proposed with the Taoiseach a way forward to implement the Good Friday agreement. It was a way forward to secure both devolution and decommissioning, with a clear failsafe for both. As proposed on 2 July, the Assembly met this morning to select the departmental Ministers to take office on devolution. Devolution would have followed on Sunday.

The decommissioning process would then have begun within a period specified by the Decommissioning Commission—as General de Chastelain said on 2 July:

"literally within a couple of days."

Actual decommissioning would then have followed, according to a timetable laid down by the Commission, "within a few weeks". If commitment on either devolution or decommissioning had not taken place, there was a failsafe: parties would not have been expected to continue in government with those in default.

As many in the House will now know, the Ulster Unionist party, the Democratic Unionist party and the Alliance chose this morning not to nominate any Member to ministerial office. All parties have agreed on the principle under the Good Friday agreement of an inclusive Executive exercising devolved powers. With those parties not nominating Ministers, it was clear beyond doubt that such an inclusive Executive could not be formed. Therefore, this morning I acted immediately to undo the appointment of Ministers designate since the requirement for a cross-community Executive had not been met. I will now take steps with the Irish Government to institute a formal review under the Good Friday agreement.

The Minister of State, Northern Ireland Office, my right hon. Friend the Member for Torfaen (Mr. Murphy), and I will be available to the parties in Northern Ireland over the next few days for discussion as to the nature of that review. My right hon. Friend the Prime Minister will meet the Taoiseach next week to announce the arrangements, agenda and timetable for this review. It will take place under paragraph 4 of the review section of the agreement. It will be a review not of the agreement itself but of its implementation.

Earlier this week the House debated the Northern Ireland Bill which provides the failsafe envisaged under "The Way Forward" proposals. We judged that it would help to reassure Unionists and nationalists, but particularly Unionists, that we were serious about the failsafe if we published the Bill and demonstrated that it was on its way to becoming law. I am grateful to the House for considering the Bill at such speed on Tuesday. We shall not withdraw it, because it may well be that a failsafe on those lines will be necessary to underpin whatever way forward is eventually agreed. However, the Bill will not now proceed at emergency speed in the other place this afternoon.

I still believe that the way forward proposed by my right hon. Friend the Prime Minister and the Taoiseach is a balanced approach that could have succeeded. I do not seek to blame any party in the House. The last thing that the people of Northern Ireland need now is an outbreak of recriminations. I believe that all those who supported the agreement when it was made genuinely wanted to see it implemented. The reality is that we either move forward together, or we do not move forward at all.

Today is a setback: it would be foolish to deny that. It would be even more foolish to conclude that the Good Friday agreement cannot continue. Apart from those who have always opposed the agreement, no one is seriously suggesting an alternative way forward. There is still a wide measure of agreement on the issues that have divided people in the past, such as on the resolution of the fundamental constitutional question on the basis of consent; on a fully inclusive form of government, with both communities represented; on a fair and just society in which both traditions are respected and rights are safeguarded; and on the decommissioning of all paramilitary arms in a manner determined by an independent commission, and the eventual normalisation of society.

That is, in my opinion, a massive consensus, which was inconceivable before the Good Friday agreement, and which puts today's setback, serious though it is, in perspective. One must never forget that, however fed up one may get with the results of this morning. Most of all, I place my faith in the people of Northern Ireland, who are bitterly disappointed, as is clear from the phone calls that we have received in the past 10 minutes—let alone what I believe will happen this afternoon in terms of public opinion.

During this year, and particularly in recent weeks at the beginning of the parades period, people in both communities have shown that the strongest of disagreements can be expressed peacefully. For their sake, we, the Irish Government and all the Northern Ireland parties must not be disheartened. We must continue to work to implement the agreement that the people have approved.

Mr. Andrew MacKay (Bracknell): I thank the Secretary of State for coming so quickly to the House to make the statement. In the circumstances, I fully understand why I did not get the draft of the statement very far in advance.

This is a sad day for the people of Northern Ireland, because it is clear from what the Secretary of State said that a devolved, inclusive Administration for the people of Northern Ireland is sadly still some way off. Will she confirm again that the real stumbling block to progress was non-decommissioning? Will she lay the blame fairly and squarely—[HON. MEMBERS: "Oh."] Can I ask the Secretary of State to lay the blame fairly and squarely with the paramilitaries, loyalist and republican, who have failed to fulfil their obligations under the Good Friday agreement by not decommissioning any of their illegally held arms and explosives? They are entirely to blame for the process not proceeding.

I endorse the Secretary of State's commendation of the hon. Member for Newry and Armagh (Mr. Mallon), who has just resigned as Deputy First Minister designate. Will the right hon. Lady also place on record the outstanding contribution of the right hon. Member for Upper Bann (Mr. Trimble), the First Minister designate? At all times he has behaved not only honourably but with great courage in trying to move the process forward.

May I ask the Secretary of State to confirm that the amendments that were much trumpeted and much spun by Downing Street yesterday, but never laid before Parliament, did not include any of the essential failsafes that the Unionists and I would have required to ensure that Ministers were appointed to the Executive? Let me remind the Secretary of State of the essential failsafes that we required. First, we required a tight, transparent timetable for decommissioning. Our second requirement was that, if any of the paramilitaries, republican or loyalist, failed to decommission, their terrorist prisoner releases would be halted. Our third requirement was that, if the IRA failed to decommission, Sinn Fein would be immediately excluded from the Executive.

May I also ask the Secretary of State to promise the House, as the paramilitaries are failing in their obligation to decommission their illegally held arms and explosives, that she will immediately halt the early release of terrorist prisoners back on to the streets of Belfast?

I entirely agree with the Secretary of State that the Good Friday agreement is still the best way forward, and I think it right and proper for a review of its workings to be carried out now. Will the Secretary of State confirm what I have heard her say before—that the Belfast agreement must be implemented in all its parts, not cherry-picked? The part that is not being conformed to at the moment is the requirement for decommissioning of illegally held weapons.

Marjorie Mowlam: Let me begin with the right hon. Gentleman's last question. We firmly believe that the Good Friday agreement should be implemented in full.

The hon. Gentleman raised another point about something that is not part of the Good Friday agreement. It is crucial for people to understand that the question of prisoner releases is part of the Northern Ireland (Sentences) Act 1998, and that suspension is related to the ending of the ceasefire, not to decommissioning. The right hon. Gentleman keeps repeating that there is such a relationship, but it does not exist.

On prisoner releases, I have made it clear—I have said this from the Dispatch Box on numerous occasions—that I, like the hon. Gentleman, desperately want to be sure that the commitment to a ceasefire is not broken. As Sir Ronnie Flanagan, the Chief Constable of the Royal Ulster Constabulary, said 10 days ago, I have not—by default, or by actions that I have taken—done anything contrary to the advice that he has given me.

As for evidence on prisoners, I will not shirk that. I will act if I have to—we have twice excluded parties—but I will not act on the basis of hearsay or allegations that keep being brought up. I assure the right hon. Gentleman that we will act; but there is no point in asking for the halting of accelerated release of prisoners. Yes, that was part of the Good Friday agreement, but it was not tied to the conditions that the right hon. Gentleman wants to be imposed.

Opposition members must understand that we cannot cherry-pick. We cannot suddenly say, "I think that I will stop this". That would guarantee the end of the Good Friday agreement.

As for the amendments proposed by my right hon. Friend the Prime Minister in relation to the speech by the right hon. Member for Huntingdon (Mr. Major) on Tuesday, they are there. They were not tabled last night, but they are there ready to go. As I said in my statement, we will continue with the legislation, because there may well be a chance for it to be used in future; but we will not force the Bill through on an emergency timetable when there is clearly no longer an emergency. I assure the House that the amendments are there, ready for tabling. We attempted to respond to the points made by the right hon. Member for Huntingdon and others, and we believe that we have done so.

The right hon. Gentleman referred to the outstanding contributions of the leaders in Northern Ireland, and mentioned in particular the right hon. Member for Upper Bann (Mr. Trimble). Let me say categorically that I believe the leaders of every party in Northern Ireland have tried hard—all of them. I condemn none of them because I believe that they have all tried with determination and courage to make progress. It is just very sad that we have not been able to do that today.

In response to the right hon. Gentleman's first statement, I do not want to indulge in blame and recriminations because that is the one way to guarantee that the whole process will unravel again. That is why it is crucial that, if we go backwards—

Mr. Crispin Blunt (Reigate): Why don't you blame the terrorists?

Marjorie Mowlam: I blame terrorists who murder people. It is appalling. It is outrageous. It is disgusting. But I am here implementing the Good Friday agreement and the agreement is inclusive.

People have tried desperately in the past 18 months and, as I have said, sadly, we have not made it by today, but we will not make progress and we will not hold the fragile ceasefires that we have at the moment, if we start a whole exercise in the House today of saying who we think was to blame.

We all carry responsibility—everyone. As a result, everyone should do all they can to move the process forward, rather than try to unpick it. The basic problem that we experienced, as was clear in the House

[Marjorie Mowlam]

on Tuesday, was one of trust and confidence. We must all work to try to rebuild that over the summer because the Good Friday agreement is not lost; neither is the peace.

Dr. Norman A. Godman (Greenock and Inverclyde): May I say first how deeply I regret the resignation of our hon. Friend the Member for Newry and Armagh (Mr. Mallon). It has always been my view that both he and our hon. Friend the Member for Foyle (Mr. Hume) stand head and shoulders above most of those involved in politics.

We always knew that the negotiations would be protracted and cumbersome, but they have been deeply harmed by the intransigence of the hardliners in the Unionist parties and, indeed, among the republicans. This is a setback, but that is all it is. Matters have improved enormously in Northern Ireland over the past 20 years. We have to remember that. We have a peace of sorts, but it could help if General de Chastelain—not that he can be influenced by anyone, let alone a Back Bencher such as me—could come up with a definite timetable concerning the process of decommissioning over the next several months.

Marjorie Mowlam: I thank my hon. Friend for his contribution. I respect what he personally has done in relation to Northern Ireland. I say that just before I disagree with him, because I do not think that it helps at this point, sad though we all are at the loss of the hon. Member for Newry and Armagh from the process, to begin to do what I have just said to Opposition Members we should not do, which is boost some Members above others. Yes, everyone in Northern Ireland has to take risks. Yes, everyone has to change and that goes for hon. Members and for the two Governments. Unless that happens, it will be tougher to make progress.

I accept that there are hardliners on both sides who do not help the process. It is equally not helped by those who oppose the Good Friday agreement, but opposition to the agreement is Opposition Members' democratic right, which we have never denied. The real difficulty in the weeks and months ahead will come from those on either extreme who have not given up violence. They are there with the intent purpose of trying to destroy the agreement. What will be tough and difficult in the weeks and months ahead will be to ensure that they do not succeed in bringing down what can potentially again be built on.

In response to the final point on de Chastelain and a definite timetable, that is one of the things that was discussed yesterday. I hope that, when the review gets going, it is discussed again, but, as is patently clear from what is happening in Northern Ireland at the moment, it is the parties who will decide whether that is crucial, not us.

Mr. Lembit Öpik (Montgomeryshire): May I also say that we understand the very important reasons that led to the late arrival of the information that came to us before the statement—indeed, I applaud the Secretary of State for doing her best to keep us posted at all.

May I first ask the Secretary of State to note some slight concern about the effect that the very late arrival of the new Standing Order that she determined this morning had on the proceedings in Northern Ireland? Perhaps she could explain why it was sent so late.

Secondly, will the Secretary of State confirm that, according to the regulations, the resignation of the Northern Ireland Deputy First Minister creates a vacancy also for First Minister—although the current First Minister would be entitled to continue as acting First Minister for up to six weeks, by which time an election must be called?

Thirdly, does the Secretary of State agree that, although it may now be difficult to move forward, that is no excuse for moving back? Do we not have to recognise that the failure to choose the current process will do nothing to provide an alternative to what has come before us?

Fourthly, does the Secretary of State also realise that—despite protestations of it all being fair and square by the right hon. Member for Bracknell (Mr. MacKay) on behalf of the official Opposition—when something of such gravity is occurring in Northern Ireland, this is not the time to try to score party political points? Does she agree that it sounds to many Northern Ireland people as though some mainland politicians have forgotten that we are here in the Province's interests, not our own? Does she also agree that trying to justify some of the comments made in the Chamber has made it exceedingly difficult for Northern Ireland politicians who desperately want to make progress to do so?

Finally, does the Minister agree that there will have to come a time when all sides show some faith, even if that involves risk? Without that faith, the Province can have little faith in the future.

Marjorie Mowlam: The Standing Order was determined this morning because—last night, and until the early hours of this morning—it was unclear whether the Ulster Unionist party would be able to include someone in the process. That was clarified only when the UUP announced from Glengall street in Belfast that it would not field a nomination in the d'Hondt procedure. I had made a commitment, as had the Prime Minister, to run d'Hondt, and we had to give the Assembly 24 hours' notice before doing so. The process was therefore inevitably taking its course.

Subsequently, it became clear to me that if the UUP and the Ulster Democratic Unionist party would not make nominations, we would end up with an Executive composed of 10 nationalists. The spirit and words of the Good Friday agreement have always been that movement would have to be on a cross-community basis.

I apologise to the parties that were in the Chamber in Northern Ireland at lunch time, but I could not pull d'Hondt. Equally, if only one community had participated in it, it would not have worked or been cross-community. The Standing Order was drafted, therefore, when the situation became clear, at about 9.30 am to 10.00 am, so that we could have it in the Chamber, and avoid an even more unworkable situation.

As for the impact of the Deputy First Minister's resignation on the First Minister, the two posts are connected, and I believe that there will have to be an election for both. I believe that a six-week time frame, which the hon. Member for Montgomeryshire (Mr. Öpik) mentioned, is another dimension to the matter. Although we are—to be fair—still checking the details, I share the hon. Gentleman's view that, after six weeks, there will have to be an election for both posts.

I do not really want—however frustrated I might feel—to deal with the hon. Gentleman's final point, on political parties, point scoring and bipartisanship. As so often in this process, we have to do all that we can to protect bipartisanship. It would not help for me to go through what we did when we were in opposition that has not been reciprocated, as I should be indulging in what I told the rest of the House would not be productive, today, of all days. Nevertheless, bipartisanship does help, and I hope that, from now on, we can continue acting positively and constructively in that manner.

Mr. Tony Benn (Chesterfield): As the Secretary of State will know, the sense of disappointment that she expressed will be shared by the overwhelming majority of Members of this House and the people of Northern Ireland, because the Belfast agreement represents the majority of the people in Northern Ireland more even than any party there. May I thank her for the immense amount of work that she has done? No British Minister in history has ever devoted so much time, attention, care and thought to finding a solution, and the language she uses is clearly designed to keep all the participants in a position to negotiate. I am sure that she is right to talk about the future because of the majority in the referendum.

Is my right hon. Friend aware that, for many people, the ultimate decision by the Unionists will not come as a surprise? From the time of the first ceasefire, their feeling was that there could be no negotiations until it was permanent. Now we have the problem about decommissioning.

The impression has been given that the representatives of old Unionism, which commands the Ulster Unionist party, is interested in the Union with the United Kingdom only if we will send troops to support them, but not if they are asked to sit down with the Catholic community on the basis of equality. One of the consequences of that, as I am sure the Secretary of State is aware, is that if the emphasis now moves to London and Dublin running a condominium in Northern Ireland, that will be the first stage towards what many people—including myself, for all my life—believe; that the Irish people will have to settle their own future. I hope that she will use those arguments with the skill that she has shown to try to make the Ulster Unionist party—I am not speaking about the right hon. Member for Upper Bann (Mr. Trimble), but his party—realise that the old days are over, and that the majority of people in the Northern Ireland want that to be the case.

Marjorie Mowlam: I ask all hon. Members to avoid recriminations, however strongly we may feel; otherwise, we revert to oppositional behaviour, and today is not the day for that. I am sure that we will have debates in future when these views can be expressed clearly. Today, we are making a commitment to stick with the principles in the Good Friday agreement and to have a review. The details of the review will be discussed by the parties in Westminster and there will be input from those in the House. My right hon. Friend talks about the old days being part of the past and, for many people in Northern Ireland, they are. If one goes to Northern Ireland, one sees new buildings and increasing jobs and industry. Normality is coming to Northern Ireland, and all politicians have to show leadership and make sure that we make happen politically what is happening in many communities.

Mr. Peter Brooke (Cities of London and Westminster): Does the Secretary of State agree that, not for the first time in our history, "Steady the Buffs" is not a bad national watchword, and that the important thing at this juncture is calm thought for the future about how the delicate plant that is the peace process can be fostered? That, of course, includes—as the hon. Member for Greenock and Inverclyde (Dr. Godman) said earlier—the work of General de Chastelain on the decommissioning programme.

Marjorie Mowlam: I acknowledge the work of the right hon. Gentleman, who will feel as sad as anyone that we have got to this point but no further, as he was one of the architects of the process. General de Chastelain will continue to work as hard as he has done, and he has made a positive impact on the process. I am sure that that will continue. "Steady the Buffs" might be his phrase. Mine would be "Keep your head, keep it down and we will keep going."

Mr. Kevin McNamara (Hull, North): Is my right hon. Friend aware that her right hon. and hon. Friends admire her stateswomanlike qualities this afternoon, as she must be under tremendous pressure to vent her opinions? We admire the way in which she continued her job, despite the fact that, from the time when the Good Friday agreement was made, the Official Opposition—in conjunction with the Ulster Unionists—sought to cherry-pick and alter the agreement, change it and bring in fresh conditions. As much as anything, the Official Opposition are responsible for bolstering the Ulster Unionists in their rejection of the agreement.

The Ulster Unionists are halfway through another Parliament, and still there is no change. That has always been their policy. Many of us believed from the start that they never had any intention of coming to an agreement.

Marjorie Mowlam: I thank my hon. Friend for the work that he has put into building the process, but I must also say to him that there has been change in Northern Ireland. Incredible progress has been made since the Good Friday agreement. The principle of consent has been agreed, so there is a way forward on the basic constitutional difficulty that has always been at the root of the problems in Northern Ireland. That, more than anything, is a good building block to start from; it was for the Good Friday agreement, and it will be as we move forward.

Mr. Tom King (Bridgwater): I very much welcome the Secretary of State's insistence that this is not the end of the Good Friday agreement but that the review itself is being conducted within the agreement. I greatly appreciate her demeanour and presentation today, which are a signal improvement on some of the comments from Government Back Benchers to which she has had to respond.

When the Prime Minister talked in his original statement about a failsafe mechanism, which is obviously a very important agreement, I was concerned that he was not able to say what the mechanism was. The Government are trying to produce suitable amendments rather late in the day. I strongly endorse what the hon. Member for Greenock and Inverclyde (Dr. Godman) said. Surely the opportunity is now there for General de Chastelain to produce the mechanism, which could be put in the Bill. The Bill has been laid aside but not abandoned. The independent commissioner's report could be attached to

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the Bill and the mechanism would be endorsed, with the authority of Parliament—it would not be a bad thing if it were endorsed by the Dail as well—so people might be able to have real confidence that it was, indeed, a failsafe.

Marjorie Mowlam: I thank the right hon. Gentleman for his contribution, but unhelpful comments sometimes come from both sides of the House. I appreciate and reinforce strongly his point that this is a review; the Good Friday agreement is still there, we are certainly not going backwards and we fully intend to move forwards. However difficult it is today, and however disappointed people are, we must not lose sight of that. I have often thought in the past two years that we have come a long way quite quickly.

One can see from conflicts around the world that it will take years to build a strong, stable base. That we go three steps forward, one back, four steps forward, three back is in the nature of building a process of trust and confidence and achieving the reconciliation that is needed. I certainly endorse the right hon. Gentleman's statement that the review is to take place on the basis of the Good Friday agreement.

On tying the failsafe to the broader political statement and to the role of General de Chastelain, the best thing to say at this point is that I am sure that General John de Chastelain and the parties in Northern Ireland have heard what the right hon. Gentleman said. As the review progresses in the weeks ahead, I am sure that his points will have been heard.

Mr. David Winnick (Walsall, North): Is my right hon. Friend aware that there will be much disappointment not only in Northern Ireland but on the mainland and that the overwhelming majority in Britain itself want the Good Friday agreement to be endorsed and implemented as soon as possible? I hope that, despite today's disappointments, that will come about later.

Will my right hon. Friend reaffirm that the Government intend to continue to work as closely as possible with the Government of the Irish Republic? Today, there may be a kind of victory for those who were against the agreement from the beginning—the majority of Unionist Members—but it is essential above all that we do not give them a permanent victory, because that would be a terrible disaster for Northern Ireland and the United Kingdom as a whole.

Marjorie Mowlam: The disappointment that my hon. Friend mentioned will be shared not only by people on the island of Ireland and in Great Britain, but—if my mailbag is anything to go by—by people across the world who have been watching the situation. What is important today is to reinforce the contribution from the right hon. Member for Bridgwater (Mr. King) and say, "Yes, it is disappointing and sad that we have not made progress, but we still have the Good Friday agreement and a review."

In a sense, we are where we were before "The Way Forward" document was put forward. We are where we were when the Hillsborough declaration failed. That is disappointing, but we are no further back than we were several months ago and that does not mean that we cannot find other ways forward. That is what we should focus on.

My hon. Friend mentioned the Irish Government, and I may say that we would not have got to where we had got if we had not worked as closely as we have with the Irish Government. Previous Governments knew that, and Opposition Members who have spoken also know that. We have had a good working relationship with the Irish Government and we are still talking through the night about how we can go forward. We will continue to talk over the weekend. The Taoiseach and others in the Republic are as sad and disappointed as many people here are that progress is not being made.

Rev. Martin Smyth (Belfast, South): I first wish to apologise for the absence of my right hon. Friend the Member for Upper Bann (Mr. Trimble). He expected the statement to be made later and was hoping to be here in time for it.

We are used to spin doctors and I understand the reference to the Good Friday agreement, but I thought that we were talking about the Belfast agreement rather than the spin on it. The harsh reality—when one considers what has been said across the Chamber—is that unlike those why buy from disreputable insurance salespersons who mention benefits but do not encourage reading of the small print, politicians should read the small print. From the beginning some of us saw where the problem lay. That emerged from the statements of the Prime Minister when he came to Belfast some two weeks ago and wanted everyone to subscribe to a document that stated, first:

"That Unionists are committed to an inclusive administration"—

and, secondly:

"that the Republican movement is prepared to decommission by May 2000".

We have answered the first point and we are prepared to go down that road, despite what has been said today by Labour Members. Unfortunately, they are following the big lie by the leader of Sinn Fein, who went on the media to say that Unionists did not want to share not with nationalists or republicans but with Roman Catholics. My right hon. Friend the Member for Upper Bann has answered that specifically in the House and elsewhere.

The second point about decommissioning has not been dealt with. The failsafe mechanisms did not deal with it. We live in the reality of Northern Ireland and it was none other than Gerry Adams who categorically denied that any commitment had been given to disarmament. Hence, there is no evidence that there has been a seismic change in republican thinking.

The Secretary of State mentioned movement in Northern Ireland in her statement and I would expect her to agree that that has been going on for a considerable time. If we went back to the report from the constitutional convention of 1975, we would find many of those points in it. Unionists have been moving forward, but we are not prepared to sell democracy at the price of terror.

Marjorie Mowlam: I have tried to acknowledge the role of the anti-agreement parties because in a democracy everybody's voice should be heard. We have not indulged in spin doctoring on this issue: I do not believe in it and will not do it.

Rev. Martin Smyth: You have.

Marjorie Mowlam: I have not and will not, but I can tell the House who has been spinning. It is all the parties

in Northern Ireland, and the sooner they stop spinning and start talking to each other, the sooner progress will be made. On the hon. Gentleman's final point about looking back to what happened in 1974, it is important that we do not keep replaying history or living in the past: we must look to the future. We have a chance of looking to the future if we all try, by admitting the mistakes and errors in the past, to build for the future.

Progress has been made over the past 30 years, but hundreds of people have also been killed, as the hon. Gentleman and I know. The violence continued after the Good Friday agreement was reached, but the smaller number of people killed in the period shows that the agreement considerably lessened that violence.

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush): My right hon. Friend reminds us all that this is a good time to remember the lessons of the recent past, one of which is that there is a greater chance of agreement when the major Opposition party supports a Government. That is true even when strange things happen, such as the previous Conservative Government holding direct talks with the IRA. What has happened in the past few days is a result of the major Opposition party partially withdrawing support for the Government. In so doing, it has undermined the already severely divided Ulster Unionist party—so that those responsible members of that party who wanted the agreement found it almost impossible to go the extra mile—and allowed the agreement to slip through our fingers.

Marjorie Mowlam: I thank my hon. Friend, in view of all the work that he has done on this matter, but I must reinforce the point that we will make progress when people stop spinning and start talking to each other.

Mr. Tim Collins (Westmorland and Lonsdale): If the ceasefires are "fragile"—the word that the Secretary of State used earlier—rather than permanent, firm and unshakeable, as we had been assured previously, does not that suggest that it is especially important to halt prisoner releases until there is some decommissioning of weapons?

Marjorie Mowlam: I am saddened that the hon. Gentleman has put that interpretation on my use of the word "fragile" in relation to the situation. The ceasefires become more and more fragile when there is no alternative political way forward. When there is a vacuum—

Dr. Julian Lewis (New Forest, East): Ah.

Marjorie Mowlam: It is all very well to say "Ah", but that is the reality: a political vacuum makes it easier for people who use the road of violence to justify their course of action. At the moment, there is no political vacuum in Northern Ireland. The political way forward is still being debated and discussed. The fragility is not in the nature of the ceasefires which, as I have said many times in the House, I keep under constant review. I have made a clear commitment that I will act if and when I am advised that the ceasefires are not holding. The fragility stems from the possibility that people will not talk and from the presence of extremist groups who want to break up the agreement.

Conservative Members may be trying to secure a statement from me that could be headlined as "Secretary of State Admits Ceasefires Fragile", but that is not the case. There is fragility in Northern Ireland at the moment: that is inevitable. People will be disappointed and worried, and there remain marches to be held. However, I hope that all hon. Members will play a part in sustaining confidence and ensuring that divisions are not exacerbated. We must do our best to try and hold the situation together.

Mr. Jeremy Corbyn (Islington, North): I add my congratulations to my right hon. Friend for her patience in carrying out all the duties associated with her office over the past two years. On this sad day, she has had to announce a review of the Good Friday agreement which, when it was agreed, was an enormous step forward.

Will the review look again at the basic principles of the Good Friday agreement, or will the basis of the review be that we retain the agreement, under which both communities must be represented and in agreement before any progress can be made? When does my right hon. Friend expect the review to be completed?

Finally, the First Minister designate has failed to attend Stormont this morning. He has not offered his resignation, but his party has not nominated people to the Executive. Does the right hon. Member for Upper Bann (Mr. Trimble) remain as First Minister designate, even though he has vetoed this final hurdle in the peace process, or will he remain in office only until such time as the two Governments have completed the review?

Marjorie Mowlam: I said earlier that I think that the Good Friday agreement will be the basis of the review, which will concern the agreement's implementation rather than its content. That is the perspective that we have adopted since it became clear, an hour or so ago, that we shall need a review pretty quickly.

Those discussions with the Irish Government are taking place now.

We have said clearly that we will discuss matters with the parties over the days ahead. I hope that by the time the Prime Minister and the Taoiseach meet next week, they will be able to outline the terms of reference, the nature of the review and its conditions. I can be no firmer than that at present.

I cannot give a specific time scale, either. I have come to the House within an hour and a half of knowing what was happening, and it would be premature, if not unwise, to start to set down times until we have talked to the Irish Government and to the other parties. I assure the House that the statement to be made by the Prime Minister and the Taoiseach after their summit next week will make those answers clear.

Like my hon. Friend, the hon. Member for Montgomeryshire asked about the First Minister remaining in office at the moment. The two appointments are connected, but within six weeks, the situation will change. That is our understanding, but I should like to check the details, because I have not yet had the chance to make sure that it is definitive. I am 99 per cent. sure that that is how things stand.

Mr. William Thompson (West Tyrone): When will the Secretary of State and the Government recognise that the

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idea of an Executive for Northern Ireland composed of Unionists, nationalists and republicans is simple nonsense that will never work?. Has the time not come to end the farce played out at Stormont today, to scrap the agreement, so that Northern Ireland can be governed as it should be—according to the same principles and practices as apply in the rest of the United Kingdom—and to defeat terrorism, wherever it comes from?

Marjorie Mowlam: We will continue to work for what the people of Northern Ireland ask us for. In implementing the Good Friday agreement, we are implementing what 71 per cent. of the people of Northern Ireland voted for. We are acting not off our own backs, but because the people want progress. It would have been wonderful to move towards devolution today, as has happened in Scotland and Wales. Along with the Irish Government, we believe that the Good Friday agreement provided the best way of doing that, but we cannot act in Northern Ireland exactly as we did for the Scots and Welsh, because they have different histories, and the history of Northern Ireland, with its large element of violence, means that mechanisms are needed that include both communities. We are trying to achieve those mechanisms, and we shall continue to do so.

Mr. Harry Barnes (North-East Derbyshire): I am not the sort of politician who tends to praise my Front-Bench colleagues, but the Secretary of State's approach has been exactly right. Matters are still open and much work must still be done, but we must not give up hope. We must avoid the politics of blame, and shouting yah-boo against particular groups or people. We must recognise the complexity of Northern Ireland, and of the attitudes in the House towards resolving these matters. Some elements of Unionism may stand strongly against any change, but others would accept matters as they stand, while others still want progress, a timetable and an agreement. There are differing positions, too, within the Conservative party—but honourable positions are held and argued on all sides. We must try to pull all those views together to achieve the settlement that we all want.

Marjorie Mowlam: I agree. I certainly have not given up hope and belief in a vision of a better future for Northern Ireland.

Business Statement

1.19 pm

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): With permission, I should like to make a statement about the business for next week.

MONDAY 19 JULY—Second Reading of the Railways Bill.

TUESDAY 20 JULY—Opposition Day [19th Allotted Day].

Until about 7 o'clock, there will be a debate entitled "Deterioration in Health Care Provision in the United Kingdom", followed by a debate entitled "The Government's Proposed Energy Tax", both debates will arise on Opposition motions.

WEDNESDAY 21 JULY—Until 2 o'clock, there will be debates on the motion for the Adjournment of the House which will include the usual three hour pre-recess debate.

Consideration of any Lords amendments which may be received to the Employment Relations Bill.

Remaining stages of the Contracts (Right of Third Parties) Bill*[Lords]*.

THURSDAY 22 JULY—Remaining stages of the Food Standards Bill.

FRIDAY 23 JULY—Private Members' Bills.

The House may also be asked to consider any Lords messages which may be received. The House will also wish to know that on Monday 19 July there will be a debate on sectors and activities excluded from the—

Sir Patrick Cormack (South Staffordshire): Does the right hon. Lady mean Monday 26 July?

Mrs. Beckett: No. On 19 July, there will be a debate on sectors and activities excluded from the working time directive in European Standing Committee C. Details of the relevant documents will be given in the *Official Report*.

[Monday 19 July: European Standing Committee C—Relevant European Union documents: (a) 13526/98; (b) Unnumbered EM submitted by DTI dated 18 May 1999, Sectors and activities excluded from the working time directive; (c) Unnumbered EM submitted by DTI dated 21 June 1999. Relevant European Scrutiny Committee Reports: HC 34-vi and HC34-xxiv (1998-99)]

Although the hon. Gentleman was mistaken in thinking that the date was incorrect, there was an omission from my remarks. I referred to the consideration on Wednesday 21 July of Lords amendments to the Employment Relations Bill. That is correct, but before that, we shall take consideration of Lords amendments to the Access to Justice Bill *[Lords]*. So, the business will be the Access to Justice Bill, followed by the Employment Relations Bill, followed by the Contracts (Right of Third Parties) Bill.

The only other thing that the House would want to know at this stage is that the new Session will be opened on Wednesday 17 November.

Sir George Young (North-West Hampshire): The House is grateful for next week's business.

In the light of the statement that has just been made by the Secretary of State for Northern Ireland, is the Government's intention now not to move the business of the House motion, in the name of the Prime Minister, at 7 o'clock?

Will the right hon. Lady confirm that the plan is still to rise on Tuesday week? Will she confirm that we shall have the promised debate on public expenditure before the House rises?

The Leader of the House will have heard your statement on 12 July, Madam Speaker. You noted that

"the Procedure Committee . . . report on the procedural consequences of devolution has still to be debated."

You continued that the matter would be reviewed:

"Once the House has had a chance to debate the fourth report of the Procedure Committee."—[*Official Report*, 12 July 1999; Vol. 335, c. 21-22.]

As the implications of the Government's constitutional reforms have consequences for the House, will the Leader of the House find an early occasion on which we may debate the Procedure Committee's report?

What has happened to the debate on small businesses? Does the Leader of the House recall what the then Minister for Small Firms, Trade and Industry, the hon. Member for Hornsey and Wood Green (Mrs. Roche), said last year? She stated:

"It fulfils a commitment that the Government gave while in opposition, when we said that we would institute an annual parliamentary debate about the small business sector in the United Kingdom."—[*Official Report*, 19 June 1998; Vol. 314, c. 606.]

Are the Government now anxious to avoid a debate, because of the problems currently faced by small firms?

At this time of year, there is pressure on Ministers to clear the decks before the House rises. May important statements on Government policy be made in the Chamber, rather than being slipped out in a written answer—as happened this week with the decision to privatise BNFL? Will the Leader of the House outline to the House what statements Ministers plan to make before we rise?

On Monday, does it really make sense to spend a whole day on Second Reading of the Railways Bill, when it will run out of legislative track because the Government introduced it so late in the Session? We shall have to have another day on Second Reading of the same Bill in the new Session. Could we not more usefully spend the time debating the report of the royal commission on long-term care?

Finally, on a more conciliatory note, the House is most grateful for the date of the state opening of Parliament.

Mrs. Beckett: I confirm that the right hon. Gentleman is correct; the Government do not now propose to move the 7 o'clock motion for the order on Friday. We still plan to rise on Tuesday 27 July; it is my intention and hope that we shall hold the public expenditure debate before that date.

The right hon. Gentleman asked me about the important debates that we need to hold on the report of the Procedure Committee. I am conscious of that matter and of the fact that Madam Speaker is also keen for the issue to be aired. The right hon. Gentleman asked whether we could find an early occasion for such a debate, and I hope and anticipate that we shall find time, perhaps relatively early in the overspill period. That will kill two birds with one stone, because it means that we shall have a debate before this House gets much further into dealing with the consequences and aftermath, but the new bodies will have had more time to gain their own experience. In that way, we shall have a clearer view of what reciprocal discussions might be possible.

The right hon. Gentleman asked about the debate on small businesses. I am aware of the indication given that there would be an annual debate, and I can think of no reason why the Government should want to delay it. In a whole range of matters—including, for example, introducing the lowest rate of corporation tax that small businesses have ever faced—we are doing a great deal to help the small business community. I assure him that that matter has not been overlooked, but I cannot give a date for a debate at present.

The right hon. Gentleman also asked about statements. I remind him that, as Madam Speaker has made plain, there is nothing wrong with Government announcements being made by written answer. The House would never do anything else if we tried to make every announcement by way of a statement. I cannot tell him offhand what statements are likely between now and the recess, but I shall see whether we can provide some indication through the usual channels, if that would be helpful.

As for the Railways Bill, I do not accept that the Second Reading debate makes no sense—in fact, I think that it would be an extremely useful step. As I hope the right hon. Gentleman is aware, we hope that the Transport Sub-Committee of the Select Committee on the Environment, Transport and Regional Affairs will agree to consider the Bill, in another variant on the theme of pre-legislative scrutiny, which most of the House wants to happen. We hope and believe that that will substantially improve the Bill, which will be extremely helpful to the House in future.

Finally, I thank the right hon. Gentleman for his kind remarks about our giving the date of the state opening. I apologise to the House for not being able to give it before, but there are always some complications in settling such matters.

Mr. Andrew Mackinlay (Thurrock): May we have a statement from the Home Secretary next week about files kept by the security services? Many hon. Members will have been concerned—although perhaps not surprised—to learn that the United States Environmental Protection Agency has a file on a Minister of the Crown. Bearing in mind that United States legislation does at least allow people to know that a file is held on them, we might, in addition to discussing that matter, consider our own proposed United Kingdom legislation, which, as I understand it, would not allow hon. Members or other people to know whether or not British security services held a file on them. It is time that the Home Secretary assured us that the British security services do not hold files on hon. Members.

Mrs. Beckett: I am afraid that I cannot promise a statement from the Home Secretary next week. I was not aware of the matter until my hon. Friend raised it, because I have not seen the reports that a file is held on one of our colleagues—I suspect that, although surprised, he is also deeply flattered. I shall certainly draw my

[Mrs. Beckett]

hon. Friend's serious point to the attention of our right hon. Friend the Home Secretary, in case there is anything that he can usefully add.

Mr. Andrew Stunell (Hazel Grove): May I press the Leader of the House on the fourth report of the Procedure Committee, which is the subject of active political debate? A report before the House contains practical suggestions on a way forward, and I should have thought that an early debate and an early decision by the House would be greatly in the interests of this House, the Scottish Parliament and the Welsh Assembly.

May I also raise an issue that I believe my hon. Friend the Member for North Cornwall (Mr. Tyler) has already raised with you, Madam Speaker? It relates to the announcement today by the three relevant Secretaries of State of the new objective 1 status and single regeneration budget decisions. That important set of announcements affects almost all hon. Members, with some receiving good news and others bad news. Although the decisions are of great interest and importance, they have been announced not in a parliamentary answer or a statement, but at a press conference held this morning. Will there be an opportunity, before the summer recess, for hon. Members to question Ministers about the decisions and the implications of those decisions?

Mrs. Beckett: First, as I hope I have demonstrated, I understand the importance of the Procedure Committee's report, and the wish of the House to come a view on it. I am sorry that it has not been possible to accommodate such a debate before the House rises for the summer recess, but an early debate in the overspill period will be not merely satisfactory but perhaps even better than having a debate now, when the Scottish Parliament, for example, has yet to embark on its new Session.

The hon. Gentleman also referred to assisted areas. He helpfully flagged up what is always the dilemma for the House and the Government, in that the responsibility for such matters crosses a number of departmental boundaries. Who, then, would make the statement? Hon. Members might want to question Ministers from different Departments on different aspects of the statement. In addition, we were aware that, sadly, it would be necessary for my right hon. Friend the Secretary of State for Northern Ireland to make a statement today. There is always a business statement on a Thursday, too, and it would be difficult for the House if we had three statements on one day.

As the hon. Gentleman knows—if he does not, he will find out when he leaves the Chamber and gets his post—my right hon. Friends have written to every hon. Member giving the full details. Although hon. Members will seek other opportunities to raise points publicly, all the information that they would want is available to them, probably in a fuller form than would have been possible if a statement had simply been made to the House. The Government have tried to overcome the difficulties that the hon. Gentleman rightly identified.

Mr. Paul Flynn (Newport, West): Is there not now an urgent need for a debate on the future of the constitution, particularly regarding devolution in England, because of the extraordinary and irresponsible speeches of Conservative Members? They claim that the House should act as an English Parliament on certain occasions, which would mean that Welsh, Irish and Scottish MPs would have to neglect their duties and responsibilities as elected United Kingdom Members. Is it not right that we should proceed with devolution in an orderly way with the consent of the British people?

The suggestion that we should somehow turn ourselves into an English Parliament would inevitably mean that the Scottish Parliament and the Welsh Assembly would demand more powers, which would lead to the break-up of the United Kingdom. Should we not proceed by debate, decision and referendum, rather than by the Leader of the Opposition making opportunistic speeches purely for his own political gratification?

Mrs. Beckett: My hon. Friend, as I recall, raised the general issue of the role and responsibility of UK MPs on Monday, when you, Madam Speaker, made it plain that we were all elected as Westminster MPs to serve in the Parliament of the United Kingdom, and that we all enjoy the full panoply of rights and responsibilities here.

I entirely share my hon. Friend's view that the Leader of the Opposition, not for the first time—indeed, it is becoming an unfortunate characteristic of his leadership—has rushed into something that he presumably hopes will give him short-term political advantage, without thinking through the long-term consequences. Although he claims to support the Union of the United Kingdom, he is in danger of fomenting exactly the kind of debate and discussion that would lead to the UK breaking up into its several countries.

Moreover, the right hon. Gentleman has made those remarks at a time when we are debating a devolved Administration in Northern Ireland, and he has said not only to Welsh and Scots MPs, but presumably, although he was not so tactless as to include them in his remarks, to Northern Ireland MPs, that they should not have a voice in affairs that impinge on England. To make those remarks at this time is foolish and very dangerous.

Angela Smith (Basildon): Can we have, as a matter of urgency, a debate on rural bus services, with particular reference to their privatisation? It is disgraceful that when the Government came to office, 75 per cent. of rural parishes had no daily bus service. Although I welcome the Government's commitment to provide funds for rural bus services, and my constituency has benefited from being given £38,000 for services to Horndon and Bulphan, it is of great concern that privatised bus services have cherry-picked profitable routes, while cutting back on essential local rural services. An early debate on that issue would give us the opportunity to contrast the Conservative party's phoney concern for rural areas with the genuine action by the Government.

Mrs. Beckett: My hon. Friend is right about the improvements that have been made in rural areas, with some 1,500 new and enhanced bus services. That is only part of the picture. There are 1,000 more train services a day, new freight terminals and 16 new stations. Bus investment is 80 per cent. higher than it was five years ago. My hon. Friend is right, though, to identify the fact that it will take time to remedy the damage done by the Conservative party. As for the Conservatives' recent transport document, apart from the fact that it seems

designed to be a boy racer's charter, it flies in the face of the record of the previous Government, who cut spending on buses, on the tube and on road maintenance, and left things in a pretty parlous state, from which the present Government are seeking gradually to rescue them.

Mr. Robert Syms (Poole): May we have a statement, or perhaps a debate, on the position of junior hospital doctors? At their recent conference they voted unanimously to hold a ballot on industrial action because of the shabby treatment that they have received from the Government, not only in their exclusion from the working time directive but in the very poor compensation that they receive for the long hours that they have to work. If the Government propose that they should work excessive hours for the next 13 years, should they not be properly compensated? If the situation is not resolved, it will have an impact on patient care for all our constituents.

Mrs. Beckett: Junior hospital doctors' hours of work have fallen under the present Government, and we have every intention of ensuring that they continue to fall. There is no suggestion that hours will be increased. I am aware that there is concern among that group, and we are all well aware of the extent to which their dissatisfaction and concern swelled under the previous Government. However, I remind the hon. Gentleman, and the doctors, that their pay is set by an independent pay review body with the backing of the British Medical Association, and that the present Government—unlike the previous Government—have implemented the pay review body's recommendations in full. We accept that things are not improving as fast as junior hospital doctors would like them to, and as we would like them to, but under this Government—unlike the previous Government—things are at least going in the right direction.

Mr. Ian Bruce (South Dorset): May we have an urgent debate next week on the Government's failure to respond to Members' correspondence? I am sure that the Leader of the House knows, because she keeps an eye on such things, that the Cabinet Office produced a report the day after the European elections, when everyone had their eye off the ball, showing how appallingly the Government were doing.

The right hon. Lady will know that there is an annual report, and that the figures for 1997 were by common consent appalling. The figures for 1998 are even worse. She will also know that in 1997 only three Departments met the Cabinet Office's target of dealing with 90 per cent. of correspondence within three weeks—which is an appalling target anyway. In 1998 only one Department reached that target—the Cabinet Office, the Department that is doing the measuring—and two Departments, including her own, failed to achieve what they had achieved in 1997. When are we going to see some action, instead of excuses?

Mrs. Beckett: I have not seen the recent figures to which the hon. Gentleman refers, but I am not quarrelling with his interpretation of them. If anyone was going to do that, it would no doubt be my right hon. Friend the Minister for the Cabinet Office, when he takes questions next Wednesday. The hon. Gentleman will have an opportunity to ask him about the figures then.

Of course we recognise that it is important to try to improve the record on answering MPs' correspondence, and everyone greatly regrets the fact that no improvement is yet taking place. The amount of correspondence sent to several Departments is increasing sharply, which does not help. However, I share the hon. Gentleman's concern, and the Government will continue working on the matter.

Mr. Tam Dalyell (Linlithgow): Before we return to Westminster in October the Serbian winter will have set in, so might there be an opportunity for a debate on the Red Cross's warning about Serb starvation? The president of the International Federation of Red Cross and Red Crescent Societies, Dr. Astrid Heiberg, has warned that many people in Serbia are on the verge of starvation because of the effects of the recent NATO air raids and the international sanctions. Dr. Heiberg told the BBC that not only Serb refugees from Kosovo, but many elderly people on fixed incomes, were suffering. She appealed to the international community to provide humanitarian aid to Serbia without conditions. Should not the topic at least be debated, before it is too late to do anything about it?

Mrs. Beckett: I fear that I cannot undertake to find time for such a debate for my hon. Friend before the House rises for the summer, but there are, of course, the pre-recess debates, as he knows. I am not aware of any Red Cross reports predicting mass starvation or stating that people are on the verge of starvation, although I know that the Red Cross is concerned about the prospects for the winter.

Certainly, humanitarian assistance is on offer. There are difficulties in Serbia because there is only limited independent access, but the Government would be prepared to consider any request for assistance through international humanitarian organisations. The European Community Humanitarian Office—ECHO—has allocated 26.5 million euros for humanitarian assistance to Serbia, and the UK's share of that will be some 2.5 million, so I can assure my hon. Friend that some action is being taken and that we will continue to keep the situation under review.

Mr. Eric Forth (Bromley and Chislehurst): May we please have a debate on the relationship between the Government, the Labour party, outside single-interest groups, large sums of money and legislation? There have been a number of stories recently, of which the President of the Council is no doubt aware, that there may be some connection between the appearance of legislative proposals and the passage of large sums of money, possibly with threats attached, and between outside interests and the Labour party. I am sure that the President of the Council would want to take an early opportunity either categorically to deny such accusations or, perhaps, to introduce proposals that draft Bills would routinely contain an itemisation of the sums of money that had changed hands in order to get them to the stage of a Government proposal.

Mrs. Beckett: I cannot offer to find time for such a debate, but I am deeply grateful to the right hon. Gentleman for giving me the opportunity to refute utterly the ridiculous allegations that have been made, and to point out that what was said by the Leader of the

[Mrs. Beckett]

Opposition this morning on the "Today" programme was straightforwardly untrue. There is no truth in the suggestion that the Labour party changed policy on any issue after being given a donation by anyone.

Mr. Ian Bruce: Formula one.

Mrs. Beckett: Formula one is the classic example where we did not change policy. I am sorry that the hon. Gentleman is so ill informed. As I was the shadow Minister in charge of the policy at the time, I am perfectly well aware of the position. *[Interruption.]*

We were never committed to abolishing funding for sponsorship from tobacco companies. Indeed, I had many conversations with people in the medical profession when they told me how much they welcomed our decision to ban tobacco advertising and how much they regretted that we would not extend it to banning sponsorship of sports, but how fully they understood that that was very much more difficult and that it was a step too far. They did not expect us to ban sponsorship in sports. We were not committed to doing so, and we did not change policy. Anyone who suggests that we did, I am afraid, is telling an untruth.

Mr. Gerry Sutcliffe (Bradford, South): My right hon. Friend knows of the excellent work that the Government are doing to combat domestic violence. I do not know whether she had the opportunity to watch the "Newsnight" programme the other evening about the problems of domestic violence that are developing in marriages between British citizens and foreign nationals. The issue is causing great concern, and I have a case in my constituency. I will not name the people involved, but an individual is using every opportunity to prevent the proper rules from being applied, and his partner lives in constant fear of domestic violence. Will my right hon. Friend consider a debate on the subject at some time in the future?

Mrs. Beckett: I did not see the "Newsnight" programme to which my hon. Friend refers, but hon. Members across the House recognise that domestic violence is a difficult and sensitive subject. He will know that a statement about domestic violence was published recently and that the Government, including my right hon. Friends the Lord Privy Seal and the Home Secretary, who jointly published the major statement, are continuing to work on the matter. I recognise that there are circumstances in which what is always an appalling situation is exacerbated by other factors, and I understand the sensitivities to which my hon. Friend refers. I fear, however, that I cannot undertake to find time for a special debate on the subject in the near future, but he also might like to bear in mind the pre-recess debates.

Mr. Desmond Swayne (New Forest, West): Is there no possibility that we could substitute Monday's debate on Second Reading of the Railways Bill for a debate on the BBC and, in particular, its plans to spend £100 million on landmark programming to celebrate the millennium, which will include a 27-hour live breakfast broadcast that is unlikely to include the proceedings of the House? Many Members of the House, including some on the Labour Benches, would no doubt like to express the view that that money would be better spent on concessionary licence fees for pensioners.

Mrs. Beckett: No matter how much the BBC is planning to spend on that programme, I rather doubt that the amount would stretch to a budget that could fund concessionary television licences for all pensioners. I was not aware of the proposals to which the hon. Gentleman refers, but I fear that I cannot find time for a special debate on the BBC in the near future. Indeed, I would be a little wary of setting a precedent whereby we in the House start to second-guess the television programmers. I think that we second-guess quite enough people as it is.

Mr. Jim Murphy (Eastwood): My right hon. Friend will be aware from the Secretary of State for Scotland of the excellent news from the Kvaerner shipyards in Govan in Glasgow. She will also be aware that this is a perfect example of a Labour Government helping a labour force to protect and enhance their jobs and their futures. I believe that the action taken by my right hon. Friend the Secretary of State, his ministerial colleagues and the trade unions at Kvaerner will save up to 1,200 jobs. I know that the legislative agenda is packed, but can she arrange for an early statement or debate on the detail of the deal? That would not only bring to the fore more information about what the Government have achieved, but provide an opportunity to emphasise to the whole House—including Conservative Members who, we should remember, represent a minority of the English vote—the importance of the continuing role played by my right hon. Friend the Secretary of State for Scotland in the Cabinet and in the United Kingdom Parliament.

Mrs. Beckett: The whole House will share my hon. Friend's pleasure at the decision that has been reached and the outcome for those whose jobs have been saved. We should pay tribute to my right hon. and hon. Friends who, I understand, engaged in 40 hours of discussions to secure the arrangements to which he refers. I fear that I cannot find time for a special debate, although I note that Scottish questions will take place on Tuesday week, and he may seek to raise the matter then. One thing is quite clear: I recall that less than courteous remarks were made by some on the Conservative Benches at the previous Scottish questions about what role and functions my right hon. and hon. Friends would undertake in future. I think they have demonstrated admirably both their usefulness and their skill.

Mr. Paul Burstow (Sutton and Cheam): I draw the attention of the Leader of the House to early-day motion 405, on the royal commission on long-term care:

[*That this House congratulates the Government for its commitment to tackling the inequalities and inefficiencies of the present system of funding long-term care for older people; commends the Royal Commission on Long-Term Care for reporting within 14 months after consultation with over 2,000 organisations and experts in the field as well as members of the public; and joins with Age Concern in calling on the Government to produce a clear timetable for introducing long overdue changes to the system in recognition of the fact that older people do not have the time to wait for further debate.*]

In the light of earlier questions, when will the House have the opportunity to debate the royal commission's recommendations, not least because of the Secretary of State's desire to have such a debate? Will a debate be held before the Government come forward with their conclusions and response to the royal commission?

Mrs. Beckett: As the hon. Gentleman is well aware, the royal commission has produced a detailed report and the commissioners themselves called for a full debate across the country about its implications. I anticipate that that debate will continue for some time, and we should like to use it to inform the decisions that the Government may take on the matter. I am aware of the pressure for a debate in the House, but I fear that I cannot undertake to find time for it in the near future. However, I am sure that this will be one of the issues that is on everybody's list of matters for debate after the recess.

Mr. Brian White (Milton Keynes, North-East): I appreciate that there will be a wide-ranging health debate next week, but can my right hon. Friend find time for a debate so that we can review the progress of NHS Direct? One of the original NHS Direct pilot schemes took place in Milton Keynes and more than 250,000 phone calls have been made to it since then. Is my right hon. Friend aware that the general practitioners in my constituency now put NHS Direct's phone number on their ansaphone messages to direct people to it outside surgery times? Can she find time for a debate so that we can review the progress of the NHS roll-out?

Mrs. Beckett: I am grateful to my hon. Friend. The experience of his constituency, where one of the early pilot projects took place, is particularly interesting. I am most encouraged by what he says about the partnership that is developing between general practitioners in his area and NHS Direct, as the House will be. It is particularly interesting because, as he will recall, of late there have been comments in the news media suggesting that general practitioners oppose NHS Direct. It is clear from an area where the scheme has been piloted that not only is it successful with the public, but it is adding an extra, useful dimension to health care provision.

Rev. Martin Smyth (Belfast, South): May I support the plea of the hon. Member for Poole (Mr. Syms) for a debate on junior doctors' hours and specifically request the attendance of a Northern Ireland Health Minister for Tuesday's debate? At a recent British Medical Association conference in Belfast, a Belfast graduate speaking of the situation in an English hospital made a tremendous speech on this issue and actually said that the situation in Northern Ireland was even worse.

The Leader of the House will be aware that there has been a delegation dealing with human rights in Pakistan in the House this week. Concern has been expressed about cultural and political apartheid, with separate lists. I welcome Pakistan back into the Commonwealth, but will it be possible to have a statement shortly so that we can see whether we are encouraging political apartheid within the Commonwealth?

Mrs. Beckett: I believe that the hon. Gentleman may be able to raise that last matter at Question Time on Tuesday. I cannot undertake to find time for a special debate on it now, although I know that the House has had discussions of the kind that he indicates and that many hon. Members have taken part.

As for junior doctors' hours, I understand that the debate on Tuesday, as the hon. Gentleman anticipates, will be taken by Department of Health Ministers. It is not at present within my knowledge whether it is possible for a Northern Ireland Minister to attend. I shall certainly draw the hon. Gentleman's wish to the attention of my right hon. Friend the Secretary of State for Northern Ireland and I am sure that, if she and her colleagues can accommodate it, they will do so.

Mr. Dennis Skinner (Bolsover): In view of the letter yesterday from the Leader of the House to the Leader of the Opposition regarding the tax fiddle arrangements of Michael Ashcroft, the Treasurer of the Tory party, will there be a statement on the matter at some point? Will all the relevant authorities make all the necessary inquiries to find out how the previous Tory Government arranged the tax fiddle? Can we have assurances that every single Foreign Office Minister and other Ministers in other Departments at that time will be investigated about the role they played in arranging for Michael Ashcroft to divert money away from the British taxpayer and into Tory party coffers? Can we know how much money the Tory party has had over the years from this person who seems to own and run it?

Mrs. Beckett: My hon. Friend has asked a series of questions, many of the answers to which are not in the public domain, as he will know. Papers on whatever exchanges took place are not available to Ministers in this Government. They would have to be released by a decision—

Mr. Andrew Mackinlay (Thurrock): Leak them.

Mrs. Beckett: We cannot leak the papers. I am just making the point that there is no access to them. It is not open to Ministers in this Government to see them or to have access to their contents, let alone to leak them. They are the property of the previous Government. They could be released—*[Interruption.]* The right hon. Member for Wokingham (Mr. Redwood) is not paying attention or perhaps not bringing his scintillating intelligence to bear on the matter. Ministers in this Government do not have access to those papers. They have not been released, although presumably they could be, if former Ministers were prepared to allow that.

As for how much money Mr. Ashcroft gives to the Conservative party and what proportion it is of Conservative party income, until now the Conservative party has refused to release any information on this subject, although it claims to be committed to the principle of openness about party funding. This morning, the Leader of the Opposition gave an indication of a sum that Mr. Ashcroft had recently given, but the whole picture is not clear. If the right hon. Gentleman means what he says about openness in party funding, presumably it shortly will become clear.

Mr. Mike Hancock (Portsmouth, South): May I draw the attention of the Leader of the House to early-day motion 796?

[*That this House is deeply concerned by the findings of the investigation by the Computer Weekly magazine into the fatal crash of RAF Chinook ZD576 on the Mull of Kintyre in 1994; notes that the Ministry of Defence did not inform Air Accident Investigation Board personnel that they were suing the manufacturer of a problematic engine control system at the time of the accident; notes further that problems with safety-critical engine software were not resolved before the Chinook Mk 2 was released into service; believes that new evidence from the United States demonstrating that other factors may have been responsible for the accident undermines the burden of proof required to sustain the verdict of gross negligence against the deceased pilots; and calls upon Her Majesty's Government to re-open the Board of Inquiry.*]

The early-day motion refers to the RAF Chinook crash on the Mull of Kintyre in 1994. I urge the right hon. Lady to bring some pressure to bear on the Secretary of State for Defence to come to the House and make a statement on the attitude of the Ministry of Defence to the recent report and inquiry carried out into the crash by *Computer Weekly*. If he is not prepared to make a statement to the House, will the Leader of the House prevail on the powers that be to allow a debate, so that at long last we can do justice to the memory of the two pilots who were killed by providing some answers? Air safety could be improved generally when the causes of the crash are publicly announced once and for all. Anything short of that is a disgrace to the memory of all the people who died in that helicopter, and continues to put at risk the lives of the men and women who fly Chinooks on behalf of this country.

Mrs. Beckett: I know that the whole House shares the sympathy expressed by the hon. Gentleman for the families of those who died. He has continued to pursue this issue. It was a tragic accident. My right hon. and hon. Friends have always said that they would consider any fresh and relevant evidence. Until now, the judgment has been that no evidence has been produced that could lead to the issue being reopened.

The hon. Gentleman has asked several questions on this issue, and the Minister for the Armed Forces will hope to reply to those questions in the near future.

Mr. Peter Bradley (The Wrekin): Further to the points raised by my hon. Friend the Member for Bolsover (Mr. Skinner), will the Leader of the House arrange for a debate on political party funding, so that the Labour party can make its arrangements completely transparent to the House and the general public? It would afford the Conservative party the same opportunity, particularly in relation to foreign funding and the evidence that it gave to the Neill committee that it would not take foreign funding.

Such a debate would also allow the Conservative party to explain how it squares that evidence with the appointment of Mr. Michael Ashcroft as its treasurer and the receipt from him of major financial donations, given that he is a United Kingdom tax exile resident in the United States with principal business interests in Belize, of which, along with the Turks and Caicos islands, he is a citizen. It is alleged that he funds the Government party in Belize and, extraordinarily, he is that country's ambassador to the United Nations. If that is not foreign, I do not know what is. If we had a debate, the Conservative party would be able to explain why it thinks he is not, and why, when diplomats told Ministers in the previous Government that a shadow hung over his reputation that ought not to be ignored, they ignored that advice—and the Conservative party continues to ignore it now.

Will the Leader of the House grant this request for a debate on party political funding, so that all those issues and the revelations exposed in the newspapers this week can be properly aired?

Mrs. Beckett: I understand the pressure that my hon. Friend is exerting. I share his view that it is a little hard to square what the Conservative party has said about taking funds from foreign sources with its relationship with Mr. Ashcroft. I take my hon. Friend's point that this interesting question could be explored by the Leader of the Opposition, who could explain to us how he squares those views if there were time for a debate in the House. However, tempting though that is, I fear that I cannot undertake to find time for such a debate in the near future. Who knows, at some point the Conservative party, which has Opposition time, may want to explore such an interesting issue.

Dr. Julian Lewis (New Forest, East): The right hon. Lady will probably not know that I previously raised with her predecessor as Leader of the House the issue of the conduct of the Deputy Prime Minister—whom I am delighted to see in the Chamber—when he refused to answer a question posed by me in the House. He wrongly said that the question was untruthful.

I now return to the question of the right hon. Gentleman's conduct in relation to his other role as Secretary of State for the Environment, Transport and the Regions. I request a debate on early-day motion 820.

[*That this House notes with concern the failure of the Secretary of State for the Environment, Transport and the Regions to respond to a letter from the honourable Member for New Forest East when originally sent on 16th March and when faxed to his office on 25th May; further notes that the only matter discussed over the telephone by the Secretary of State's and honourable Member's offices was the Secretary of State's repeated failure to reply; therefore deplores the misleading written Answer on 8th July to a written question from the honourable Member for New Forest East, in which the Secretary of State wrongly stated that his reason for repeatedly failing to reply was that 'the matter was dealt with by our offices over the telephone'; and accordingly calls upon the Secretary of State to handle his correspondence from honourable Members properly in future, rather than seeking to shield his incompetence and discourtesy.*]

The motion relates to the right hon. Gentleman's failure to respond to correspondence from me, his further failure to respond to reminders about his failure to respond to correspondence from me, and his eventual misleading written answer, which wrongly claims that he does not respond to correspondence from me because the matter has been dealt with on the telephone.

Back Benchers are fed up with this sort of arrogance and disregard for their attempts to do their duty, particularly when it is covered up by erroneous claims.

Mrs. Beckett: I readily admit that much of what the hon. Gentleman said struck me as somewhat opaque, but I gather that there is a dispute between him and my right hon. Friend the Deputy Prime Minister. Someone in the hon. Gentleman's constituency is under the impression that he has seen my—I had hitherto thought unmistakeable—right hon. Friend in the constituency. My right hon. Friend says that he has not visited the hon. Gentleman's constituency, and that his office has written to the hon. Gentleman to say so.

We all recognise—*[Interruption.]* As I say, I am not as fully acquainted with all the details as I would like to be in order to give the hon. Gentleman the fullest possible answer. I can only say that we all understand that it is a matter of sensitivity when Members are, or are thought to be, in other Members' constituencies. I am confident that, had my right hon. Friend the Deputy Prime Minister been in the hon. Gentleman's constituency, he would have intended no offence thereby.

Mr. David Heath (Somerton and Frome): Will the right hon. Lady confirm that the Government intend to publish a second annual report on human rights before the recess? Can she confirm that this year, it will be a Command Paper? If it is published, will she be able to find time, either immediately before the recess or immediately after it, for the House to debate its contents? Many hon. Members are very committed to the cause of human rights around the world, and want an opportunity to discuss the matter in detail.

Mrs. Beckett: I fear that I am not in a position to assist the hon. Gentleman at this stage. I have rather lost track of the timing of these issues, but I shall certainly make inquiries, and if there is any further information that I can give the hon. Gentleman, I shall write to him.

Mr. John Bercow (Buckingham): Will the Leader of the House arrange a full day's debate next week, in Government time, on the harrowing plight of this country's heart patients? Is she aware that the patients charter specifies that no heart patient should be obliged to wait for more than 12 months for cardiac surgery? Is she further aware that a recent survey of 35 NHS trusts in England shows that no fewer than 21 of those 35 are failing to meet the target, and that in some cases, heart patients are having to wait for up to 17 months to receive the surgery to which they are entitled?

In view of the evident gravity of the situation, and given that constituents of right hon. and hon. Members on both sides of the House are directly affected by the crisis, will the right hon. Lady arrange for the debate that I have requested, so that it can be urgently addressed?

Mrs. Beckett: I fear that I cannot undertake to find time for another full day's debate on health care—particularly on one aspect of health care—in the near future, but I am aware that there have been difficulties, especially in some key parts of the country, and that local health authorities and local trusts are working to address them. I know that, in some instances, additional funds have been awarded in an attempt to resolve the problems.

Although I fear that I cannot provide a whole day in Government time, I am sure the hon. Gentleman will have observed that there is a half day of Opposition time on Tuesday. He may have an opportunity to raise the matter then.

Opposition Day

[18TH ALLOTTED DAY]

Motorists

Mr. Deputy Speaker (Mr. Michael Lord): I inform the House that Madam Speaker has selected the amendment in the name of the Prime Minister.

2.4 pm

Mr. John Redwood (Wokingham): I beg to move,

That this House deplores the Government's anti-car policies and believes that the motorist deserves a fairer deal; condemns the Government for increasing congestion with massive cuts in roads investment, whilst imposing congestion and non-residential parking and motorway taxes; regrets that the Government's transport policies are bringing Britain to a standstill at the same time as undermining the competitiveness of business; regards the car as a force for good, bringing unparalleled freedom and opportunities to millions; recognises that 93 per cent of all passenger journeys and nearly 80 per cent of freight transport is by road; regrets that roads are now in their worst condition since records began, causing accidents, delays and congestion; urges the Government to bring forward a comprehensive transport policy for modernising Britain's road system so that road users can enjoy a more efficient, safer and environmentally-friendly service, pursuing policies to remove through-traffic and heavy lorries from towns and villages; and urges the Government to increase investment in public transport, facilities to let people get out of their car on to a bus or train, and alternatives to the car such as walking and cycling so that more people have real choice, instead of trying to force motorists out of their cars before the alternatives are available.

It gives me great pleasure to move the motion and to oppose the amendment in the name of the Prime Minister. For once, some joker has been at work in the drafting of the amendment. It says that the Government now

"recognises the freedom that the car has given",

but that recognition does not seem to extend to any policy initiative to help the motorist; indeed, many Government initiatives make the motorist's life hell on wheels.

The amendment says that the Government

"deplores the previous Government's record of under-investment".

If that is so, perhaps the Deputy Prime Minister can tell us why he has slashed London Transport investment, from £1,060 million in the last Conservative year to £564 million, and why his documents show roads expenditure, local transport expenditure and transport investment are down across the board. He has a lot to answer for.

It will be a pleasure to welcome the Deputy Prime Minister to the Dispatch Box shortly to explain, if he can, the pitfalls of and troubles with his disintegrating transport policy. The other day, when I saw him in the newspapers beaming out in his customary friendly way adjacent to some elephants, I wondered whether he was about to announce a new transport initiative—whether it was going to be elephant rides for all, and whether that perhaps was the new fast form of transport to be introduced to new Labour's Britain. It would certainly be faster than many of the modes of transport that are on offer under the Government's disintegrating transport policy.

Mr. Nicholas Winterton (Macclesfield): Trunk roads cut.

Mr. Redwood: My hon. Friend has got there before me. Trunk roads cut; trunk transport in.

Today, the Opposition are proud to present a transport policy that would get Britain on the move again, a policy that tackles the standstill Britain that is being created by the Government: an answer to their policy of jams today and jams tomorrow.

The Government seem to think that people use cars wilfully and unreasonably and that we are a nation of planet wreckers driving around for the sake of it. They have to understand that most people use their cars to go about their daily business: to go to work, to go to a business meeting, to visit family members, to go out with friends, to go to the cinema or theatre. They often go by car because there is no alternative public transport for the journey, or the alternative public transport is inconvenient, slow, difficult or too expensive.

The Deputy Prime Minister should recognise that most of us do not live near a train station, or have a bus stop at the bottom of our garden. Many of us would like to use trains and buses more, but we first have to get to the station or the bus stop, and that often means a car journey. That is why our overall transport policy includes the fair deal for the motorist which my hon. Friends and I had the pleasure of launching earlier this week. We need to be able to get to the bus stop or the station. The motorist needs a break and a choice.

The House might be interested to know that, since we made some announcements along those lines, I have been inundated with letters praising our initiative and showing enormous frustration at the Government's anti-transport, anti-traveller, anti-motorist stance. May I give the House a little flavour of the many letters that I have received? One says:

"Cars are absolutely essential to modern living".

The author goes on to say:

"In the recent Euro elections I broke the habit of a long lifetime to vote Tory for the first time (I'm a Euro sceptic); if you can cobble together a rational transport policy there is a grave danger that I might also vote Tory at the next general election".

That is exactly what I intend to do. I am pleased that my correspondent is on my side.

Mr. Gordon Prentice (Pendle): I wonder whether the right hon. Gentleman has received a letter from his colleague, the right hon. Member for South Norfolk (Mr. MacGregor), who said during the trunk roads review when he was Secretary of State for Transport:

"Increases in fuel duty, and motorway tolling, will help people to make more informed choices about the cost of using their cars."—[*Official Report*, 30 March 1994; Vol. 240, c. 930.]

Has he received such a letter?

Mr. Redwood: I have not, but I have had praise from my right hon. Friend the Member for South Norfolk (Mr. MacGregor), who thinks that my initiative is excellent. He gives it his full support; he stopped me only the other day to say just that.

Another correspondent writes to me to say that

"We have in yourself someone who will speak up for the overtaxed motorist".

He goes on to say something that Labour Members should listen to very carefully:

"As a retired senior citizen of 71 years, I own a small economical car to enable me to take advantage of the freedom of movement it gives me. Furthermore, public transport is so expensive that even allowing for road tax, insurance and repairs it is still much cheaper than buses and trains. Time too is a consideration."

Mr. John Bercow (Buckingham): I am sorry to trouble my right hon. Friend—and it is rare, indeed, for any of

his colleagues to have the opportunity to trump him. But is he aware that I have an 81-year-old constituent—Mrs. Elizabeth Zettl, who lives in High street, Buckingham—who was literally incandescent about the Government's most recent hike in petrol prices, and pointed out to me that she depended on her car; that she travelled to outlying areas in the course of her voluntary work for two local charities; that she did not think that those charities could afford to reimburse her petrol expenses, and that she did not wish to ask them to do so? I am sure that that lady, who is a person of the most splendid commitment and courage, will warmly welcome my right hon. Friend's new and fair deal for motorists.

Mr. Redwood: I am very grateful.

To reinforce the point for Labour Members, another correspondent says:

"Well done on your clear water between the Opposition and the Government—a cause for real rejoicing. Could I suggest that you do everything possible to publicise the damage, especially to the weakest and most disadvantaged in our society, which the Labour policy is causing?"

She had in mind the high taxation on motorists who have no other way of travelling and for whom there is no public transport alternative.

Mr. Ian Bruce (South Dorset): My right hon. Friend will probably have seen that the Automobile Association has done a survey of motorists—who basically said that they would be happier if money collected in additional taxes were being used to improve roads and public transport.

Is my right hon. Friend aware that a road scheme to relieve traffic in Weymouth and Portland was ready to go when, more than two years ago, the Government came to power, but that Ministers have still not told local authorities whether they may go ahead with the scheme—on which millions of pounds have already been spent? Is it not about time the Government started to sort out their integrated transport policy, rather than simply handing over money to the Treasury?

Mr. Redwood: My hon. Friend is right. However, I am sure that the truth is that there is no money for lots of schemes, such as the one he has in mind, and that the Government's dithering is a cover for their failure with the Treasury—or their hatred of the motorist, and their wish to cancel every sensible road scheme.

Mr. Geraint Davies (Croydon, Central): Will the right hon. Gentleman give way?

Mr. Redwood: I really do not have time, as I have promised to limit my remarks to 20 minutes, to give hon. Members on both sides of the House the chance to debate—[HON. MEMBERS: "Frit."] The House knows that I am not frit, and that I usually frequently give way. However, if we are to make use of the short time available, I cannot show my normal generosity by giving way, as I have some points that I want to make and I want other hon. Members to have a chance to speak.

Another correspondent says:

"I massively resent being told by Prescott and his people that by using my car as I do I am practically a criminal. Please fight against this rabidly anti-car Labour Government."

My hon. Friend the Member for South Dorset (Mr. Bruce) has rightly mentioned the problem that local government is already experiencing under the new Labour Government in trying to make the books balance and to make the investment that they would like. It is no wonder that local government is in trouble. Compared with the final year of the Conservative Government—one of their least generous years—in the first year of the Labour Government, there was a £70 million cut in local transport expenditure; in the subsequent year, a £169 million cut; and, this year, a £48 million cut. *[Interruption.]* Those figures are from the Government's own book on expenditure, so Labour Members cannot argue with them.

The same document on roads and traffic shows the damage that the Government are doing across the board on investment, including big cuts in overall national road expenditure. In Labour's first full year, national road expenditure was down £138 million; in their second year, it was down £87 million. That expenditure reduction explains quite a lot of the current chaos—*[Interruption.]*

Labour Members ask whether we would reverse the reduction. If they had listened, they would know that I am announcing—both today and in the document that we announced earlier this week—that, yes, a much better deal is needed for the motorist, and that it will have to include additional road building in areas that need bypasses—*[Interruption.]*

I shall tell hon. Members exactly how this would be done. We would privatise the tube, so that we could raise London Transport investment and have money left over for transport elsewhere in the country, as we should not have to milk the taxpayer for that particular necessary investment.

Several hon. Members *rose—*

Mr. Nicholas Winterton: Will my right hon. Friend give way on that point?

Mr. Redwood: I am afraid that I do not have time.

Mr. Geraint Davies: Will the right hon. Gentleman give way?

Mr. Redwood: No.

We shall oppose the Government's plans to tax the motorist more. We want to take the motorist off the fuel escalator—we have gone high enough: it is now time to stop the higher taxes. We are against Labour's unfair congestion and parking taxes.

Those new taxes are Labour's poll tax on wheels.

Mr. Davies: Will the right hon. Gentleman—

Mr. Deputy Speaker: Order. The right hon. Gentleman has made it quite clear that he is not giving way at the moment. I should also be grateful if we could have fewer interventions from a sedentary position.

Mr. Redwood: We are against Labour's poll tax on wheels—about which there have already been many rows

[Mr. Redwood]

in Scotland. There will be many more such rows, as Labour has bizarrely decided to introduce the poll tax on wheels in Scotland first. After all that the Government, when in opposition, said about the original poll tax, it is a bit rich that they should decide to experiment with a new and deeply unpopular set of taxes first in Scotland, trying out their new Scottish Parliament for that purpose. I think that it means that we shall have a lot of good opposition in Scotland ahead of us, and we shall rally the Scottish people to our side because of the anger that will be expressed there about having congestion taxes and parking taxes foisted upon them first.

The motorist had certainly better watch out—Labour has not finished yet. The Government plan further massive raids on the purses and pockets of drivers. Labour's latest hopeless document, entitled "Road to Ruin"—it is their road, not ours—states that its proposal for extra fuel duty, congestion taxes and cuts in the road programme amount to between £10 billion and £20 billion extra. That is a massive sum. So my message today to motorists is, "Beware: the Government do not like you, and they are going to hit you so hard it will hurt even more."

The Government are really planning a further massive tax raid on the motorist and are slashing the road programme at the same time. Most of the additional motoring taxes are being siphoned off to pay for their disastrously expensive welfare policies.

Several hon. Members *rose—*

Mr. Winterton: Will my right hon. Friend give way?

Mr. Redwood: I shall, just this once.

Mr. Winterton: May I support the argument being advanced by my right hon. Friend? He has been criticised and challenged on whether a Conservative Government would invest in roads. As the hon. Member for Manchester, Blackley (Mr. Stringer) will know, one of the final acts of the Conservative Government and the former Minister, John Watts, was to put into a priority road programme the Poynton bypass, the Manchester airport eastern link road and other roads linking to it. One of the Deputy Prime Minister's and the Government's first acts was to remove those roads from the priority programme. Those roads will serve Manchester airport, which, in about 12 months, is to open a second runway.

Mr. Redwood: My hon. Friend has made his powerful point in his own inimitable way, and I agree with what he said. He has given another example of the damage that the Government are doing.

The Opposition propose better car parking and better arrangements for motorists to leave their cars at stations and close to bus routes, so that more journeys, and more of a journey, may be done by public transport when the roads are busy. Will the Government act on such proposals proposal? Do they have any money left after the mess they have made of London Transport investment—created by their stubborn refusal to privatise the tube and free the money that is needed? Does the Deputy Prime Minister understand that people need to use their cars, or need a better alternative if they are to be persuaded out of them?

Does the Deputy Prime Minister understand that the railway industry has been plunged into uncertainty by his refusal to make decisions and by his delay in setting a new statutory framework for it? His famous legislation was cancelled last year, delayed this year, but may arrive late in the next parliamentary year—if he is lucky.

The real problem, of course, is that the Secretary of State has now fallen out with practically everyone. I do feel sorry for him in his wars with the Prime Minister, but hope that they are able to patch it up in good time for the summer holidays. I look forward to seeing whether the right hon. Gentleman is left in charge when the Prime Minister goes on holiday, as that will be a test of how lethal the relationship has become.

The Prime Minister did serious damage to the bash-the-motorist policy with his journey up the bus lane, which became an understandable cause of anger among all those motorists who did not have that privilege. Ever since, it has been rows between Prime Minister and Deputy—over everything from transport to the future of the public sector. Presumably, the delay to the Railways Bill is part of the row over what the role of the public sector should be.

Worse still for the Secretary of State, there are persistent rumours from sources close to the Prime Minister that he wants to take his Deputy's closest aides away from him. The few Ministers that the Deputy Prime Minister does like, clustered around him at the Department, are under threat of eviction from the DETR, as the Prime Minister is clearly suspicious of this grouping. There could be a high price to pay for the Deputy Prime Minister falling out with the right hon. Member for Hartlepool (Mr. Mandelson), who still seems to pull a lot of strings—surprising for one who resigned in disgrace.

I do not feel so sorry for the Deputy Prime Minister in his rows with the Secretaries of State for Scotland, for Wales and for Trade and Industry. They have reason to be vexed by the way in which he has behaved over the haulage industry and regional assistance.

Mr. Geraint Davies: As the great jammy dodger, how does the right hon. Gentleman reconcile his commitment to reducing jams with his commitment to abolish the fuel escalator—thereby encouraging jams by making fuel cheaper, with the result that billions of pounds less will be available for investment in public transport? How can he have it both ways?

Mr. Redwood: The hon. Gentleman has not been listening to the argument. The extra money that Labour is raising is not going into transport. We had a better record on transport expenditure than the Government. We are making a commitment to the right kind of selective investment in roads and car parks to encourage people to take a better option.

We have shown where the money is coming from—we will save the money on London Transport investment by privatising the tube. As a result, we will increase investment in London Transport, because the private sector will do a much better job than the Deputy Prime Minister is allowed to do. The hon. Member for Croydon,

Central (Mr. Davies) really must listen and learn—he has wasted two minutes of the House's time. I was obviously foolish to give way—I was too generous.

The Minister for Transport does not look too happy in her brief, either. Transport Ministers have a short shelf-life under the Deputy Prime Minister, who seems to get in the way of their doing their job properly while not doing it properly himself. No wonder the chaos on the roads and at the stations gets worse.

Our new document is based on five important propositions: freedom to travel; choice of travel; care for the environment; supporting enterprise; and enjoying lower taxes. Those are the five crucial principles which would produce a much better answer. Unlike the Government, we do not want to frustrate travellers and attack motorists, but we do want a cleaner world. That means more incentives for cleaner and more fuel-efficient cars. It means fewer traffic jams—congestion is causing pollution, and the policies of the Deputy Prime Minister are causing a great deal of pollution, as well as frustration among the travelling public. Our policy means encouraging more use of other forms of travel by offering something better and working out what it is that people need to encourage them to leave the car at the station and to get on the train.

Let us take the case of the tube. We would not close down lines for weeks at a time in the way the Deputy Prime Minister has done. We would get the work done in the quieter times. We would put forward a much bigger investment programme, as we did when we were in office, thanks to privatisation.

Instead of spending money on reducing the amount of road space available with dangerous projects such as the M4 bus lane, we would free up the main roads and spend the money on safer routers to school and work for pedestrians, away from the main road.

The Government wrongly claim that we want to make things less safe. [HON. MEMBERS: "You do."] Labour Members are so silly. The document states clearly that there is a role for traffic-calming safety measures in the right places, such as on residential roads and near schools. However, the document makes it clear also that there should be main routes into principal cities and towns where the traffic can flow more freely and at a better speed. We need to segregate pedestrians from fast-moving traffic. We should not stop all traffic moving at a sensible speed, as the Government want to do. It is because they are so muddled up, and because their policy is disintegrating, that we have frustrated motorists. However, they have not made things as safe for pedestrians as they should have done.

We are offering these positive suggestions, and we are offering 10 pledges to the motorist and traveller in our document. *[Interruption.]*

The Minister for Transport (Mrs. Helen Liddell): The right hon. Gentleman does not know his own pledges.

Mr. Redwood: Of course I know my own pledges. I helped to draft and write them but, for the sake of accuracy, it is a good idea to have them in front of me when presenting them to the House.

We will halt the annual fuel duty increases. We will publish a clear balance account, showing what the Government raise in tax and how it is spent. We will oppose Labour's plans for increased tax burdens on the motorist. We remain opposed to Labour's plans to tax people who have to drive to and park at their place of work. We will challenge the Government to commission a full and fair inquiry into the competitiveness of the haulage industry, which they are gravely damaging. We will promote schemes to take heavy lorries and through traffic out of our towns and villages that need bypassing.

We will publish, and keep updated, a list of the most pressing road improvement schemes needed on the main trunk roads, and we will not cancel them all in the way the Government do. We will penalise water, electricity, gas and telephone companies for excessive delays, which cause problems when they extend their roadworks unnecessarily. We will set up local traffic flow forums to work with motoring organisations to try to find good ways of easing traffic flow on the existing road space. We will consider minimum speed limits to improve traffic flow on major routes.

Those are good, sensible suggestions. We offer them to the Government for the next couple of years in a helpful spirit. Will the Deputy Prime Minister take up any one of them, because any one of them could make the position better? What can the Government offer, other than division at the top and bashing the motorist?

Out of new Labour comes transport chaos. Out of new Conservative comes the traveller's friend. Will the Deputy Prime Minister bury the hatchet, help the motorist, get on with improving trains and buses and adopt some of our ideas? I recommend the motion to the House.

2.26 pm

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"deplores the previous Government's record of under-investment and disintegration in the transport network, its failure to tackle congestion as traffic rose by 75 per cent., and its cut in road maintenance; commends the Government for producing the first Transport White Paper for 20 years which has a comprehensive approach to transport across all modes and welcomes the Government's new deal for the motorist in the Transport White Paper; applauds the Government for its clear and open framework for appraising and informing the prioritisation of trunk road investment, taking a far-sighted and more integrated approach than the previous administration; notes that the present Government has begun to tackle the inherited problems of under-investment, pollution and increasing traffic congestion, by a new radical integrated strategy, including an extra £1.8 billion for public transport and local transport management, improving road maintenance, encouraging greater fuel efficiency, reducing pollution, and introducing the long-term policies needed to increase transport choice and improve Britain's transport system; and recognises the freedom that the car has given and that congestion can remove the convenience and pleasure from driving."

In his last few words, the right hon. Member for Wokingham (Mr. Redwood) made it clear why he has rejected so much of previous Conservative policy, to which I shall refer—he has discovered new Conservatism. Am I to accept that that is a complete change from everything the previous Administration believed in? *[Interruption.]* We shall wait and see whether that is confirmed. The right hon. Gentleman is rejecting everything that was done by the previous Administration, and the transport lessons learned over 18 years appear to have been wiped out. If that is so, I must tell the right

[Mr. John Prescott]

hon. Gentleman that I had more sympathy for the previous Administration's analysis of transport priorities and congestion than I have for the new Redwood plan.

I believe that most people in this country—there may be agreement between both sides of the House here—want a transport system that is safe, efficient, clean and fair to all users. We can have consensus, right at the beginning of the debate. The argument appears to be about how we achieve that, how the resources are raised and whether we can build our way out of congestion. I suspect that there is a fundamental disagreement on that point.

The previous Administration concluded that we could not build our way out of congestion, and their conclusions were similar to those in our White Paper. When I introduced the White Paper to the House, I said that much of the thinking in the previous Government's Green Paper had been adopted in our analysis and consultation, and that we had arrived at similar conclusions. It is now clear that new Conservatism rejects those ideas on transport, and I wish to address myself to that point.

Before doing so, I wish to refer to the comments of the right hon. Member for Wokingham on investment in the underground. I inherited an underground system with a massive disinvestment of £1.2 billion. There is no doubt about that—it is clear, audited and there to be seen. That was simply because inadequate resources were put into core investment. Much of the money provided by the previous Administration was poured into the Jubilee line—quite rightly, as we need a Jubilee line. However, the contract was not very good, and has now cost well over £1 billion more than was needed. It was paid for by sucking out the core investment in the underground. We hope and believe that we have control of that now, and we are looking at the core investment needs of the London underground.

I can announce today that more than £500 million extra will now be found for the underground system, and that information has been provided in a parliamentary answer today. Expenditure on the underground is set out in the Red Book. We can see the investment and expenditure pattern. In our first two years, 1997 and 1998, despite accepting the previous Government's expenditure plans, we found a further £300 million. I announced in a statement that the £1 billion and the further £300 million would restore the cuts that had been proposed for the London underground.

We considered precisely where the extra resources are to come from, as we wanted to complete the public-private partnership bids in 1999–2000 and get the investment programme under way. Unfortunately, we have not been able to meet that timetable. I expressed a fear at the time that we would not be able to complete the deal on time. I am now concerned to get a good deal for the taxpayer and avoid reproducing the problems that we had with the Jubilee line contract and the channel tunnel rail link, both of which involved demands for an extra £1 billion.

In 1999–2000, there will be an extra £763 million of investment in the London underground. Added to the resources available in 2001, that is a total of £1 billion. The previous Administration planned to invest £161 million in the underground in 1999–2000, by contrast with our £763 million. That shows the clear difference between our priorities and theirs.

Mr. Redwood: I am glad that our debate has at least provoked the Deputy Prime Minister into finding a bit more investment for the underground, which is sorely needed. I remind him that the investment was £955 million in 1994–95; £1.114 billion in 1995–96; and £1.06 billion in 1996–97. We were planning to have privatised the tube by now, so of course the numbers went down, because we expected a lot of money to come in from the private sector. The right hon. Gentleman cancelled that. The record of investment for the successive years of this Government is £843 million, £654 million and, according to the original plans for this year, £564 million. That is a massive slash in investment compared with the last three years of Conservative government.

Will the Deputy Prime Minister confirm that he is increasing the investment in 1999–2000 from £564 million to £763 million—an increase of £199 million—and that that is still £300 million less than we invested in the last Conservative year?

Mr. Prescott: The right hon. Gentleman has not denied that the Conservative Government planned to invest only £161 million in 1999–2000, whereas we are investing £763 million. That is a substantial difference. His argument is that he would have privatised the underground. Let us consider the previous Government's record on the privatisations that it rushed through.

Billions of pounds were lost on Railtrack and the rolling stock companies, and the Conservatives paid a company £250 million to take the freight industry away from the state, rather than selling it or getting any money for the taxpayer. I have no faith that they would have been able to produce a privatisation plan in time, and even if they had, they would have rushed it to such an extent that it would have cost the taxpayer billions of pounds, as the Public Accounts Committee has reminded us.

The right hon. Gentleman has said that he would sell off the underground for £560-odd million, as I understand it. I do not know how he arrived at that figure, but it is very small and entirely consistent with the value that the Conservatives got in previous privatisations, when they sold off our great public assets very cheaply, turning many of them into millionaires along the way.

The right hon. Gentleman made great play of spending plans and national roads programmes. It is fair to keep telling him what the previous Government planned to spend had they been re-elected. There was a great deal of shouting about the fact that we said that our public expenditure would be similar to their plans—although we found a little extra, in the shape of the £300 million to restore the cuts—but the difference is that we have taken a view that we cannot build our way out of congestion. That is at the heart of the argument about transport.

Sir Nicholas Lyell (North-East Bedfordshire): Talking of building our way out of congestion, the Deputy Prime Minister knows that one of the bypasses that the Government have kept in the programme is Great Barford in Bedfordshire, which needs to be built because of the terrible congestion. Why will nothing happen until 2001, and why even then will we get only the publication of the orders? Can the plans be brought forward?

Mr. Prescott: We constantly hear such pleas, but our record on building bypasses is very good compared with that of the previous Administration. We are reviewing road expenditure and using different criteria, to take into account the environment, safety, economic regeneration, the relief of congestion and other such matters. That is how we have put together our programme. We have not drawn up the £6 billion wish list that we used to debate in the House.

The Conservatives put £6 billion of roads into the programme, with no chance whatever of getting them built, and spent only £1.5 billion. That was a load of nonsense. We have rejected that and said that it is right to spell out what we plan to build over three years. The right hon. and learned Gentleman should be grateful that his bypass is in the programme. We have designed the programme to reflect the fact that we want more and more of the resources to go into offering people more of an opportunity to use their cars less and public transport more, as we have taken the view that we cannot build our way out of congestion.

Mr. Ian Bruce *rose—*

Mr. Prescott: No, I must make some progress. There are real problems with time, and the right hon. Member for Wokingham also had to limit his taking of interventions because of the shortening of our debate.

We should remind the House, and especially the right hon. Member for Wokingham, that in 18 years in office the Tories did nothing to sort out the transport problems. There was a fall of 11 per cent. in the number of public transport journeys, and the number of car journeys increased by 21 per cent. Bus journeys fell by 31 per cent. There was disinvestment in the London underground system. The privatised rail system was broken into 100 pieces and Railtrack was sold off very cheaply and has had great difficulty in keeping its investment promises to improve rail services. Roads fell into the worst condition since official surveys began. Official Government records show that road maintenance was as bad as it has ever been and constantly worsening. The situation was totally unacceptable.

One would welcome the fact that the right hon. Gentleman is now converted to the notion of providing more resources for maintenance, but the Conservatives cut the maintenance programme by 8 per cent. We restored that cut because we understand the programme's importance. There was increasing gridlock and congestion.

In an article in 1996, after 16 years of Tory government, the right hon. Gentleman said:

"We have gridlock. The rush hour begins just after 6 am and is still in full flow three hours later. In many parts of the south east the traffic queue for one junction runs into the queue for the next and for the one beyond that. The station car park is full. The queue for Heathrow is long. The M25 regularly seizes up. Everyone tells me something should be done about it."

That was not after our policies but after all the wonderful things that the right hon. Gentleman tells us the previous Government planned. Perhaps it was old Conservatism that produced the problem, but I have to deal with what we inherited.

Mr. Ian Bruce *rose—*

Mr. Prescott: No, no. I have problems with time.

The Tory Government brought about the very things that the right hon. Member for Wokingham classically identified in his article almost 12 months before the general election. There were 70 cars for every mile of road in 1979 and there are now 100. We have predicted, and everyone accepts the analysis, that in 20 years, if we do nothing, there will be 6 million new cars on our roads, meaning 30 per cent. more traffic and 70 per cent. longer journey times.

That is clearly unacceptable, but I pray in aid the 1996 Tory Green Paper, which admitted:

"the road network is broadly complete, the Government's priority is to make more efficient use of our existing roads, and to reduce dependence on the private car."

That did not come from my White Paper: it came from the conclusion of the previous Administration's Green Paper. They agreed that we had to get people to use their cars less and use public transport more. I happen to agree. That was the old Conservative view, and we have heard the new view from the right hon. Member for Wokingham. That Green Paper was called "The Way Forward", but the Redwood plan is the way back.

There is a general consensus that we cannot build our way out of congestion, but this week the Conservatives set out a new transport policy almost entirely devoted to roads. It could not really be called a transport policy. The Tories have listened, but they have learned nothing. In our White Paper, we acknowledge the need to integrate transport, because in 18 years we learned the lessons that the right hon. Member for Wokingham apparently has not learned.

We introduced the first White Paper for 20 years and it was welcomed by business groups, all the motoring organisations, consumers' organisations, environmentalists and the public. The Government's clear aim is to provide a decent transport system that is integrated and sustainable. No other White Paper has been so broadly welcomed in its definition of what we have to do in the short and long term.

Since the White Paper, we have seen a dramatic increase in rail passengers and freight, more resources for rural buses and 1,500 new services. We have seen a greater commitment to concessionary bus fares so that all can benefit from greater mobility. Some 100 towns now have bus and rail links through through-ticketing. Some 430 railway car parks now have CCTV and I have announced extra resources for the London underground. Those are some of the benefits that are beginning to flow from improving confidence in the transport policy.

Reaction to the Redwood plan has been very different. The right hon. Gentleman's transport policy is called "A Fair Deal for Motorists", but if he were able to implement it, it would be the most anti-motorist policy of all. It is not costed, it would be damaging to the environment and the resources for it would not be made available, according to what I read of it. One of the Tories' press releases said that all the proposals had been costed, but we did not hear anything about that today. We did not hear which roads or bypasses would be built as a priority. We did not hear what resources would be put into public transport. I do not doubt that the shadow Treasury team will not allow the right hon. Member for Wokingham to cost his proposals. We all face the rule of the Treasury on such matters.

[Mr. Prescott]

I am critical of the Redwood plan, but that is only to be expected. Therefore, I shall pray in aid other organisations and publications. The spokesperson for the Royal Society for the Prevention of Accidents stated:

"Ten people are killed every day in road accidents and my society will fight any move to raise speed limits . . . Many motorists already drive at 80 mph . . . if the motorway limit is raised then drivers will continue to push up their speed more and more."

Mr. Christopher Leslie (Shipley): It is dead wood.

Mr. Prescott: The Redwood plan may be a dead-wood plan, but RoSPA is an authoritative voice on death and accidents. We have a proud record in reducing death and accidents on roads in this country that is better than those of many other countries. That has continued through Governments from the mid-1960s onwards. The Conservatives' new policy would reverse that trend and that is what RoSPA have complained about.

The *Financial Times* quoted the AA:

"The record of the previous government in transport matters speaks for itself. They took £100bn out of road taxes and diverted it elsewhere leaving the road infrastructure in an appalling state."

That is the AA's view of the success of Tory policies. *The Guardian*, for all the intellectuals who read it, said:

"The Tories are not so much jumping on a bandwagon as clambering into the back seat. Yesterday they unveiled what they called their 'motorists' charter' transport policy . . . uncosted tinkering, masquerading as a long-term strategy."

The Times, which is not exactly a left-leaning newspaper, said:

"The new transport policy, unveiled yesterday, is like a blast of stale air. Muddled thinking, uncosted plans and contradictory statements do not make a policy."

It continues:

"John Redwood . . . appears to define 'transport' solely as travel by car."

The Tories' new policy purports to be the friend of the motorist but it does not offer solutions to congestion. In 18 years, they failed to relieve congestion. After billions of pounds of expenditure on roads, there were more cars on the roads and more coming. They could not keep ahead of the growth. Unless the right hon. Member for Wokingham intends to double or treble the road-building programme—and I can believe that he would propose to do so—he will not be able to keep ahead of car growth. However, the policy paper does not say that they will double or treble road building to meet their wish list. Would he do so? It is a possibility. It would not work, but the right hon. Gentleman should have the honesty to tell the motorist which roads he would build.

The right hon. Member for Wokingham tries to kid motorists that he would not introduce charges, but his Government introduced charges for the Birmingham northern relief road. He said that there would be no tolls on the motorways.

Mr. Redwood: No unfair tolls.

Mr. Prescott: Now we see the picture. The hon. Member for North Wiltshire (Mr. Gray) said, "We're against congestion charging."

Mr. James Gray (North Wiltshire): I am.

Mr. Prescott: You might be—perhaps that is new new Conservatism—but you should have a chat to your mate on the Front Bench.

Mr. Deputy Speaker (Mr. Michael Lord): Order. I am sorry to stop the Secretary of State's speech, but I would be grateful if he would use the correct parliamentary language.

Mr. Prescott: I apologise, Mr. Deputy Speaker.

Mr. Gordon Prentice: Will my right hon. Friend give way to an intellectual? *[Interruption.]*

Mr. Prescott: I missed that comment, but I shall give way to my hon. Friend.

Mr. Prentice: I have a copy of a document from the British Road Federation which reminds us that the 1997 national road maintenance condition survey showed that the condition of all types of road was the worst since national measurements were first published in the mid-1970s. Does not that information bear out the point that my right hon. Friend has just made that it is incredible brass neck for the Conservatives to point the finger at us when they systematically neglected the roads programme for half a generation?

Mr. Prescott: I agree with my hon. Friend, who makes a sound and intelligent point. That was the conclusion of the Green Paper of the old Tory Government.

Mr. Ian Bruce *rose—*

Mr. Prescott: Are you standing for the old Tory Government?

Mr. Deputy Speaker: Order. I remind the Secretary of State that the purpose of the conventions is to ensure that we choose our words carefully.

Mr. Ian Bruce: The Deputy Prime Minister visited my constituency during the European election campaign and we were grateful to him, not least for the result that we achieved. He will know that at the end of the old Conservative Government, when they were cutting back on roads, the Dorchester relief road was No. 1 on the list for Dorset. The road is in his programme, but for two years he has failed to tell the local authorities whether they will be allowed to proceed. He has not answered my letters on the subject, so will he tell the House now whether he will allow it to proceed?

Mr. Prescott: If I have not answered the hon. Gentleman's letter, I apologise and I will see that it is answered immediately.

Dr. Julian Lewis (New Forest, East) *rose—*

Mr. Prescott: The hon. Gentleman claimed that someone had seen someone who looked like me. I do not know whether there is another version of me somewhere. He was told that it was not true, but he pursued it through parliamentary questions. That was the height of stupidity, but we are used to that from the hon. Gentleman. We have made it clear that we will be building more bypasses. That is part of our programme which, as the hon. Member for South Dorset (Mr. Bruce) knows, is not for one year any more, but for three. If the bypass that he mentioned is part

of our programme, I shall have to discuss it with the local authority. I have set out a core road programme and also a regional programme. That is an entirely new structure for road programmes. However, I shall write to the hon. Gentleman and try to give him the best information available at this stage.

Dr. Julian Lewis (New Forest, East) *rose—*

Mr. Bercow *rose—*

Mr. Prescott: I want to move to measures on congestion.

Dr. Julian Lewis: On a point of order, Mr. Deputy Speaker. Is it in order for the Secretary of State to compound a misleading written answer to me, in which he wrongly claimed to have dealt with a matter over the telephone? In this debate, he has repeated that he dealt with the matter, but he has not, and he has refused to give way to me.

Mr. Deputy Speaker: That is not a point of order for the Chair. The hon. Gentleman is just seeking to join in the debate.

Mr. Prescott: There are many elements in the Redwood plan, as I shall continue to call it, that I should like to examine. Of the 52 proposals, the press release stated that 25 would cost a considerable amount of money, but we have not yet heard anything about their costing. Debates on these subjects involve much talk about tax raising. Given that the Opposition are making great play of the matter, I thought that I would look at the sums raised in transport taxes and the amounts that have been spent.

In 1979-80, the final year of the previous Labour Administration, something like £4.1 billion was raised in revenue from vehicle excise duty and other duties. Expenditure on transport by that Government was £3.7 billion. Total transport expenditure expressed as a share of that revenue was 90 per cent.—in other words, we spent 90 per cent. of the amount collected. In the final year of the previous Conservative Administration, the amount raised rose to £21 billion, and expenditure was £8 billion, or 40 per cent. of the total raised.

Under the old Tories—and I think that I must now make that qualification every time I refer to them—40 per cent. of the amount raised in tax was spent, whereas the preceding Labour Government spent 90 per cent. That is worth remembering. In addition, the right hon. Member for Wokingham needs to turn his attention to the fuel duty escalator, which he knows raises about £1.5 million extra a year. He has said that he would abolish it, but if he did, he would have to examine the expenditure programmes and decide either to raise more in taxation or to make cuts—in the transport expenditure plans, or in the programmes for education or health provision.

When we were in opposition, we were constantly asked where the money would come from to pay for our plans. The question was, "Where's the beef?" Yet we have heard nothing from the Conservative party in response to the same question. I hope that we will be told later on.

Mr. Redwood: I have enjoyed the knockabout from the Deputy Prime Minister, but he has been attacking a policy and a document that are not the ones that I launched. My document is about a fair deal for the motorist, and we shall be launching policies on rail, the tube, buses and other transport elements over the coming months. We have a comprehensive approach to transport, and the document is just one element.

However, in answer to the right hon. Gentleman's specific query, I can tell him that we believe that the tube should be privatised. That would mean that he would not need the £760 million taken out of the taxpayer's pocket for tube investment. That money would then be available for the other schemes that we propose in our 52-point programme.

The right hon. Gentleman has said that his increase in tube investment—which is a lot of money—is in the budget for the coming year. That money would be available to spend elsewhere if only he would privatise the tube. We have costed our plans to live within that budget.

Mr. Prescott: According to a quotation that I have seen, the right hon. Gentleman assumes that privatisation would realise an income of about £500 million a year, but the road programme alone costs £1.5 billion a year, even at the level of expenditure of the previous Conservative Administration. Privatising the tube cannot pay for all the right hon. Gentleman's proposals, such as building more roads, getting rid of "impediments" such as speed humps, and so on. Frankly, those proposals will not be financed out of such a small amount of money.

The other problem with the right hon. Gentleman's proposals, apart from the impossibility of using income from tube privatisation as a substitute for investment, is that income would be taken away from the Exchequer as a result of his proposed ending of the fuel duty escalator. The escalator was introduced by the previous Government, for a number of reasons, and the right hon. Gentleman supported it.

I am therefore left in some difficulty. The right hon. Gentleman has disowned—decoupled himself from—the actions that he took in government, and now says that he wants to start afresh. The trouble with starting afresh, however, is that money and solutions still have to be found. As I have said before, no Government can build their way out of the problem. The evidence for that is clear. The right hon. Gentleman should tell the House what he intends to do.

Given the time and the interventions that I have taken, I shall now move to the important question of congestion charging. People have been given the impression that the Opposition intend to do away with congestion charging and motorway tolls. I think that the right hon. Member for North Wiltshire said as much—

Mr. Gray: I am only honourable, not right honourable.

Mr. Prescott: I apologise. The hon. Gentleman will probably never get that far: I was just feeding him up a bit. Brokers do not usually get on—they only get money.

The Opposition are apparently wholeheartedly opposed to congestion charging, to workplace charging and to retail charging. Is that the position of the Opposition Front-Bench spokesman? I take that nod from the right hon. Gentleman to mean that the Opposition would repeal those measures. I find that difficult to believe when I read the right hon. Gentleman's document, which does not say

[Mr. Prescott]

precisely that. It talks about "unfair" congestion charging. Does the right hon. Gentleman agree about that? He does not answer, but I need his help because I am in some difficulty here. Do the Opposition want fair congestion charging? Is that okay?

Mr. Redwood: The Deputy Prime Minister is getting himself into a muddle. We are not in a muddle at all. We are against the unfair congestion and parking charges—the taxes—that the Government say they will introduce. Our document states that the Government have taxed the motorist more than enough—indeed, too much—so we shall oppose those new taxes tooth and nail. We are against them, full stop.

Mr. Prescott: One of the difficulties that I have with that lies in the difference between the main document and an earlier paper that will be of interest to the Treasury. The word "fair" appears to have been inserted at some stage, and I wondered whether that meant that charges might be levied. The difficulty is especially awkward in relation to additional taxes on motorways.

The earlier paper, which was compiled before the document that has been published, makes it clear that the Opposition are prepared to consider motorway charges. It states that they are against those charges, but adds that they are now prepared to talk about "unfair" motorway charges. Will the right hon. Gentleman say whether the Opposition are in any way considering placing charges on motorways?

Mr. Redwood: The burden on the motorist is far too high because of this Government. We are against the charges, which we regard as taxes, that the Government are threatening to impose. We stated our intent very clearly, and we shall oppose the right hon. Gentleman tooth and nail over the new taxes that he is to introduce. We do not want them, and will vote against them. That means we are offering a fairer deal for the motorist.

Mr. Prescott: I take that to mean that the right hon. Gentleman has set his face against any form of charges on motorways or congestion.

Mr. Redwood: I did not say that—*[Interruption.]* I did not say that for the simple reason that I think the Conservative Government were right to build the Dartford crossing and to impose a toll for that new facility, which had an additional capacity to help the motorist. I am not about to abolish the toll on that rather good facility. I supported it at the time, and still support it.

Mr. Gordon Prentice: All over the place.

Mr. Prescott: As my hon. Friend says, that is all over the place. We shall wait with interest to see how the right hon. Gentleman works the matter out with the Treasury, whose fingers I can already detect in this matter. Of course, we all have to be accountable to the Treasury and make a case for resource allocation, but the right hon. Gentleman has given a confused statement of the Opposition's approach.

Mr. Redwood: There is nothing at all confused about it. The previous Conservative Government held that if the private sector was prepared to build the additional facility provided by a big, new, very expensive crossing and then needed a toll, we would support that toll. That is still our position. We are not going back on our support for a toll at a new facility provided by the private sector. However, we shall oppose tooth and nail the Deputy Prime Minister's wish to tax people for using motorways that they have already bought.

Mr. Prescott: Now we have it. The document talks about new financial initiatives. It appears that the Opposition are quite prepared to allow tolls—and therefore profit—for private investment, but that the same levies to improve public transport are not acceptable for the public sector. We are beginning to see how the Opposition spokesman's mind works.

I shall therefore give the right hon. Gentleman something else to think about. He says that he is against workplace charging. Of the people who work, 75 per cent. travel to work by private transport and 70 per cent. of them have access to workplace parking. The others use a car park of some sort, paying £8,000 a year in car-parking charges. In order to be fair to the motorist, will the right hon. Gentleman have different rules for those who have to use a car park when they go to work and those who have a free space? Will he make different rules for different types of motorist?

Mr. Redwood: The fact that one person already suffers is no reason why everyone else should suffer a new tax from the Government.

Mr. Prescott: The right hon. Gentleman is still considering all these matters, of course. I suggest that he reads our White Paper, "Breaking the Logjam", which is out to consultation. It might help him to think about how to implement his fair or unfair congestion charges.

The right hon. Gentleman's proposals are a wish list without true costs. He has told us nothing about costs. The press release told us the costs would be given. I have waited to hear from him, but nothing has come. We were right from the first—his programme is a wish list with no estimate of its cost. It is also steeped in hypocrisy; the right hon. Gentleman wants us to believe that whatever happened under the old Tory Government had nothing to do with him. This is year zero, and he is creating a new policy for a new Conservative party. He rejects all analysis, no matter how intelligent or right it is.

The right hon. Gentleman's new policy is all about populism, and it is designed to deceive the motorist. It leads motorists to believe that throwing in resources will relieve congestion, and it flies in the face of all the evidence. Even the motoring organisations know that we must do something new. The right hon. Gentleman's programme would cost us more deaths on the roads, and he ought to think very carefully about that. His ill-thought-out policy is irresponsible, opportunistic and dangerous. *The Times* was right to describe it as cheap populism, although this debate is revealing that its full implications will be neither cheap nor popular. The right hon. Gentleman is the Arthur Daley of the Opposition, trying to sell us a clapped-out policy that will make life worse for motorists.

Mr. Redwood: I must ask the Deputy Prime Minister to withdraw the allegation that I want more deaths on the

roads. Our policy's top priority is safety. We are looking to improve speeds and flows only on main routes, and we wish to segregate them from pedestrians because we do not want more accidents or danger. Our document makes it clear that we support proper safety schemes in the right places.

Mr. Prescott: I certainly would not accuse any individual of causing road deaths, and I naturally withdraw any remark implying that I did. However, the right hon. Gentleman's policies would increase deaths. Before road humps were placed in his own constituency, there were seven; since their introduction, there have been none. That is a powerful statistic, and he may wish to think about it before reversing the reduction in deaths and accidents that many Governments have worked to achieve.

The right hon. Gentleman's policy is not a fair deal for the motorist. It is a raw deal. It is bad news for the motorist, for the environment and for the country, as the Tories will soon realise.

3.3 pm

Mr. Matthew Taylor (Truro and St. Austell): The Deputy Prime Minister has gone to some lengths to expose the hypocrisy of the Conservative Front-Bench team. Enormous costs are attached to the Conservatives' policies, and they have provided no information on how those costs would be met.

I thought that the new policy might provide us with another example of a Conservative spokesman who has been told to apologise for the sins of the past. Many sins in the previous Government's transport policy would be worth an apology, but the changes that the right hon. Member for Wokingham (Mr. Redwood) has proposed are entirely wrong. Towards the end of the Conservatives' years in office, their Government began to accept some of the realities of congestion, pollution and road deaths.

I had hoped that today we would hear a costed proposal, and a statement from the right hon. Gentleman that he was sorry for the past, for the tax increases, for the increases in vehicle excise duty and for raising an extra £25 billion from motorists. I might not have agreed with his policy, but I thought that he would give us an apology. Far from it; we have heard a pretence that the past never happened, that the world began in 1997, and that nothing that came before Labour's election victory is relevant.

The right hon. Gentleman, disinclined to support Government intervention of any sort, has always taken an extreme free-market position. Now that he has his hands on transport, it would seem reasonable to assume that he is proposing policies that he has always believed in. That would excuse him from making a personal apology, as he could say that his colleagues had got it wrong, but that he had argued the right course. But we know that he supported tax increases on motorists without a whisper of dissent. He even voted for them—although for all the passion in his speech today, he did not bother to turn up to vote against the Labour Government's increases.

Indeed, the right hon. Gentleman's position is even worse than that. At the general election his view was very different from the one that he presented at the press conference to launch his new transport policy. At that press conference, his Front-Bench colleague, the hon. Member for North Essex (Mr. Jenkin) said:

"This Government was elected to bring traffic reduction and they now recognise how ludicrous that policy is."

But the right hon. Member for Wokingham did not see that policy as ludicrous when he sought votes. On 29 May 1997, he wrote to Mr. J. Keable of Reading:

"Thank you for your letter. The Conservative Government offered its support to the road traffic reduction proposals in the last Parliament. I believe that the Labour and Liberal parties are also in favour. This being the case there should be no difficulty in pursuing the matter."

When seeking election, it seems, the right hon. Gentleman was all too well aware of the demand for road traffic reduction, and happy to say that there should be no difficulty in pursuing it. He was happy to imply that there would be cross-party consensus on efforts to find a way to reduce traffic and congestion, but he now says something entirely different. After two years of listening, the Conservatives have found—surprise, surprise—that motorists are not happy about some of the problems caused by the previous Government, such as the extra £25 billion that motorists paid in tax, the difficulties of finding money for public transport investment, and the need to pay more if we are to get people off the roads.

The Tories' focus groups have told them that there is some quick popularity to be had if they make a few promises, say that there will be no more taxes and no more traffic jams, and tell the people that there will be no more of the things that they do not like, and lots more of what they do like. The Tories think that that might win them a few votes, but unfortunately for the right hon. Member for Wokingham, people are not quite as stupid as he thinks.

Recent editorials cannot have made happy reading for the right hon. Gentleman. Can his boss, who has suffered some pretty similar editorials of his own, have been happy about the impact of the glorious new Conservative transport policy? The real shame of it is that the Government—like the Conservative Government before them—are trying to grapple with serious issues.

The issues are discussed in the White Paper that the right hon. Gentleman so cheerfully attacked, but the previous Government's Green Paper on transport was almost identical—almost the same, word for word. The Deputy Prime Minister may not wish to admit that.

Mr. Prescott: On hypothecation.

Mr. Taylor: As the right hon. Gentleman says, hypothecation is included in both documents.

Motorists' taxes should reflect not only investment in roads but the real economic costs of road transport—the costs to business of congestion, the costs to the health service of treating problems arising from fumes and pollution, and the cost to society of damage to the environment.

The previous Government's Green Paper—if the right hon. Member for Wokingham has not read it, he should—went into detail on all the matters that the Conservatives now criticise, concluding that

"if local authorities are to take the main role in deciding the right strategies for their areas, they need to have sufficient tools for the job. These might include powers to restrain traffic by local licensing measures or electronic charging systems, or powers aimed at

reducing the provision of off-street non-residential parking. The Government accepts that there is a case for such powers to be available for use locally at the discretion of individual authorities."

The issue is not purely urban, although it is true that the issues are different in rural areas. One of the advantages of congestion charging over an increase in petrol prices is that it can be targeted on motorists where public transport is available, so as to have the greatest effect.

The document continues:

"Car use can be particularly important in rural areas. Many rural locations do not produce sufficient passenger flows to allow cost-effective public transport services; so cars are often essential for rural inhabitants and businesses. There are concerns nevertheless about adequate access for those without cars"—

who are entirely forgotten by the new modern Conservative party—

"and about the environmental impact of high car use both in sensitive rural tourist locations and more generally . . . The Government believes more attention will need to be given to reducing car dependence in rural areas without damaging economic activity or restricting access to shops."

The Conservative Government targeted congestion in urban areas; they argued in favour of allowing local authorities to levy charges on non-residential car parking and in congestion areas, and to implement electronic and pass charging. Those are exactly the things that the right hon. Gentleman now rails against and commits himself to oppose—unless, of course, they are fair, whatever that means. Yet the Conservatives used to accept the need for traffic reduction even in rural areas.

Mr. Redwood: Will the hon. Gentleman explain to the House why it is fair to tax people on low incomes off the road, thus leaving the roads freer for those on high incomes?

Mr. Taylor: The right hon. Gentleman misses the point of what I have just quoted from a Conservative Government document. Perhaps he should have considered that before publishing his policy. He also forgets that even in rural areas, one in five people—overwhelmingly the poorest, the old or people with disabilities—do not have access to a car. That consideration runs right through the document.

If there were congestion charging in urban areas where public transport could be made available, what would that do for people? It would fund the provision of that public transport alternative. Indeed, using public and private links, provision could be made before congestion charging was introduced. There could be a twin-track approach, providing fast, efficient, clean and safe public transport to get people off the roads. It would be paid for through congestion charging, so that neither poorer people nor anyone else would have to pay high charges, and the roads would be clear for those who needed to use them.

Mr. Lawrie Quinn (Scarborough and Whitby): The hon. Gentleman rightly describes a form of social exclusion in rural areas. Will he comment on the deregulation policy of the previous Tory Government, especially as it affected bus services in rural areas such as his and my own? How much damage did that policy do, and how much worse did it make the problems of social exclusion in rural economies and communities? There were 18 years of increasing social exclusion.

Mr. Taylor: The hon. Gentleman is right. However, there is a notable difference between London and the rest of the country. In London bus use has grown; in the rest of the country it has fallen. The issue affects even those whom the Conservative party might regard as its natural supporters, those in business. Estimates of the cost to business arising from congestion range from £15 billion to £30 billion a year. Most of the increase in that figure occurred while the Conservatives were in office.

The Deputy Prime Minister referred to traffic calming, on which the Conservatives' proposals are muddled, to say the least. Their policy document states:

"We will not promote the use of environmentally unfriendly traffic humps."

I am not quite sure what the phrase "environmentally unfriendly traffic humps" means. It may mean that the humps are made from some material that damages the environment, in which case I agree with the right hon. Member for Wokingham. However, I think that he means that all traffic humps are environmentally unfriendly because he does not like them in the environs of his roads. Presumably that is because the right hon. Gentleman and his colleagues would like to drive faster. Indeed, I am sure that is what he means, because he recently referred to road humps as "impediments".

I represent a rural community, and every September I spend a couple of weeks visiting all the villages that I represent—about 70 different stops—holding travelling advice surgeries. During the past two years, the No. 1 overwhelming request has been for traffic calming. Village after village is being destroyed by the cars that drive through.

Mr. Geraint Davies: The hon. Gentleman's constituents want to slow him down.

Mr. Taylor: As I tow a caravan, there is no chance of my going too fast. However, the hon. Gentleman is probably right in that many people would prefer it if I did not travel with a caravan; motorists tend not to like them. However, I am a form of traffic calming process in my own right, so I point out to my constituents that I am doing exactly what they ask.

I have made so many requests for traffic calming during the past two years that I wrote separately to the county surveyor to apologise for inundating him with requests. I know that he cannot pay for all the schemes, because he does not have the income stream to do so—although income has increased recently, and I praise the Government and the county council for taking that decision. Liberal Democrat county councillors wanted to give greater priority to such matters.

The key point is that rural people want to slow down traffic in their communities. The right hon. Member for Wokingham has focused on the motorist; he has spoken to one or two organisations that are fixated on arguing the motorist's case and not to the organisations that take a more intelligent view and consider the safety issues.

Mr. Tom Brake (Carshalton and Wallington): Jeremy Clarkson?

Mr. Taylor: Perhaps, but the Conservatives have not consulted people who have considered the issue rationally. The right hon. Member for Wokingham should talk to those in his party who had ministerial

responsibility for these matters before the general election. They learned and understood the lessons, and continue those arguments in their new roles.

My criticism of the Government is not, and never has been, on the policies that they said they intended to pursue. We may have some differences. I would like vehicle excise duty on all cars up to 1600 cc to be abolished. It is sensible to charge people for use, not for ownership. That applies especially to small ordinary family cars; big petrol guzzlers may be another matter.

However, I am concerned, as is the Deputy Prime Minister, about the lack of progress so far. After two years there has been no legislation to put the policies into effect—although I realise that the Deputy Prime Minister has fought for that. The process is now starting, but the Railways Bill will be held up until after the recess. There is likely to be a major traffic Bill in the autumn, but we do not know for sure; I hope that the right hon. Gentleman wins the battle for a broader Bill to implement the major features of the White Paper.

The slowness emanates, as the right hon. Gentleman has suggested, from others in the Government, and from Departments that fear the very issues being raised by the Conservative party. Short-termism makes the matter politically unacceptable. That is wrong. Any member of the public who is stuck in a traffic jam, any family whose children suffer from asthma that is worsened by traffic-related pollution, and anyone who suffers from noise, will see the logic of introducing the policies—provided that they are sensibly implemented alongside public transport provision.

Mr. Bercow: Will the hon. Gentleman give way?

Sir David Madel (South-West Bedfordshire): Will the hon. Gentleman give way?

Mr. Matthew Taylor: I want to finish soon, so I shall give way only to the hon. Member for Buckingham (Mr. Bercow).

Mr. Bercow: I am grateful to the hon. Gentleman for so charitably giving way. Whatever the merits of an improved railway service, and however desirable it may be to secure the passage of freight on such a service, can we take it that he is not committed to the destruction of the road haulage industry? If he acknowledges the centrality of that industry to our economic performance, does he agree that it was a regrettable omission by the Deputy Prime Minister when, while he was consulting his dictionary of quotations, he failed to refer to the letter from the director general of the Freight Transport Association that appeared in *The Times* on 15 March? That letter stated that not only did the Budget not improve the competitive position of the road haulage industry but it made it worse. The letter has been supported by a plethora of business organisations. Where do the Liberals stand—on the fence, or somewhere discernible?

Mr. Taylor: The answer is simple: as with car users, so with lorry users. We believe that the principles should be that people pay for use, not ownership, and that if they use more environmentally unfriendly modes of transport, they should pay more. Linked to the increases in petrol prices should have been deep cuts in the duties paid simply to put a lorry on the road in the first place. We do not want to get rid of lorries, but to make sure that they compete on a fair basis with other modes of transport, and that there are disincentives to the unnecessary use of transport. On that basis, I believe that there could be a better deal for the industry.

Sir David Madel: Will the hon. Gentleman give way?

Mr. Taylor: No, because this is a short debate and the hon. Gentleman might speak in it himself.

The challenge facing the Government is to introduce the legislation and ensure that it is implemented earlier. The Conservative party should understand that the criticism of its policies expressed in *The Times* and the *Western Morning News*, which represents a rural community, is based on the fact that those polices represent ignorant short-term political opportunism that will not wash and has not washed.

3.21 pm

Mr. Richard Burden (Birmingham, Northfield): Given the constituency that I represent, I am as aware as anyone that on transport issues, we need to balance different, totally legitimate interests and needs. My interest arises from the fact that my constituency contains the largest car plant in this country: 50,000 jobs depend on that plant, so it is of vital importance to my constituents. I sometimes worry that I am becoming typecast in the House, because I never seem to talk about anything else.

Not only do many of my constituents work at that plant, but they live near it. They tell me that, although they want it to thrive, they are aware of the related problems of traffic movements, including lorries going to and from the plant. When the Conservatives consider their new transport policy, they should talk to some of the car firms such as Rover, which is talking about getting more of its freight off the road and on to rail. That is to be applauded.

My constituents also suffer from a high incidence of asthma, so airborne pollution is a problem. There is also a problem of traffic congestion, both in the centre of Northfield and on the route from the south of Birmingham into Birmingham city centre. There is a railway station at Longbridge, which is the last stop inside the Birmingham boundary for what is known as the cross-city line, so it is a major rail route. My constituents want that line to be extended to another part of my constituency, so that the local people can enjoy greater access and mobility. My constituents know that our rail system needs greater investment.

Conservative Members have talked about speed, and I have another interest to declare in that respect. I am not opposed to speed—indeed, I have a competition licence—but I know that speed is to be used on the track, not on the roads. We in Birmingham know that only too well: last weekend, a car came off a slip road off a major dual carriageway and ploughed into a party of nightclubbers; 41-year-old Selbourne Daly died and many others were seriously injured. The issue of speed cannot be ignored.

Mr. Bercow: The hon. Gentleman makes a serious charge against the Conservative party's position on that subject. Can he give examples based on past evidence of accidents that would result from the application of the sensible policy of having minimum speed limits on major

[Mr. Bercow]

roads, as advocated by my right hon. Friend the Member for Wokingham (Mr. Redwood)? Is the hon. Gentleman seriously saying that having a modest minimum speed limit on a major road will result in a serious increase in accidents? That is nonsense.

Mr. Burden: Having studied the document, I find it difficult to understand what the Conservatives are saying about speed, although the document talks about increasing speed limits on motorways.

I have yet to understand what the right hon. Member for Wokingham (Mr. Redwood) means when he talks about traffic-calming measures. Most of the places where traffic-calming measures are used or have been requested are residential roads, where they have been shown to reduce the number of accidents. My point is that absolutist views should not carry the day in this debate. Unfortunately, absolutist views are written all over the policy document that the right hon. Gentleman launched this week.

The right hon. Gentleman says that he wants extra investment in our transport system, even in public transport, but we have yet to see how that investment is to be financed. He has said that the Conservatives would privatise London Underground, but I would dispute that that would raise the sums that he has forecast. He says that that privatisation would raise £760 million—presumably, that figure assumes that no public money would go into the process. Does he honestly believe that that is the amount of money needed by public transport in this country? Is that how much the roads programme that he wants to implement needs? I do not think so. What we need is not slogans, but a grown-up discussion about our transport policy. The policy document that was launched this week does not contribute to that debate.

Yesterday, I attended the inaugural conference of the west midlands regional chamber, which was addressed by the chair of the west midlands branch of the Confederation of British Industry, Mr. Digby Jones—a man who argued fiercely in favour of the Birmingham northern relief road and who understands the need for a proper road traffic system. However, he made it clear in his speech that we cannot go on as we have been going, and that we are not facing up to the real issues unless we tackle congestion in our city centres, which might involve charging motorists or imposing restrictions on them.

Transport polices require further investigation. I welcome the policy document published by Ministers at the Department of the Environment, Transport and the Regions. If we are to tackle the problems effectively, we need to consider different policies and pilot a full range of them. One such policy is workplace parking charges, with which I admit I have some problems. If such charges focus entirely on city centres, there is a risk of displacement of activity out of city centres; but if we widen the net too far, we might not achieve our objective of addressing congestion in those city centres. However, that is an argument not for throwing out such ideas but for piloting them properly.

The same is true of congestion charging, on which Conservative Members should make their views clear. As I understand their comments today, they are not opposed to all congestion charging, but they are opposed to its use in all but new areas and on additional roads. Does that mean one or more of the roads in the programme that they are halfway to announcing in their new policy document would be available for a congestion charging scheme? We need to know rather more about their policy.

We also need to address environmental issues—my constituents, dependent as they are on the motor industry, want us to address those issues. We should applaud the efforts made so far by motor manufacturers, such as their agreement to reduce carbon dioxide emissions by 25 per cent. in 10 years. They have already achieved a great deal in terms of reducing harmful emissions: within 10 years, the emissions produced by a motor car will be about 100 times less than they were 10 years ago. However, manufacturers should be asked to do more.

We can help, for example, in respect of vehicle excise duty, on which I disagree with the hon. Member for Truro and St. Austell (Mr. Taylor). Although relating excise duty to engine size is a good start, engine size is not an accurate measure of environmental friendliness. We have to move to more sensitive measures on carbon dioxide emissions and so on. We can also do more to encourage the use of environmentally friendly fuels such as liquid petroleum gas.

Let us remember that there are no easy solutions, and that balances must be struck. We want to encourage manufacturers to make motor vehicles safer, but all too often that means increasing their weight, which brings with it the danger of decreasing fuel efficiency. We need to encourage a balanced policy.

We can do far more through the use of technology, telematics, information signalling and so on, not only to improve the private motor car but to make our public transport much more reliable and accessible. Above all, we need investment. There are different routes for investment, but although our constituents understand the need for certain kinds of charging and restrictions on car use, they will rightly expect results, and they will expect them soon. That means that the way in which we phase expenditure, borrowing and charging will be crucial, because we cannot ask our constituents to wait for results in the distant future while charging them now. We must therefore take an imaginative approach. We cannot go on as we have been doing.

We must take action quickly because the Conservative Government, sadly, left us with a chasm that we must cross. I do not know how one can cross a chasm by taking small steps. We need to take a large leap, which requires a great deal of investment and joined-up thinking. Most of all, it means that there should be no return to the days of slogans. We have seen such slogans in the policy document launched this week by the Conservative party, which had been starting to move away from their use. I was more impressed by the policies that were beginning to emanate from what I understand is now called the old Conservative party than by those from the new Conservative party. Let us have a grown-up debate and get our country moving again.

3.32 pm

Mr. Laurence Robertson (Tewkesbury): I very much enjoyed the Deputy Prime Minister's contribution, but I am confused about the Government's policies and objectives for transport. I am not sure whether they want to increase the revenue to the Exchequer—the right hon. Gentleman implied that that was a priority—to have an

integrated transport policy or to achieve sustainable development. The Government have certainly succeeded in increasing the revenue to the Exchequer, and the motorist has inevitably been hit hard as a result. However, they have failed to implement an integrated transport policy and to achieve their sustainable development objective.

I declare an interest: smokers receive a poor return on the amount of money that is spent on health care to treat smoking-related diseases, compared to the amount that they contribute to the Exchequer. The same is true of road users because they contribute far more to the Exchequer than they ever receive back in money spent on roads.

According to a written answer from the Minister for Transport, for the most recent year for which figures are available, the Exchequer received a total of £35 billion from all taxation levied on vehicles and those working in the industry. However, only £1.8 billion, a mere fraction of the sum that is collected, is spent on roads. The motorist, like the smoker, therefore gets a very poor return on his investment. That situation is made worse by a number of other Government policies.

First, the amount that the motorist is being asked to contribute is increasing. The insurance premium tax has, from this month, been increased from 4 to 5 per cent. The fuel escalator, which the Government increased, continues to apply. However, the amount of money spent on roads is, by comparison, static. In fact, in a recent discussion, members of my local county council complained to me that because the funding rules have been changed, they are left with a decreasing amount of money to spend on B roads and small country lanes, forcing them to allow those roads to deteriorate.

Secondly, there are further threats to the motorist in the form of direct charging for road use or charges for workplace or supermarket parking. When motorists already contribute such a huge amount to the Exchequer, why should they pay more for something that they now enjoy? In other words, a charge to enjoy a new road is one thing, but charging motorists to use roads that they have already paid for time and again is quite different.

The Government have increased the amount paid to the Exchequer by road users, but have, I accept, improved the ratio of return to those road users on what is paid out by them. The Government have failed, however, to provide the motorist with an alternative to car use. They have failed even to begin to devise an integrated transport policy. I am not sure that anybody knows what that term means, although I am certain that nobody is benefiting from it. In spite of all the discouragement through taxation, car usage remains stubbornly high, and a great deal of freight remains on the roads.

I shall give an example which I am sure all hon. Members will recognise. My constituency is only a two-hour drive from London, or at least it used to be, but now the dedicated bus lane in the fast lane of the motorway—or what CB enthusiasts used to call the suicide lane—has considerably slowed my journey. The only cars that I have seen using that lane are taxis with one passenger, so I am not sure what it has achieved.

What are the rail alternatives for travelling from Tewkesbury to London? I could catch the train from Cheltenham, which usually involves changing trains twice along the way. The service is extremely unreliable, and it would take at least an hour longer than my car journey. Following a discussion with members of the county council, I asked the Minister for Transport what discussions she had had with Railtrack and the providers of the rail services. She replied that there had been no discussions. There is not, therefore, a great deal of encouragement to use the trains.

Mr. Quinn: Will the hon. Gentleman tell the House how much discussion he has had with Railtrack and the train operators?

Mr. Robertson: I have had a great deal of discussion with them because of all the complaints that I have received about the level of service. I do not seem to be making any headway, which is why I went to a higher authority and asked the Minister to intervene. Until the date of that written answer, she had not done so, but I hope that, following this debate, she may be persuaded to intervene.

I have referred to the enormous sum—£35 billion—that is taken from the motorist, of which £1.8 billion is spent on roads and £2.6 billion on alternative travel. There is not much encouragement for anybody to do anything other than drive his car.

I sit on the Environmental Audit Committee, and I would welcome any move to reduce car travel and protect the environment if that were possible. The Committee interviewed the Minister about that, and I am not sure whether the Government want to shorten car journeys, to reduce the number of car journeys or to make those journeys cleaner. There is a difference between those objectives, and their achievement would require different policies.

Reducing the level of vehicle excise duty on cars below 1100 cc may have captured a few headlines, but it has achieved very little. If the Government had been serious about reducing the levels of emissions from cars—in other words, if their policies had been environmentally rather than economically driven—they would have set the level at 1500 cc engines. However, I accept that, these days, there is no direct correlation between the size of an engine and the emissions from it. Again, we have a headline-grabbing policy that means very little.

I am advised by the Government that average emissions from cars with engines below 1100 cc are equivalent to 139 g of carbon dioxide per kilometre, and from cars with engines between 1500 and 1600 cc, 190 g. If the level of VED had been reduced for vehicles with larger engines, the policy would have encompassed more people. However, the Exchequer would have lost out, and that is the point—the Government's policy is economically, rather than environmentally, driven.

There is no doubt that the motorist has been hit very hard by the Government's policies, with no benefit to the environment and no alternative transport provided for the motorist. Rural residents and those on low incomes, who have to use their car to travel to work, have been hit particularly hard. As always, those who can least afford it are made to pay the most. I have no objection to sensible, consistent policies to entice motorists to use other forms of transport, but we shall not achieve that by using the blunt instrument of high taxation on its own.

3.39 pm

Mr. Shaun Woodward (Witney): The hon. Member for Truro and St. Austell (Mr. Taylor), in true Liberal Democrat fashion, managed to misrepresent Conservative policies launched this week. For the record, we are not against traffic calming where it is fair. In rural areas and in villages, it is often—*[Interruption.]* Labour Members may laugh, but we believe in local choice, and where people in countryside areas, such as villages, want traffic calming, it is entirely appropriate that they should have it. The Labour party may wish to tell them what to do with their lives; we shall listen to people locally.

For the record, we are in favour of traffic-calming measures where they are appropriate, but not where they are wholly inappropriate—on major routes or when they are imposed on people.

Mr. Matthew Taylor: Will the hon. Gentleman give way?

Mr. Woodward: No, I will not give way, because time is short and the hon. Gentleman has had a great deal of time to make his arguments.

My hon. Friend the Member for Tewkesbury (Mr. Robertson) rightly drew attention to the unfair contract that the Government make with the motorist. They take his money in tax, they take it again in tax and they look for another way to take it one more time in tax, yet they offer little or nothing back. My hon. Friend has rightly revealed that Government transport policy is a major disaster area. If you want confirmation of that, Mr. Deputy Speaker, *The Guardian*/ICM poll this week revealed the depth of public unhappiness with the Deputy Prime Minister's handling of roads, rail and the London underground. The poll showed—doubtless the Deputy Prime Minister is grateful for anything that he can get at the moment—that one third of those surveyed were content, but more than half said that he was doing a bad job.

Congestion on the roads in this country has reached sclerotic proportions. All over Britain, motorists sit in longer and longer queues, going more and more slowly, with many of them going nowhere. The number of standstill areas grows by the day. As the British Road Federation recently said:

"The Government's proposals are unlikely to reduce congestion on the inter-urban network."

Why? As independent research commissioned by the British Road Federation shows, whereas in the mid-1990s, trunk road and motorway infrastructure improvement spending ran at £1 billion a year, under the present Government, who like to claim so much, it has been slashed to £0.3 billion between now and the end of the Parliament.

In addition, the backlog of maintenance on our roads is the longest in 20 years. The 1998 national road maintenance condition survey recorded the worst overall result since the survey was first produced in 1977.

The most recent local transport survey published by the Institution of Civil Engineers has found that the backlog of maintenance of local authority roads stands at £4.9 billion. That is an increase of 20 per cent. in the backlog since 1996—and, as the Minister for Transport knows, the Automobile Association has just reported that the backlog continues to grow by £1 billion a year.

It will be interesting to see whether Labour Members try to make a genuine case to substantiate any suggestion that the London underground has got better in the past two years.

Mr. Richard Page (South-West Hertfordshire): By chance, this morning I received a letter from a constituent Mrs. Marriott. She says that she has been working in London for the past five years. She does not want to be selfish; she travels in by the Metropolitan line. She writes:

"This summer, I was initially inconvenienced by a total and unpredicted closure of the entire Circle line, having then to change trains on crowded Liverpool Street and attempt to complete my journey on the Central line. It is on this line I experience the greatest chaos of all."

Then follows a list of breakdowns and delays, which is a disaster.

Will my hon. Friend please say why and how the Government's proposals for road tolls, and charges on parking and fuel will help my constituent on her travels on the tube?

Mr. Woodward: My hon. Friend makes an important point, because his constituent's experience mirrors that of so many people. A recent survey found that 84 per cent. of people interviewed on the underground thought that it had dramatically worsened since Labour came to power.

I challenge the Deputy Prime Minister, who has the nerve to come to this place and speak of benefits on the tube, to come with me to Moorgate station on the Northern line and meet the commuters there, 78 per cent. of whom were late for work on Monday last week because of the closure of the line between Moorgate and Kennington. Only last week, London Underground reported its "worst day for months." The Circle line was completely shut down. The Northern line was closed between Kennington and Moorgate. Extensive rush-hour cancellations occurred again and again on four other lines.

Meanwhile, temperatures soared. Commuters travelled in temperatures of over 100 deg. As the *Evening Standard* reported, it would be illegal to transport animals in those conditions. And yet the Minister—

Mr. Christopher Leslie (Shipley): Will the hon. Gentleman give way?

Mr. Woodward: I am sorry; there is no time.

As the Minister knows—

Mr. Geraint Davies *rose—*

Mr. Woodward: I will take an intervention from the hon. Member for Shipley (Mr. Leslie) .

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. We do not want a Greek chorus from either side. This is a serious debate and there is very little time left for it to proceed. Is Mr. Woodward giving way?

Mr. Woodward *indicated assent.*

Mr. Leslie: I am just trying to clarify whether, under the hon. Gentleman's policy of privatising London Underground, the proceeds of privatisation would be ring-fenced for London or spent elsewhere.

Mr. Woodward: My right hon. Friend the Member for Wokingham (Mr. Redwood) has made the position

entirely clear. We are in favour of privatising London Underground. We are wholly against the policies that the Government are pursuing; we are against them for one important reason. Under the present Government's policies, the tube is getting worse and worse. The people who are suffering are not people like the Deputy Prime Minister, who commutes everywhere in two Jaguars and a helicopter—they are the ordinary people of London, who have to try to get to work.

Mr. Geraint Davies *rose—*

Mr. Woodward: I will not take an intervention.

When we left office, one train broke down every 21 minutes. I admit that that was not a good record. However, under the present Government, one train breaks down every 16 minutes. The Labour party's solution to all this is the ludicrous public-private partnership. It is condemned by everyone and is going nowhere.

Mr. Davies: Will the hon. Gentleman give way?

Mr. Woodward: I will not.

The Deputy Prime Minister tells us again today that the public-private partnership will be delayed. Next year, the mayor will take up office, but he or she will not have charge of London Underground because of the delay caused by the Deputy Prime Minister.

Yesterday, the mayoral candidate, the hon. Member for Brent, East (Mr. Livingstone)—it will be interesting to see whether his colleagues have views on this—said that the PPP would lead to tube fare increases of 30 per cent., and he condemned the Deputy Prime Minister's proposals. It will be interesting to see whether the Deputy Prime Minister supports the hon. Gentleman in his endeavours to become mayor of this city.

Under the present Government, transport policy is in chaos. Road budgets have been slashed. Investment in the tube has been dramatically slashed to little more than half the £1 billion a year that was being invested when we left office. Under the present Government, the motorist is being taxed and taxed, and the Government are lining up new taxes for the motorist. A congestion tax is coming soon, as is a parking tax.

Just for the record, the Minister for Transport might like to know that when the RAC surveyed people with NOP, it found that 75 per cent. of the public opposed congestion taxes. In addition, 49 per cent. would not be prepared to pay the parking tax, and made it clear that they would simply find other places to park their cars. Such a tax will not stop them from using their cars; they will simply try to evade the Government's tax policy.

I am glad that the Under-Secretary of State, the hon. Member for Hampstead and Highgate (Ms Jackson) has returned to her place. On Tuesday, I asked her about the local transport strategy in Oxford—a strategy that the present Government encouraged and sanctioned, with £7 million of credit for a £21 million disaster scheme. She questioned my brief and had the temerity to tell the House that the scheme in Oxford had not

"been anything other than a success."—[*Official Report*, 13 July 1999; Vol. 335, c. 156.]

I am afraid that it is she who is not up to her brief. She should read the *Oxford Mail* headlines, "Road works will kill us. Traders fear for the future" and, on Saturday 26 June, "Oxford's total standstill".

Perhaps the Under-Secretary wishes to sit there and laugh at the people of Oxford. Perhaps she has not got across her brief and learned of the real misery that people in Oxford are experiencing. However, I suggest that, for the few remaining days in which she is likely to hold her post, she gets across her brief and perhaps even goes to meet the people in Oxford—people like a man called Mr. Bonner, who runs a family florist's business in the covered market. He goes to Covent Garden every day to collect flowers for his business. He has to drive to London and, of course, he gets stuck in traffic jams going to London and coming out of London. He gets stuck in the traffic jams on the A40, then in those on the M40. He gets stuck in the jams on the M40-M25 interchange—or should I say inter-jam?—then the jams going into Oxford city. After 10 o'clock, he is not allowed to get to the covered market.

As a result of the Government's policy, people like Mr. Bonner are realising that their livelihoods in the covered market may soon come to an end. More than a third of traders in the covered market fear that the local transport strategy will ensure that they go out of business. Perhaps the hon. Lady is happy with that; we are not content.

For that reason, we are very unhappy with the Government's transport policy, and we condemn them for the way in which they callously rob the motorist, taking more then £30 billion in taxes from the road user, but offer less than £6 billion back. The truth is that the Government are anti-motorist, but have no credible public transport policy to offer in its place.

At the beginning of the White Paper on transport policy, the Deputy Prime Minister stated that

"there is a consensus for radical change".

Most of us would agree. What we need, however, is a consensus for change not in transport policy but in the Department and the Ministers who now preside over standstill Britain.

3.51 pm

The Minister for Transport (Mrs. Helen Liddell): May I take the opportunity to welcome the hon. Member for Witney (Mr. Woodward) to the Dispatch Box? I understand that this is the first debate in which he has spoken under his new shadow portfolio.

I am delighted to see that the hon. Member for North Essex (Mr. Jenkin) has joined us. I was beginning to wonder whether he was indisposed. He has not had the best of weeks. This time last week, the Conservative Opposition were to launch their transport strategy. We were promised 60 commitments to the motorist. By Monday, the figure was down to 52, and in the course of the debate this afternoon, the right hon. Member for Wokingham (Mr. Redwood) was ditching commitments faster than the dance of the seven veils.

As the hon. Member for Witney gets further into his brief, he will learn that it is important that he does his homework accurately. When Labour came to power, we inherited a road network which, according to the Tories' Green Paper of 1996, was "broadly complete". However, the road network was suffering from a huge maintenance backlog. It was congested and crumbling.

The hon. Member for North Essex acknowledged in writing to the Leader of the Opposition last week that the previous Administration had cut money for roads.

[Mrs. Helen Liddell]

Those cuts were made in an area that is important to motorists—maintenance. Maintenance is important for vehicles, but it is also important for safety. We have seen the Opposition this afternoon wriggling, ducking and diving on the safety issue.

The right hon. Member for Wokingham described himself as "new Conservative"—that is, extreme Conservative. The position that the Opposition are adopting is extremely right-wing. It is libertarianism taken to a ludicrous extreme. Not even the safety of people matters to the Opposition, to judge by their transport policy.

Mr. Redwood: Can the right hon. Lady explain what is right-wing about wanting good car parks at stations and less congested roads?

Mrs. Liddell: Can the right hon. Gentleman explain what is safe about reducing traffic calming, having no proposals for road maintenance, and implementing, as the previous Government did, only one measure to ease congestion—the cones hotline?

Mr. Andrew Dismore (Hendon): Does my right hon. Friend agree that a right-wing policy was announced in *The Sunday Times* by a Tory spokesman, who stated:

"We want to prevent dithering Sunday morning motorists causing unnecessary tailbacks"?

The Tories want to eliminate the casual user of the motor car for recreational purposes, to make way for the latter-day Mr. Toads, such as hon. Members who drive sports cars.

Mrs. Liddell: I could not have put it better myself. Given that the right hon. Member for Wokingham is so proud of his two Jaguars, I do not know why he keeps going on about the fact that Labour Members like to use vehicles. Moreover, it was hypocritical of the hon. Member for Witney to mention the use of helicopters. He seems not to be aware that the Leader of the Opposition travelled to Eddisbury on Tuesday for the by-election campaign by helicopter.

I was speaking about safety. The hon. Member for Witney condemned the delays on the London underground. I acknowledge that the condition of the London underground is unacceptable. That is a result of so many years of underinvestment by the previous Government. The work currently being done on the Circle line—paid for by the present Government—is directly designed to deal with matters of safety. The London underground that we inherited was crumbling.

Mr. Bernard Jenkin (North Essex): Labour cut investment.

Mrs. Liddell: The hon. Member for North Essex speaks of cuts. It was the previous Secretary of State for Transport, now the shadow Leader of the House, who said in March 1997 that there was no need for additional expenditure on the London underground.

Mr. James Clappison (Hertsmere) *rose—*

Mrs. Liddell: I shall take no more interventions.

The subject of today's debate is a fair deal for the motorist. The Government have gone to considerable lengths to give assistance to the motorist. We believe that motorists should have an opportunity to use their vehicles in conditions of comfort. Motorists are not a unique part of the population. They are parents, sons and daughters, working people. They want to use their vehicles in a way that is pleasant and efficient.

In our White Paper, we have made it clear that we want a new deal for motorists that better meets their needs and allows them to use their cars more efficiently. We are increasing the provision for road maintenance by £600 million over three years to almost £3 billion. We are establishing three new traffic control centres to help focus on our motorways. We are improving driver information through radio, the internet, electronic motorway signs and the Highways Agency website.

We have reduced vehicle excise duty for small cars. We have negotiated a 25 per cent. improvement in fuel efficiency with European car manufacturers by 2010. We are making it easier to import cheaper cars from Europe. The cost of motoring in real terms is now lower than it was in 1980. That is the work that we are doing to assist motorists. We recognise that motorists need real choice.

The Conservatives have presented an uncosted, hypocritical document which shows that they suffer from collective amnesia. The cost of implementing those proposals would be £10 billion, which would mean considerably increased taxation for everyone. It would also mean reductions in health and education expenditure.

When the Opposition suggested the subject for debate last week and published their document, they took us all for fools. They did not think that we would study their document and question its contents. We have checked up on the position that they have adopted on many of the proposals in the publication.

We have heard a great deal from the Opposition this afternoon about road user charging. The previous Government spent £3 million on research into local road user charging in the 1990s, and £2.6 million of that was for the four-year London congestion charging programme. The then Secretary of State, the right hon. Member for North-West Hampshire (Sir G. Young), said:

"It could be an effective way of reducing congestion and the environmental impact of traffic."

The Opposition say that they are not hypocritical. They invented hypocrisy in their document.

There are 10 commitments from the Opposition to the motorist.

Mr. Redwood *indicated assent.*

Mrs. Liddell: The right hon. Gentleman acknowledges that his proposals are very frightening indeed to those of us who want our roads to be safe and less congested. They are also very frightening to those of us who had thought that the Conservative party would have learned the lessons of the general election. Instead, it is moving further and further to the right, and further and further towards an extreme position that will be rejected by the people of this country.

The House should reject the Conservatives' motion. Their proposals, which would lead to more congestion and more accidents on our roads, provide no answers and no

policies for building a road network, and achieving both an effective transport system and less congestion.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 121, Noes 325.

Division No. 246] **[4 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Gale, Roger
Gibb, Nick
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Sir Teddy
Thompson, William
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wiltshire, David
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John M. Taylor and Mrs. Jacqui Lait.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blunkett, Rt Hon David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
George, Andrew *(St Ives)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia

Hill, Keith
Hinchliffe, David
Hoey, Kate
Hood, Jimmy
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michie, Bill *(Sheffld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Bob *(Colchester)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Mike Hall and
Mr. David Hanson.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments) and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House deplores the previous Government's record of under-investment and disintegration in the transport network, its failure to tackle congestion as traffic rose by 75 per cent., and its cut in road maintenance; commends the Government for producing the first Transport White Paper for 20 years which has a comprehensive approach to transport across all modes and welcomes the Government's new deal for the motorist in the Transport White Paper; applauds the Government for its clear and open framework for appraising and informing the prioritisation of trunk road investment, taking a far-sighted and more integrated approach than the previous administration; notes that the present Government has begun to tackle the inherited problems of under-investment, pollution and increasing traffic congestion, by a new radical integrated strategy, including an extra £1.8 billion for public transport and local transport management, improving road maintenance, encouraging greater fuel efficiency, reducing pollution, and introducing the long-term policies needed to increase transport choice and improve Britain's transport system; and recognises the freedom that the car has given and that congestion can remove the convenience and pleasure from driving.

Post Office

Mr. Deputy Speaker (Sir Alan Haselhurst): Madam Speaker has selected the amendment in the name of the Prime Minister.

4.14 pm

Mrs. Angela Browning (Tiverton and Honiton): I beg to move,

That this House is concerned that the Government's proposed arrangements for the Post Office put at risk its long-term viability by failing to free it from state control while also failing to maintain accountability; is concerned that these arrangements will create an uncompetitive distortion in the existing private sector mail delivery market; supports the Universal Service Obligation; and condemns the failure by the Government to implement the Horizon programme, with the resulting 30 per cent drop in income to the network of private sector sub-post offices which threatens the survival of rural sub-post offices and represents yet another government policy detrimental to the interests of those who live and work in the countryside.

Last week's statement that the Government intend to turn the Post Office into a public limited company ended a long period of speculation. We supported the liberalisation of the Royal Mail and freeing it up so that all packages over 50p could be subject to competition—something for which the Royal Mail itself asked. Indeed, the Minister received far more support for his proposals from my hon. Friends on the Conservative Front Bench than he did from the glum faces that surrounded him last Thursday.

We have some reservation about the Government's timidity in holding on to 100 per cent. of the shares, but no doubt we shall see some disposals in due course once Labour Members have come to terms with the fact that anything is now a candidate for privatisation—the Post Office, British Nuclear Fuels Ltd. or air traffic control. It is simply a matter of adjusting to their party's new policy.

Today's debate has been called because during last week's statement many questions were asked and, as usual, too few answers were given about the future of the network of some 19,000 post offices, the majority of which are small, independent businesses. I represent a large rural constituency and fully understand the fragility of rural post offices. Some have a thriving general store attached to them which is open seven days a week, while others are part time and may just have room to sell a little stationery and a few greeting cards. Until now the core of their income was the remuneration they received from administering some 20 benefits on behalf of the Government. On average that accounts for 30 per cent. of their revenue. As a result of the Government's abandonment of the Horizon project to introduce magnetic strip card payments of benefits, the post offices are now reliant on the proposals in the White Paper to make up that 30 per cent. drop and identify other opportunities through automation to secure their future.

On 24 May the Government abandoned the pathway project in favour of encouraging benefit claimants to open bank accounts and receive payment by automated credit transfer.

Mr. David Rendel (Newbury): This subject has been of great interest to me for some time. In fact, I made my maiden speech on the subject of post offices. Does the hon. Lady accept that the abandonment of this programme, like the abandonment of so many other computer programmes that have gone wrong recently, is down to the Conservatives, because they introduced the programme in the first place and set up the contract in the wrong format?

Mrs. Browning: For one glorious moment I thought that I was going to agree with something said from the Liberal Democrat Front Bench, but how disappointed I was. Although I would certainly agree with the hon. Gentleman about the Government's competence when it comes to anything to do with automation, I certainly do not agree with him about the genesis of the problem. I shall come to that in some detail shortly.

The Government scrapped the policy of automated payment by card on 24 May this year. Every hon. Member was circulated with a "Dear colleague" letter from the Secretary of State, and we are grateful to him for his courtesy in bringing us all up to date with the fact that the Government had decided to abandon the project. We are now told that by 2003 all post offices will be fully automated and people drawing benefits will be required to have a bank account, but this will also involve the Post Office.

If, for example, someone banks with a high street bank, they will have their benefit paid straight to that bank, but so that they can still enjoy receiving that benefit in cash through their local post office, there will need to be an arrangement between the Post Office and the clearing banks. In that way the money can be transferred and people can access it in cash from their local post office. Naturally, there will be attendant costs in the administration of the transaction.

The Government's record on automation is not good, as anyone in need of a passport will know. It is ironic that the Government have turned to the Post Office to sort out this problem at the peak of the holiday season. The hon. Member for Newbury (Mr. Rendel) started to talk about the genesis of this and, as is characteristic of the Liberal Democrats, blamed the Conservatives. We are quite used to that. I am tempted to say that it is like water off a duck's back, but perhaps "quack, quack" will suffice.

On 5 May this year, ICL, which was piloting the project in some 200 post offices, said that

"it had no knowledge of any doubts in the Government's mind"

as regards ditching the programme. That is reported in the press. Yet only three weeks later every Member of Parliament received a personal message from the Secretary of State to say that the project had been abandoned. We have never had a proper explanation of why that should be.

Yesterday, the Select Committee on Trade and Industry took evidence on the subject of the Post Office. It became clearer why the Department of Social Security, having examined the costs of transactions through the Post Office, has decided in such short order to abandon the Horizon card. In giving evidence to the Select Committee, the Secretary of State for Social Security identified the transaction costs to the DSS of the processes that the Post Office has carried out. A giro cheque costs the DSS 79p; a transaction involving an order book costs 48p; had the Horizon project gone ahead, the payment card transaction would have cost 67p; but by insisting that people have their payments made by automated credit transfer through their bank account, the cost to the DSS is 8p.

[Mrs. Browning]

The Secretary of State is nodding in approval at that comparison of costs. He is a former Treasury Minister, so no doubt he is impressed by that menu. I put it to him that the reason why the Government abandoned the card system through the Horizon project was not what they inherited from the previous Conservative. Right up to the last minute, nothing in parliamentary answers, as confirmed by ICL, suggested that there was a problem so serious that the project had to be abandoned. It was a Treasury-driven decision, to which yet again the Secretary of State succumbed willingly.

The Secretary of State for Trade and Industry (Mr. Stephen Byers): For the benefit of the House, will the hon. Lady confirm that the Horizon project was three years behind schedule when we cancelled it, and that the key milestone of a live trial last autumn was failed by ICL?

Mrs. Browning: No, I will not, because in every parliamentary answer given by the Secretary of State and his colleagues during the two years of the Government's stewardship of that project, no indication was given that there was a problem. Indeed, they launched the pilot schemes, and ICL confirmed that there were no known problems. I have checked Ministers' written and oral answers in *Hansard*, and they gave no indication of any problems. This is a Treasury-driven decision, and it has put in jeopardy half the United Kingdom's sub-post offices.

Mr. Bob Laxton (Derby, North): Only yesterday, at the Select Committee on Trade and Industry, of which I am a member, I tried to elicit some information about the Horizon project. I am unclear about an issue on which evidence was not forthcoming. [HON. MEMBERS: "Ask the question."] I shall get round to the question in due course.

Mr. Deputy Speaker: Order. The hon. Gentleman must get round to his question precisely and quickly.

Mr. Laxton: Thank you, Mr. Deputy Speaker. Can the hon. Lady tell me why the automation contract under the Horizon project was signed with ICL in May 1996, yet soon after, in February 1997, the contract was renegotiated by the previous Government?

Mrs. Browning: Like most hon. Members, I have served on Select Committees. People are brought before Select Committees to answer questions. If the hon. Gentleman had an opportunity to question expert witnesses yesterday and did not get an answer to his question, perhaps he should consider transferring to another Select Committee.

Mr. Tony Baldry (Banbury): Is my hon. Friend aware that, as recently as November last year—this belies the Secretary of State's point—the then Secretary of State, the right hon. Member for Hartlepool (Mr. Mandelson), confirmed to the Select Committee in oral evidence that he envisaged that all post offices would be automated for the Horizon scheme smart card by 2000? As recently as just before Christmas last year, the Government were determined to introduce the smart card. That was clearly Government policy.

Mr. Laxton: Will the hon. Lady give way?

Mrs. Browning: If the hon. Gentleman will excuse me, I have answered his question and I should like to respond to my hon. Friend. The record shows that right up until May this year no one in the DTI Front-Bench team, either in written or oral answers to hon. Members on both sides of the House, gave any indication that there was likely to be a problem with this system, let alone that the problems were so severe that it would be abandoned within three weeks of ICL making a public statement.

Mr. Mark Todd (South Derbyshire) *rose—*

Mr. Tony Clarke (Northampton, South) *rose—*

Mr. Ian Bruce (South Dorset) *rose—*

Mrs. Browning: I shall give way to my hon. Friend the Member for South Dorset (Mr. Bruce).

Mr. Bruce: Did my hon. Friend see the two press releases that were produced when the scheme was abandoned: one from ICL, which had been approved by the DTI, and one from the DTI? Those two press releases were at odds with each other. The scheme was clearly not keeping to the timetable, because the NIRS2 computer, which was to provide the information, was not available. It was nothing to do with the roll-out of the Post Office. When the Conservative Government introduced this scheme, they went for the more expensive option of paying through post offices for the social reason of keeping those post offices open.

Mr. Deputy Speaker: Order. This intervention is getting far too long.

Mrs. Browning: My hon. Friend is right. I have a copy of the Secretary of State's letter dated 27 May this year, in which he informed us of his decision. There is no attempt to explain the decision. He says:

"As you may know the project was entered into in 1996 by the previous administration."

The only explanation he gives is to say:

"It has suffered severe delays and setbacks."

That is contrary to what had been said in answer to questions only a matter of days before.

Mr. Tony Clarke: I refer the hon. Lady to the comments of the Secretary of State, who said that the project has been delayed for three years. We have been in government for two years. Which part of that mathematical equation does she not understand? Will she answer the question put by my hon. Friend the Member for Derby, North (Mr. Laxton)? Why was the contract renegotiated in February 1997?

Mrs. Browning: It is very simple. The Government have had full responsibility for this programme for more than two years. The hon. Gentleman asked me to answer a question. If there were problems with this system in the

past two years, one would have expected Ministers to have flagged that up in parliamentary answers. Even in the letter in which it is announced that the system is to be abandoned entirely, there is no explanation and no allegation that it was because of incompetence and serious problems with the computer. I repeat that this is a Treasury-driven decision with huge consequences for rural post offices.

I give way to the hon. Member for South Derbyshire (Mr. Todd), who has been very patient.

Mr. Todd: The hon. Lady set out clearly the cost differentials of the various methods. Does her analysis mean that the Opposition disregard those cost differences and regard them as unimportant?

When ICL Pathway announced its view of the closure of the scheme, the managing director said:

"We are now moving from one contract and two customers to one contract and one customer. Personally, I am delighted with that."

That was a fundamental problem with this project right from the start when it was conceived by your Government.

Mr. Deputy Speaker: Order. It was not conceived by anything to do with me. Mrs. Browning.

Mrs. Browning: When I read out the tariff, the hon. Gentleman will have heard me say that the payment card, which the Conservatives designed and put in place, would have cost 67p. We supported that, because we supported a vibrant rural post office system on which small communities depend. It was a cost that we were prepared to support, because it had far-reaching consequences for the heart of fragile communities in rural areas.

Mr. David Chidgey (Eastleigh): Will the hon. Lady give way?

Mrs. Browning: I am answering a question. Whatever the consequences of the Secretary of State's decision to deny post offices that opportunity, if serious problems developed in the two years since they have had stewardship of the scheme, they kept them a well hidden secret. That is not characteristic of the Government, who are constantly baying about what the previous Government did. They keep repeating the mantra: we have inherited this, we have inherited that. Yet they kept discreetly quiet about the Horizon project. That is a suspicious indication that there is another agenda.

Mr. Chidgey: I believe that 3,500 sub-post offices were closed during the 18 years for which the hon. Lady's party was in power. The pathway project came to light in the final three years. I do not recall that the Conservative Government showed any concern about the closures that took place in the preceding 14 years or so. Can the hon. Lady tell me what they did then?

Mrs. Browning: The hon. Gentleman will know, as I do—I represent a large rural constituency—that one reason why post offices close is that all too often they are not viable in terms of the full range of services and products that they sell, sometimes purely on site. Post offices in my constituency are little more than converted sitting rooms in cottages. People who retire at, say, 50 often take on such businesses, run them for 10 or 15 years and, when they retire from that, find that the businesses cannot be sold as going concerns.

Conservative Members are only too conscious of the fragility of the economy of those post offices—which, I should add, are not just post offices but village shops. That is why we were prepared to put public funds into the card system. That helped to deal with the DSS fraud problem, and also helped to support fragile rural communities.

Mr. Martin O'Neill (Ochil): Will the hon. Lady give way?

Mrs. Browning: As the hon. Gentleman is the Chairman of the Select Committee, I will give way to him, but then I want to make some progress.

Mr. O'Neill: Perhaps the hon. Lady will share some information with us. What proportion of the 67p would have gone to the post offices, as opposed to the 7p? The hon. Lady might mislead the House, albeit by accident, if she suggested that all 67p would have gone to the post offices. I think that the administration costs were rather more substantial in the original scheme.

Mrs. Browning: I certainly would not wish to mislead the House. The hon. Gentleman is right, in that the tariff that I read out—with which he will be familiar—did, in my view, influence the DSS's decision to abandon the project. He will know, however, that the formula used for payments to post offices involves the number of transactions that they handle. If people went into their local post offices with cards, that would have meant remuneration for the post offices. Payment through bank accounts means no such remuneration—or so we think; I hope that the Secretary of State will give me a pleasant surprise by telling me otherwise. Moreover, there is the "lost opportunity" cost, in the case of post offices that sell other goods.

Mr. Edward Leigh (Gainsborough): Will my hon. Friend give way?

Mrs. Browning: Yes, but this is definitely the last time.

Mr. Leigh: Will my hon. Friend confirm that it was for all the reasons that she has mentioned that the last Government decided not to privatise Post Office Counters, wishing to preserve the rural network? Will she also confirm that it was the wish of that Government, and that it is the firm and settled intention of the party that will form a future Conservative Government, to proceed with the privatisation of Royal Mail, while at the same time preserving that Post Office Counters rural network?

Mrs. Browning: We have already made known our support for the Government's decision to privatise Royal Mail, although, as I said earlier, we are a little disappointed that the Minister is to retain 100 per cent. of the shares. We shall have to see what we inherit at the next election, but I predict that, if it has not already happened by then, the sale and disposal of those shares will be imminent by the time of the next election. It is clear from the White Paper that the Government would

[Mrs. Browning]

like fully to privatise Royal Mail—I make a distinction between Royal Mail and the Post Office Counters network—and we support them on that; but they have been held back by pressure from the unions.

Nearly 8,000 sub-post offices are in rural areas, and have limited opportunities to expand their business. They have a 35.4 per cent. dependency on the Benefits Agency work that they handle. Let me quote what the Secretary of State said about the rural network, on page 63 of the White Paper:

"The Government has repeatedly made clear its wish to see a thriving nationwide network of post offices. There may be a difficult transition as demand for traditional services declines whilst new services and new ways of working may still be at an early stage of development."

The Secretary of State also said:

"Similarly, the unique reach of the counters' network, coupled with the Horizon platform, should mean that POCL"—

Post Office Counters Ltd.—

"is well placed to offer a major channel to deliver the Government's ambitions to interface with citizens in a modern, convenient, efficient and coherent manner through the increasing use of IT."

It would be helpful if we could investigate in more detail today exactly how those words will be turned into income for small post offices in rural areas.

I remind the Secretary of State that it was on the eve of the countryside march that he was called in by the spin doctors, and was shown on our television screens giving an assurance about the future of rural schools. He made that statement, on a Saturday night, to try to placate people in rural areas who were going to march through London the next day. He promised that no rural village school would close, because the Secretary of State for Education and Employment would intervene personally. That statement was made against the background of a Bill that the right hon. Gentleman was taking through the House at the time and which clearly provided for those powers to be removed from the Secretary of State.

I know that the right hon. Gentleman was set up that night. He was probably the only Minister on call. Let me, however, say this to him—in the warmest way I can, but quite seriously. People in rural areas do not want empty promises and platitudes from the Government. The Government have a long way to go to persuade people in rural areas that they understand either how such communities function, or the importance of what is at the heart of the rural way of life. I can assure the right hon. Gentleman that the post office is at the heart of the life of rural village communities, and that those communities will not forgive the Government if they make empty promises about its future.

Post offices, their customers and Conservative Members now look for substantive replies from the Secretary of State, so that the post offices can plan for the future. They face a huge change by 2003, which is not very far away. I should be grateful if the Secretary of State would answer some of our questions.

First, who will bear the cost of the transfer of ACT payments from a bank account to a local post office, allowing cash withdrawals? Secondly, will post offices be free to contract with all private sector companies handling mail costing more than 50p per item? Thirdly, what did those words in the White Paper mean? Presumably, the Government intend post offices to continue to offer services that are Government-generated, and to receive remuneration.

What is meant by that? Presumably, post offices will have to tender competitively if they are to deliver information on behalf of the Government. If POCL won such tenders from the Government for the extra work, what revenue would they produce? Have any calculations been made? Given that 30 per cent. of their revenue will disappear in 2003, it is important for these small businesses to know how to plan to make up that 30 per cent. Moreover, they will want to expand rather than remaining where they are today.

Fourthly, what guidance will be given to POCL concerning the cross-subsidy between urban and rural areas? At present, 200 post offices are closing each year. Yesterday Mr. Martyn Baker, director of consumer goods, business and postal services, was asked by the Select Committee about the number of future closures. His reply was interesting. He said that Germany had approximately half as many post offices as the United Kingdom, with approximately the same volume of business. Of course, they do not have to deliver any benefits—and that will be the position of the UK post offices by 2003.

What are we to conclude from such an answer? I seek specific reassurances from the Secretary of State, but I can only conclude that, if we are to produce a model similar to Germany's by 2003, we can expect approximately 50 per cent. of our existing post office network to disappear even before then.

Mrs. Maria Fyfe (Glasgow, Maryhill): One obvious point strikes me. Germany is not similar to the United Kingdom because large parts of the UK are rural, especially the highlands and islands, where populations are small and well spread out. That does not apply to Germany, so it is not just a case of x number of post offices for y number of people.

Mrs. Browning: I cannot explain why that was the answer that was given by someone with expertise on the subject to the Select Committee yesterday, but the point that the hon. Lady seeks to make is important. In the White Paper, the Government have promised that they will set standards on the geographic spread, so that people, wherever they live, can have access to a post office. It will be interesting to hear from the Secretary of State how, if there is a significant drop in revenue, with the attendant post office closures, those standards will be met. How will people be guaranteed access to a post office within a minimum distance if the network is to contract?

Will the Secretary of State guarantee that the present system of paying benefits will be retained until 2003 and that there will be no underhand schemes between now and then to persuade people to take their benefits by automated credit transfer? Clearly, post offices are worried about what will happen to them in 2003, but if, over the next three years, their position is undermined further by a Department of Social Security campaign to persuade more and more people who would not previously have thought of doing so to go for ACT, their concern will be exacerbated.

Last week, we gave support to the Secretary of State. It was qualified support. We have come back only a week later to raise the issue of the Post Office network because we are extremely concerned about the future of our post offices.

We are not the only ones. I quote from a statement by the National Federation of Sub-Postmasters. It said in June, before the details of the White Paper were known to the House:

"Many post offices already operate on the edge of viability. In these circumstances, with a loss of work on such a large scale, the local post office will not survive"—

it was, of course, referring to the decision to abandon the Horizon project. It goes on to say that local post office closures will result

"in a loss to those beneficiaries who want to use post office services, including the elderly, infirm and those without transport, people who are comfortable with transacting their business in the post office environment."

I understand that, in his evidence to the Select Committee yesterday, the Secretary of State prayed in aid his experience of small post offices. He said that he would like to use his post office as a bank and perhaps buy a newspaper and a tin of beans at the same time. Whatever solution he comes up with—I hope that he will—to save our post offices, a tin of beans and a newspaper will not make enough difference to make up for a drop in revenue of 30 per cent.

Mr. Chidgey: Or knickers.

Mrs. Browning: Indeed. The Secretary of State knows that he has our support in releasing Royal Mail to participate in the global communications market. Of course, we are disappointed that he has decided to hold on to the shares, but as I have said, we anticipate that that will change.

It is not always recognised that, within what people euphemistically call the Post Office, there are really two distinct entities. One is Royal Mail; the other is the post office network under Post Office Counters. While the Royal Mail is given new opportunities to expand, in the White Paper, one cannot say the same of the post office network, which is primarily a co-operative of independent businesses, dependent on Post Office Counters to negotiate contracts, particularly with the Government.

If the post office network were a company, the White Paper's proposals on it would be described as a downsizing exercise. Both the Opposition and the post offices look to the Secretary of State to identify clearly why they should look forward to 2003 with optimism and hope—not the concern that they clearly feel about the fact that the White Paper threatens at least 50 per cent. of the existing Post Office network. I hope that we can rely on the Secretary of State to give some straight answers to what have been some straight questions.

4.45 pm

The Secretary of State for Trade and Industry (Mr. Stephen Byers): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"welcomes the important White Paper on the Post Office published by the Government; notes the contrast with the years of Tory dithering, blinkered by ideology, that left the Post Office to decline; welcomes the slashing of the EFL which contrasts with the Tory use of it as a variable tax on Post Office users; welcomes for the first time the clear commitment of the Government to a network throughout the United Kingdom of post offices which will be automated; welcomes the fact that for the first time the Universal Service Obligation will be guaranteed in legislation; and notes that the Opposition believes in immediate privatisation of the Post Office, showing they are still an ideologically-driven party, not one intent on improving services to the British public."

I want to use the opportunity of the debate to address the concerns that have been expressed by the hon. Member for Tiverton and Honiton (Mrs. Browning) about the future of the post office network. The Government believe that the measures that result from the White Paper will safeguard the position of the network by putting in place a mechanism that was not there before—and was one of the reasons why 3,500 rural post offices closed during the lifetime of the last Conservative Government. I should also like to explain why we have rejected the benefits payment card.

I am pleased that the right hon. Member for Hitchin and Harpenden (Mr. Lilley), who was responsible for signing the contract on the benefits payment card, is in the Chamber. I hope that he will catch your eye, Mr. Deputy Speaker, because he needs to answer many questions about the difficulties that were created by the contract that he entered into as Secretary of State for Social Security.

The White Paper that we presented to the House last week contains a vision of the Post Office in the 21st century, but it does not address the concerns or needs just of the Post Office itself—it examines the specific needs of the post office network because we value that network. It is the single biggest retail network in the whole of Europe.

Because of that, great strengths attach to the network. We want to build on and enhance those, although not in the old way—the payment of benefits—because, to be honest, that is not where the future of the network lies. It lies in people such as me who are not in receipt of benefits going in, getting cash and spending money on other goods in the post office. I will not be tempted to mention what.

Mr. David Heath (Somerton and Frome): Will the right hon. Gentleman explain what the position is in relation to Crown post offices, particularly those in smaller market towns? A few years ago, we had a disastrous conversion programme. It was stopped about 18 months ago; since then, conversions have not happened. If I read the White Paper correctly, those conversions will restart. Will he assure me that, if that is the case, the consultation will be much more effective than that two or three years ago, when it seems that when the consultation started, everyone said, "No, that is not what we want in the local community", but the Post Office went ahead anyway.

Mr. Byers: The White Paper makes it clear that we expect 15 per cent. of all transactions through the network to be conducted in Crown post offices. I am more than happy to give an assurance that we shall have an effective consultation on that issue, to ensure that local communities and local interests are represented. I also take the point that in the past, under the previous Government, that did not happen.

The previous Government put a hold on further development of the Crown network, whereas we want to give new life to Crown post offices. We believe that,

[Mr. Byers]

by having 15 per cent. of the network's volume going through Crown post offices, we shall be able to do precisely that. When we come to agree the five-year strategic plan with the Post Office—I shall say a little more about that in a moment—that is one of the issues that will have to be addressed before we agree to the plan's detail.

Given that the White Paper touched on some matters that are, politically and commercially, extremely sensitive and controversial, I was pleased that there was a broad welcome for the proposals that it contained. Yesterday, as part of the Post Office's annual report, the Post Office chairman said:

"As we have been saying for more than five years—and the Government repeated in the Commons last week—the status quo is not an option for the Post Office . . . it is a White Paper that frees us. We can do business with it."

The Post Office chairman, therefore, has said that he welcomes the broad thrust of White Paper. He does so because it brings good news for customers, the Post Office, people who work for the Post Office, and the network.

Mr. Patrick McLoughlin (West Derbyshire): Last week, when the Secretary of State made his statement, I asked him about the payments received by sub-post offices. A few minutes ago, he said that 3,500 sub-post offices have closed in the past 20 years—under the previous Government—which works out at approximately 175 closures annually. Is he aware that in my constituency in the past 18 months, nine rural post offices have closed? Does he agree that one reason why they have closed is that the payment they receive from the Post Office is under ever greater pressure? Will he give an assurance that, as a result of his announcements today, the Post Office will continue to offer reasonable pay rates to those who provide an excellent service to communities in very sparsely populated rural areas—where there is no commercial alternative, and not many activities into which they might diversify?

Mr. Byers: Those are exactly the post offices that we want to continue. I believe that, as a consequence of the commercial freedoms that we have now given the Post Office, it will have the opportunity of investing in the network.

One reason why the network has had difficulties is that the Post Office has been starved of resources. The hon. Gentleman will know that during the period in which he was serving in the previous Government, the Treasury was taking 95 per cent. of the Post Office's profits. The White Paper that we published last week makes it clear that we shall bring that down from the current rate of 80 per cent. to 50 per cent. this year and 40 per cent. in subsequent years. Next year, that will free up £175 million extra for the Post Office; this year, it will free up about £100 million. I hope that the Post Office will use that extra money to secure the future of the Post Office network—and that is what we shall be looking for in the five-year strategic plan.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): The White Paper goes a bit further than that, saying that the Government are committed to supporting post offices that are of "special value" to the community. Will the Secretary of State tell us which post offices are of special value, and how he will assess special value? Moreover, will the support be specific Government support, or—as he has just outlined—simply allowing the Post Office to keep more of its own money?

Mr. Byers: The White Paper puts in place, for the first time, a mechanism that will allow local people and local communities to express their view on the value of the post office in their own area. In a moment, I shall say a little more about the process and mechanism that we have created on the basis of the White Paper's provisions. There have been so many closures in recent years first, because the Post Office has not had commercial freedom; and, secondly, because we have not had a mechanism for local people to express their objection to a local post office closure. We provide such a mechanism in the White Paper.

I hope that if we can find a slot in the Queen's Speech later this year, we shall be able to introduce legislation securing the right of individual consumers and communities to express their view on the value of their local post office, as such a right would act as a very real deterrent against potential closures.

Mr. Ian Bruce: I think that the right hon. Gentleman will know that many people who have been dealing with the Government's proposals to deliver electronic government have suggested that post offices would be a good place for people to access information technology. Will he tell the House more about how he intends to get such an IT network installed in post offices, in light of the fact that implementation of the Horizon contract—which was signed by my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley)—was financed by private industry, which would be paid on the basis of transaction costs? There was virtually no provision for cancellation costs in Horizon because of the way in which the contract had been drafted. From where will the right hon. Gentleman find the money for that IT network? Will the Government sign real contracts with the post office network to deliver new electronic services?

Mr. Byers: Even as we debate the issue, agreements are being signed between the Post Office and Departments. I am pleased that, in just the past week or so, a three-year agreement has been signed for the Post Office to issue vehicle licences. Such developments are already occurring, and I think that the Post Office network has a great future role to play in implementing the modernising government agenda, using the benefits and opportunities available in new technology. I do not think that we have done enough to take advantage of those opportunities, but the Post Office network is in a great position to be the interface between the Government and communities—such as the rural communities that were mentioned earlier, and inner-city communities on housing estates that need the same type of provision. The White Paper will provide the means by which we will be able to do that, and the agreement that we have secured with ICL and Post Office Counters will guarantee that automation of the network will occur by 2001. When we achieve that, a raft of new opportunities will be open to the network.

Ms Helen Southworth (Warrington, South): Does my right hon. Friend agree that the opportunities that are

opening in electronic commerce to small businesses provide a tremendous opportunity for the Post Office network, much of which runs alternative businesses to support the network? The modernisation of the Post Office will encourage sub-post offices, such as the one in Lymm in my constituency which e-mailed me yesterday to express enthusiasm for some of the things that we have been talking about, including action on automation and enhancing skills to take advantage of e-commerce.

Mr. Byers: My hon. Friend makes an important point about the new vision for the Post Office and the network. There will be a need to embrace new technology to meet the challenges that lie ahead. The important thing to remember about the Post Office and the network is that things cannot stand still. People are choosing to have their benefits paid through automated credit transfer rather than by the traditional giro or other means through post offices. People are making a choice, and it is wrong for the Government to stand in the way of that choice. The challenge for the Government is to find alternative means by which we can protect the network. We believe that the White Paper, with the new commercial freedoms and the new mechanism, will do precisely that.

The White Paper is a good deal for consumers, the network and those who work for the Post Office. It has been clear for a number of years that the Post Office has to meet the global challenge it faces from other postal services, which are moving rapidly. We can see developments on the continent and other postal services worldwide where the post office has had the freedom to invest and acquire other like interests and, as a result, has gone from strength to strength. We have reflected that in the White Paper, and we want the Post Office to become a global player. We will introduce a new structure and corporate personality for the Post Office, but based on our manifesto pledge to give new commercial freedom to the Post Office while it remains part of the public sector. That is what the White Paper does.

The White Paper has been well received. I mentioned the views of the Post Office. The Post Office Users National Council said that it thought that there would be "considerable benefits for users" of Post Office services. The Mail Users Association has described the package as a

"positive move towards an improved postal service for all."

I received a very friendly letter from the general secretary of the Communications Workers Union, who said that, despite his reservations about the reduction in the monopoly threshold, he thought that the White Paper was an "extremely good document". There we have it—someone who knows the industry and its future direction has extended a warm welcome to the White Paper.

The Opposition motion talks about concern about the long-term viability of the Post Office. In fact, the Post Office is in now in a far stronger position because of the new commercial freedoms that we are giving to it. We are giving it the opportunity to borrow, without further approval, £75 million a year. If it wants to borrow more, it will have to get approval for that, but we will fast-track any application. The application will be judged on how robust it is commercially, the strategic plan—which has been agreed with the Government—and the risk that might be attached for the taxpayer. If the Post Office can satisfy those three tests, approval will be given and it can borrow substantially more than £75 million, if appropriate in the circumstances.

In addition, the Treasury take from the profits of the Post Office is to be reduced substantially—from about 80 per cent. last year to 50 per cent. this year, and 40 per cent. next year. That will give the Post Office £600 million extra between now and 2003.

Mr. Edward Davey (Kingston and Surbiton): Why did the Government light on the figure of £75 million of borrowing without approval and what amount would the Secretary of State and the Treasury be prepared to permit after consultation with the Post Office?

Mr. Byers: It would be inappropriate to give a fixed figure, but it is a matter of public record that when I was Chief Secretary I agreed to borrowing of £300 million or thereabouts for the acquisition of German Parcel. That is an example of a sum that we would be prepared to consider. We are talking about hundreds of millions of pounds, provided that it is in the interests of the Post Office, as it was in that case.

A large acquisition will almost certainly require more than £75 million, and we felt it appropriate for that to require Government approval; borrowings below that figure are likely to be for investment in the infrastructure within the United Kingdom, which will be able to go ahead without Treasury approval.

Mr. McLoughlin: Even under the freedoms that the Secretary of State says he is giving the Post Office, the taxpayer will ultimately pick up any liability arising from failure, which I expect is why there has to be Treasury approval. What does he regard as fast-tracking Treasury approval, bearing it in mind that I have been waiting some considerable time for an answer from him about the future of post offices? What time scale does he envisage?

Mr. Byers: I apologise for the delay in replying to the hon. Gentleman. I will ensure that he gets an answer as speedily as possible. I am trying to remember how quickly we managed to agree the German Parcel deal. We are talking about days rather than months. We can move quickly if there is a commercial need for a fast decision.

The commercial freedoms that we have granted will help the Post Office. We will guarantee for the first time, in the five-year strategic plan, the strategic direction of the Post Office; but we will not get involved in its day-to-day running. For the first time, we will protect the universal service obligation in law, so that for the same fee a letter can be posted and delivered anywhere in the country. We think it an important principle that it should cost the same to send a letter from Westminster to the Isle of Skye as from Westminster to the Isle of Dogs.

I know that there is a lot of interest in why we thought we should not proceed with the benefits payment card in the Horizon project. The previous Government initiated the project and contracts were signed in 1996. The concept of the card was first officially announced by the right hon. Member for Hitchin and Harpenden at the Conservative party conference in 1994. He set out clearly the benefits that he thought would come from the card.

It quickly became clear that the contract would not work, and in February 1997 the previous Government began to renegotiate it with ICL. We are unaware of the details surrounding that renegotiation or of the advice that was received by the right hon. Gentleman before he

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entered into the contract with ICL for the benefits payment card. Perhaps he will tell us what advice he received before he gave the go-ahead. It is clear that the contract has not been in the public or the national interest. It has cost the taxpayer hundreds of millions of pounds. The right hon. Gentleman has many questions to answer. The public rightly demand answers about his conduct and actions.

We tried to make the contract work, but it became clear early on that there were great difficulties, primarily because there were two parts to the agreement—the automation of the network and the benefits payment card—and it was a complex matter to put them together. The automation of the network itself was difficult. There are 19,000 post offices in the network and it is the biggest single retail network in Europe. Automation was necessary, but the inclusion of the benefits payment card on top of that created the difficulties with which we had to deal.

I first became aware of the problems in July last year when I was appointed Chief Secretary to the Treasury. One of my first actions was to call a meeting of the relevant officials to discuss the way forward. As a result, certain actions were taken during the autumn to try to get the parties to agree a way forward. We were unable to do that within the costs that had been agreed with ICL and, as a result, negotiations continued early this year to try to resolve the matter. In the end, an agreement was reached with ICL and Post Office Counters for a new Horizon—a new contract based on automation by 2001. Discussions are taking place now to ensure that we can put in place the platform for automation in the Post Office network and seize the opportunities that will arise from the smartcard technology.

The hon. Member for Tiverton and Honiton had a joke at my expense about my evidence to the Select Committee yesterday when I said that I would welcome the opportunity to go into a post office to get some cash and spend some of it on a newspaper or a can of baked beans. That is an important issue. At the moment, I cannot get cash from a post office and I go elsewhere to get my newspaper and to do my casual shopping. Most post offices would welcome more people coming in and spending money who do not go in to collect benefits. We should seize that opportunity for the Post Office network.

The contract that we now have will provide such opportunities and it will be in place in 2001. Automated credit transfer will be phased in from 2002 to 2005. The hon. Member for Tiverton and Honiton raised specifically the issue of whether the Benefits Agency would attempt to manage people into the banking system before 2003. I am pleased to be able to tell the House that the agency and the Department of Social Security will not adopt that course of action, as my right hon. Friend the Secretary of State for Social Security told the Select Committee yesterday.

The Post Office network has no grounds for complacency. People are choosing ACT. Some 54 per cent. of new recipients of child benefit choose ACT, as do 48 per cent. of new pensioners. The benefit payment card, if it had been introduced, would not have been the panacea that it has been held up to be, because people are drifting away from that approach. We need something new, and we believe that automation, followed by the smartcard technology, will provide new opportunities for the Post Office network.

Mr. O'Neill: Who will pay for the new computers that will be located in the post offices, especially those in financial straits?

Mr. Byers: My hon. Friend raises an important point. The Post Office calculates that the cost of the whole system will be some £800 million to £900 million. The Treasury has agreed that £480 million will come from access to gilts held by the Treasury, which will effectively be a grant towards the costs. The additional amount will be made up by charges that will be made by the Post Office on people who choose to use the service, especially Government agencies. For example, the contract that has been signed with Driver and Vehicle Licensing Agency will provide opportunities for the Post Office.

The Post Office is developing new ideas and initiatives to meet the new challenges. I am keen that we should involve all the parties to ensure success, and that is why I have established a working party made up of the Post Office, representatives of the network and of the workers in the Post Office to carry through that initiative.

I have no doubt that the new financial arrangements and the new technology will be of benefit to the Post Office network. However, I feel that that will not be enough on its own and that we have to put in place a new mechanism to support the network.

We shall look for a clear indication, in the five-year strategic plan that the Post Office will have to bring forward, of how it intends to meet the new access criteria that the Government will lay down. The White Paper makes it clear that, for the first time ever, access criteria will apply to the network, so that people will know that a particular percentage of the population must live within a certain number of miles of a Post Office facility. Those criteria have never existed before, but they will be introduced by this Government. Another of the duties placed on the regulator will be to ensure that the criteria laid down by the Government will be met.

Mrs. Browning: Will the Secretary of State clarify the point about funding the capital cost of the automated system? He said that there would be some Government funding and that the rest would be made up through contracts from Government agencies. Will that take the form of a down payment in a lump sum? For example, if the Driver and Vehicle Licensing Agency contract is to be secured and continued through the Post Office network, would the DVLA be required to pay a premium or a lump sum in advance?

Mr. Byers: Agencies pay for the service that they receive. The business was put out to tender, and the agencies have recognised that the Post Office network offers the best deal for them.

However, I do not want to mislead the House by implying that only Government agencies will be involved. Financial services will also use the network. We know that the Post Office is in discussions with the Co-operative bank, Alliance and Leicester and Lloyds TSB about how financial services could be offered through the network. It is worth bearing in mind the fact that the network is in

a very attractive position commercially. For example, 60 per cent. of rural parishes have a Post Office outlet, but only 10 per cent. of them have a bank. The network is in a strong position to secure an important part of that market and to charge the banks commercial rates for the services that it can offer.

Mrs. Browning: The Secretary of State has described what would be a revenue payment. Where would the £1 billion of capital investment come from to put the system in place before contracts can be offered for tender?

Mr. Byers: When the hon. Lady sees the figures, she will understand that the £800–£900 million that the Post Office has in mind is spread over the whole contract period, which extends to 2008–09. By then, there will be a clear revenue stream, which will help to meet those costs.

I was talking about the mechanisms in place to protect the network. For the first time, the stronger Post Office Users National Council will be able to express its views about the closure or proposed closure of a particular rural post office.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I apologise to my right hon. Friend for intervening, but he has placed some emphasis on rural post offices. Those of us who led fairly energetic campaigns to protect Crown offices and rural post offices know that, although it is important to be able to express a view, it is even more important to ensure that post offices are retained. Will my right hon. Friend give the House some assurance on the retention of rural post offices, rather than simply on the right to express a view? Some communities express their views with vigour and intelligence, but are still ignored.

Mr. Byers: I know that my hon. Friend has been a vigorous campaigner on a number of issues, including the need to retain post offices in her constituency. However, for the first time, the Government will provide a mechanism to protect post offices. Access criteria will be laid down, also for the first time. The regulator will have a responsibility to regulate and ensure that those criteria are met, and the five-year strategic plan, once more for the first time, will contain requirements about preservation of the network.

Clearly, I cannot guarantee that every post office will be safeguarded and preserved by the procedures that I have described. As the hon. Member for Tiverton and Honiton said, a post office may become non-viable for other reasons. For instance, it may not be able to sell goods and services over and above the post office provision supplied on site. However, we are putting in place the commercial freedom that will support the network, a mechanism to protect offices, and access criteria. Moreover, the new technology to be introduced will make post offices far more attractive than at present. That combination will put the network in a stronger position than it has occupied to date.

Mr. David Heath: Will the access criteria apply to places from which the sub-post office has disappeared? Will there be a mechanism for people to identify holes in rural areas in which there should be a post office? That would be useful to the many rural areas in my constituency that lost their sub-post offices over the years and where it has proved difficult to get them back.

Mr. Byers: We will produce access criteria later in the year. We will have in mind a national figure within which to provide the Post Office network. Some parts of the country may be able to say that a post office is needed in their community, and the criteria will provide that opportunity. There will be plenty of debate about that matter if we win a slot in the Queen's Speech and put a Post Office Bill before the House for debate at doubtless great and interesting length.

I welcome the opportunity to concentrate on the post office network in the opening exchanges of this debate. The Government have a strong case on the network. We have put procedures in place to safeguard the network and have introduced technology to provide new opportunities in future. The new commercial freedom that we are giving the Post Office will allow it to invest in the network where it thinks it strategically important to do so. The network serves a valuable function, not just commercial but social. We recognise that, and the White Paper takes steps to ensure that we can be proud of the network. The amendment in the name of my right hon. Friend the Prime Minister reflects our pride, and I commend it to the House.

ROYAL ASSENT

Mr. Deputy Speaker (Sir Alan Haselhurst): I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Acts:

Appropriation Act 1999

Protection of Children Act 1999

Trustee Delegation Act 1999

Post Office

Question again proposed, That the amendment be made.

5.17 pm

Mr. Peter Lilley (Hitchin and Harpenden): I congratulate my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) on securing a debate on an important matter and on effectively and forcefully drawing the attention of the House and the country to the risks that face our sub-post offices.

It is unusual on Opposition days for Opposition Members to praise hon. Members on the other side of the Chamber, but I offer one cheer to the Secretary of State for Trade and Industry for his White Paper on the Post Office. I applaud the White Paper because I believe that it will inexorably lead to full privatisation of the Royal Mail. That would benefit the Post Office, customers, employees, the taxpayer and the whole country. I offer only one cheer, however, because the Government stop short of privatisation; they pretend that what they are doing will not lead there; and they disguise the full import of their changes.

In his statement on the White Paper, the Secretary of State said:

> "There have been suggestions from some quarters that this is part of a plan to privatise the Post Office by stealth. There are no such plans."—[*Official Report*, 8 July 1999; Vol. 334, c. 1176.]

Those words seemed strangely familiar, and I remembered that when I was Secretary of State for Trade and Industry—or President of the Board of Trade as I now

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realise I then was—I had the task of weaning my party from a commitment to maintain the Royal Mail in public ownership. I used almost exactly the same words then to reassure those who were not in favour of moving rapidly in that direction. Labour Members should not be fooled; it is clear that Members on the Treasury Bench intend—probably before their pledge has expired—to move towards the sale of equity in the Post Office to the private sector. Conservative Members would welcome that, but Labour Members obviously would not relish it.

Those Members who are not enthusiastic about the privatisation of the Post Office may put some faith in the fact that the Government will retain 100 per cent. of the shares of the new company. They may think that that retains the essential features of nationalisation—that the organisation does not have to operate as a purely commercial entity, pursuing such dreadful objectives as the maximisation of profits, but that it can pursue political and social ends. They would be mistaken. Under company law, a limited company of the type that is to be established will have to behave commercially—as is made clear in the small print of the White Paper. Directors would not be able to pursue political objectives, even if asked to do so by their principal shareholders—the Government.

The Government can set social and political objectives through the regulator. It is right and proper that there should be a regulator governing the monopoly and the universal service obligation. However, it is not necessary to retain 100 per cent. ownership of the company for regulation to operate in that fashion. A private entity could be just as easily regulated as a publicly owned one. The only consequence of retaining 100 per cent. ownership is that the Government retain the conflict of interest between ownership and regulation. We would never allow the privately owned electricity companies to own the regulator; that would lead to a conflict of interest. Surely, it is sensible for the Government to get out of ownership and to stick to regulation. They should hand over ownership to the private sector in this case—as we did in other cases where there was a potential conflict between ownership and regulation.

The decision to retain 100 per cent. of the shares of the company in Government hands means that the Government forgo the most attractive benefits of privatisation. Above all, the company is not free to raise extra risk equity capital; nor is it able to make its 200,000 staff into employee owners by giving them shares in the company—as I hope that we shall do, if we are able to complete the process that the Government have begun. I can think of nothing better than for every employee of the Post Office to have a stake in the success of the company that they serve—most of them to the great satisfaction of the British people.

I have every confidence that the process unleashed by the Government will ultimately lead to the full privatisation of the publicly owned aspects of the Post Office—at least of the Royal Mail. However, an important part of the Post Office service is already in the private sector: the 18,000 sub-post offices are private businesses. They are privately managed, privately owned and privately run. Their future is in jeopardy as a result of the changes that the Government have made to the Horizon project.

Those sub-post offices are crucial. They are crucial not just to the elderly, to disabled people or to young mothers, who have to collect their benefits from them, but to the whole community which they serve in the other ways that their function makes possible. They are now vulnerable; one third of their business comes directly from the contract with the Department of Social Security. In addition, a substantial chunk of their business comes from footfall—people who come in with no money, cash their benefit order, and then spend some of the money in the shop. That happens in few other shops or enterprises.

Mr. Lindsay Hoyle (Chorley): The right hon. Gentleman seems to have a problem with his memory. Is he aware that most closures of rural post offices took place under the previous Government?

Mr. Lilley: As far as I know, rural post offices have been closing at a rate of roughly 200 a year for as long records have been kept. The Conservatives wanted to prevent them from closing at a rate of thousands a year, which is clearly in prospect as a result of the changes the Government have now put in train—either that, or massive subsidies will be required to keep them open. I am not the only one who thinks that. The National Federation of Sub-Postmasters has said that the decision to make it compulsory to have payments of benefits made direct into a bank account

"will have a disastrous effect"

on the network of sub-post offices.

The reason for the decision to cancel aspects of the Horizon project became apparent at yesterday's hearings, when the current and two previous Chief Secretaries to the Treasury gave evidence together on the subject. The decision represents a Treasury victory: the Treasury has secured a long-desired goal, which is the sacrifice of the sub-post offices to achieve a short-term cut in the cost of delivering benefits.

Mr. O'Neill: I am aware that the right hon. Gentleman attended yesterday's hearing, and I hope that he can now answer a question that I should like to have asked him then. In what circumstances was the contract renegotiated in February 1997? Was he a party to that renegotiation? Was it exclusively his concern, or was the Treasury involved? I ask that because there is a seamlessness about the Treasury's attitude across the decades. Was the Treasury looking over the right hon. Gentleman's shoulder and that of the Secretary of State for Trade and Industry when the contract was renegotiated?

Mr. Lilley: Not only do contracts of that complexity need to be signed: they have to be managed. When I was in charge of the DSS, I told my officials that, in respect of that contract and everything else for which I was responsible, I did not want to hear the good news, but the bad news. In contrast to the current Administration's attitude, mine was that I wanted to be the first to hear if something had gone wrong or if there were problems, not the last. Therefore, I heard that problems had been encountered soon after the contract had started. I took action: we altered the contract, and I announced that publicly and the reasons for it within weeks. The current Government have been in power for two years before telling us that they are aware that there are problems, but they have done nothing about those problems until now.

In the statement to the House, the Government claimed that the principal reason for abandoning the benefit payment card, which I seem to recall they welcomed wholeheartedly when it was first announced to the sub-postmasters conference by the seaside—at Bournemouth, not Blackpool—was that it was now technologically outmoded, because it was now possible to move forward from the magnetic strip to the chip. I have to point out that the original contract specifically required the contractors to be ready to move to a chip, if ever that was beneficial, so the whole thing was designed to make that possible, even though none of those competing for the contract thought that the chip would add any value. However, a previous DSS Minister, the right hon. Member for Birkenhead (Mr. Field), had said:

"The Payment Card is a magnetic stripe card and not a smart card. It holds very little personal data and . . . is therefore highly secure."—[*Official Report*, 6 May 1998; Vol. 311, c. *428*.]

According to Ministers, that which was previously a benefit is now a disadvantage.

Ministers then said that the contract was undeliverable and could not be brought to completion, but, as we heard yesterday, both the consultants' report and an internal report stated that it could be completed. Then, Ministers said that the contract was running three years behind schedule—indeed, the Secretary of State said today that he had known all along that the project was running late and could not be delivered in its entirety. However, in May 1998, when the hon. Member for Newbury (Mr. Rendel) asked the Secretary of State what date the smart cards were expected to be in operation, the then Minister responsible replied:

"by the end of 2000."—[*Official Report*, 6 May 1998; Vol. 311, c. *428*.]

Yesterday, en passant, Ministers told the Trade and Industry Committee that they knew that the contract was undeliverable. However, the previous Secretary of State for Trade and Industry, the right hon. Member for Hartlepool (Mr. Mandelson), had told the Committee:

"The current plans provide for post offices to be automated by the end of the year 2000 . . . I feel confident that the project will be properly completed".

The Chairman asked him, "Will it be 2000 . . . ?" to which he replied:

"That is still the objective . . . it is still on track."

In November 1998, therefore, the project was still on track.

Ministers then said that in December they had many meetings because of developments of which they had previously been aware but about which they had not told Parliament. Indeed, they had been denying to Parliament that those developments had taken place. So they knew then that the project could not go ahead.

In January, a DTI Minister was asked when the project would be ready, and he replied that it would be ready

"by the end of 2000."—[*Official Report*, 26 January 1999; Vol. 324, c. *174*.]

In February, a former Social Security Minister, who clearly would have been aware of any evidence of the project going wrong, asked when it would be ready, and he too was told that it would be ready by the end of 2000. I do not think that those who replied to him would have thought that they could pull the wool over his eyes.

It is clear that the Government either have known all along that there are problems and have been deliberately misleading the House, or have not known because they have not been on top of their jobs and have not been competent. Perhaps when the Minister winds up, he will be able to explain the contradiction between what the Government are now telling the House and what they have said in written answers for the past two years.

Far more worrying than the contradictions concerning the past is the lack of clarity about the future. Ministers simply have not thought through what the new arrangements will entail, because they have been forced on them by the Treasury. The new system will require everybody who is in receipt of benefits to have a bank account. However, 15 per cent. of those receiving benefits do not have a bank account. According to the Minister, 5 per cent. of them—the best part of 1 million people—cannot be expected to operate a bank account. Memorising a PIN number would not necessarily be easy for some frail and elderly people, and having to let other people know their PIN number obviously renders them extremely vulnerable. What will the Government do about that? Ministers are still thinking about it.

Young mothers who want their child benefit to be paid in cash so that they can spend it on their children will in future have to have it paid into their bank account. If they have only a joint bank account, it must be paid into that and may not, therefore, be used in the way that was intended. Will they have to open a separate bank account? If they do so, will they have to pay bank charges out of their child benefit? Ministers have no answer. What will be done about bank charges generally? Ministers are thinking about it.

Will banks be compelled to take as customers people who have no income other than benefit, even if they do not want those people as banking customers? Ministers are still thinking about it.

What will be the impact on the revenues of sub-post offices? Ministers are unable to tell us. What will happen to the network, when sub-post offices lose a third of their revenues and the extra business that handling benefits brings in its train? Ministers are unable to tell us. How many offices throughout the country will be put at risk? Ministers will not say. If Ministers intend to keep all those offices open, how much will it cost to subsidise them when they are no longer generating profits from footfall and the extra trade from channelling benefits? Ministers have not yet thought that through and cannot tell the House.

I have to tell the House that the policy is the result of a Treasury victory and it is a defeat for the sub-postmasters and postmistresses of this country. It is a defeat for the customers, benefit claimants and communities that depend on those sub-post offices. Ultimately, it will prove to be a defeat for taxpayers, who will have to pick up the bill at the end of the day.

5.34 pm

Mr. Martin O'Neill (Ochil): I welcomed the White Paper last week and I still do a week later, after spending yesterday afternoon questioning Ministers and officials at a public hearing of the Select Committee on Trade and Industry. I still believe that this is a good deal for the Post Office and for the people of Britain.

Many of us were becoming extremely impatient and wondered whether we would ever see the White Paper. As has been said, there have been more Secretaries of State than White Papers. It was obvious that, the longer

[Mr. Martin O'Neill]

we delayed, the more difficult it would be for the Post Office to get its act together to face the challenges of the new millennium, which, to a large extent, are already with us.

The German Parcel deal will give the Post Office access to the central European network and will transform at least part of its operations, but far more investment must be made if the north American market and others are to be cracked.

Among the most encouraging parts of the White Paper are the sections on consumer protection and service obligations. We also look forward to hearing more about the regulatory arrangements. I use the word "arrangements" because I hope that the regulatory system will not be the remit of one person, but that several people will be appointed who are capable of developing that complex and innovative area of regulation.

One aspect of the White Paper that disappoints me is the restricted role that is envisaged for the regulator in respect of securing access to information about other players in the postal and parcels market, apart from the Post Office. That role needs more consideration.

If the Post Office is anything to our constituents, it is either the letter delivery service or the local post office. The universal service obligation and the manner in which that will be enshrined in legislation is extremely encouraging; it suggests the seriousness with which the Government are addressing that fundamental part of their responsibilities, which the postal service must embrace.

In today's debate we have heard incessantly about rural post offices. I have a semi-rural constituency. Parts of it were, and still are, mining villages with considerable unemployment, where people depend on the post office not only because that is where they obtain their benefit, but because it is the only facility in their community that offers anything approaching financial services and banking of the most limited and basic kind. We should remember that about 60 per cent. of rural parishes have post offices but only 10 per cent. have banks or building societies. Of necessity, therefore, people have to go to the local post office to get their money.

The Opposition are scaremongering. That is a fair enough tactic—Oppositions do it. We spent long enough perfecting scaremongering ourselves to know when we see a scare story being fomented. We acknowledge that, as has been said repeatedly, the post office network is fragile. That is one reason why the Post Office must start generating profits that it can use, and why the Treasury must not filch 95 per cent. of Post Office profits.

We hear a great deal about the malign role of the Treasury. We do not hear much condemnation of the way in which the Treasury creamed off so much of the profits of the Post Office when the previous Government were in power.

Mr. John Bercow (Buckingham): Does the hon. Gentleman accept that the concerns that have been expressed are not Opposition scaremongering? Is he aware that it is the general secretary of the National Federation of Sub-Postmasters who has expressed the concern that payment via bank accounts will result in a 30 per cent. cut in the turnover of the average rural post office? That individual is not a member of Her Majesty's Opposition.

Mr. O'Neill: I believe that that figure is an exaggeration. With respect to the hon. Gentleman, it is only natural for the National Federation of Sub-Postmasters to exaggerate, because it must ensure that its members obtain as good a charge as possible for the services that they provide. That is megaphone diplomacy at an early stage of what will be a prolonged negotiating process. We must recognise that there will be many arguments, one way and the other.

We should aim for a deal to get all the post offices in the UK on-line. That need not cost as much as was suggested from the Dispatch Box this afternoon by my right hon. Friend the Secretary of State for Trade and Industry. The price of computers is dropping rapidly and access to the network is becoming cheaper, so the figures that have been quoted may be exaggerated.

If we have an on-line postal service in the United Kingdom, there will be access to the internet from every community. In two or three years there will still be many people who do not have computers, but in every community there will be trained people who can offer a service, albeit at a modest price. At their local post office, people will be able to make purchases through the net and pay with their smartcard. We hope that all the appropriate consumer safeguards will be in place by then.

It is unrealistic to suggest that there should be computers in libraries and access to the net from them. Among my constituents who are most dependent on post offices, the only book that most of them ever read is their benefit book. They are never seen in libraries.

We want on-line facilities in post offices, to give people access to world markets. That could be a liberating influence and could generate revenue. We have only begun to scratch the surface. As my right hon. Friend the Secretary of State told us yesterday in the Select Committee on Trade and Industry, he envisages good deals being struck. Given the number of benefit payments that are transacted, it should be possible for the banks to reduce their charges to a minimum.

We know that the Post Office has been able to negotiate a deal with British Gas, for example, whereby the payment of gas bills in post offices across the country is free to the consumer. That should be replicated on a wider scale. The deals have yet to be struck, but we now have a clear timetable in which to operate and a deadline, which will help to concentrate the minds of Ministers.

Mr. Hoyle: Does my hon. Friend agree that the Horizon project was a disaster, which we must put behind us, although it left a financial hole that must be plugged? Does he agree that urban and rural post offices could benefit from the link-up and attract new business, which would give them greater freedom through our proposals?

Mr. O'Neill: I agree with my hon. Friend. Probably the only body that would be capable of getting to the bottom of the Horizon story is the National Audit Office. The capabilities of Select Committees are somewhat limited in that respect. The National Audit Office would be better equipped to scrape below the surface—*[Interruption.]*—especially when the hon. Member for

Buckingham (Mr. Bercow) is no longer assisting us in the Select Committee on Trade and Industry. Even with his talents, I doubt whether we would have got to the bottom of the matter, which requires close examination.

I know that initially, Ministers showed a relaxed attitude to the Horizon programme, but that changed suddenly. There was a realisation that the project would not be delivered within a reasonable time, and that the sums involved were getting ever greater while the returns on the investment became ever smaller. A line had to be drawn under it and a new approach had to be taken, but it would benefit us all if the NAO undertook a proper examination of the project so that we could establish what influence the customer and the Treasury had on it, in the first instance and afterwards, and how they were involved.

The Government have said that the proposed timetable can be realised and that, within the next five or six years, we will have a proper system across the United Kingdom that does not look back to the old benefits system, but which is geared to the future.

Mrs. Dunwoody: The only point that concerns me greatly is that British banks have no particular record of either innovation or imagination. Indeed, they have to be pushed into making most changes and they show no desire whatever for people with small amounts of money to have accounts. Since that is the case, and particularly in view of their reaction to the code of conduct—they are supposed to support it, but they make sure that nobody knows about it—there are grave reservations about their attitude.

Mr. O'Neill: I share my hon. Friend's concern about the indifference of the banks to many poor communities. They are not prepared to establish facilities in those communities, even to the extent of providing automated teller machines. However, although we could put ATMs in post offices and make proper arrangements, not all the banks conform to the picture that she paints. The Co-op bank and the Alliance and Leicester, which has taken over the Girobank, have links with the Post Office and they are currently positioning themselves to take advantage of the market opportunities.

Many of the arguments that we hear being made in respect of the poor and disadvantaged are the same ones that many of us advanced when we were anticipating the worst excesses that would follow the liberalisation of the supply of electricity and gas. The cherry-picking has not been as bad as we had anticipated, however, and arrangements have been reached for looking after the disadvantaged people in the community. A great deal more still needs to be done and one would hope that the regulatory criteria that are set down for the operation of the new system will include meeting serious social obligations so that the concerns of my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) and myself are given due recognition.

Anxieties are being expressed about the monopoly and the reduction in the mail monopoly price from £1 to 50p. Although the likely reduction in the profitability of the Post Office by £100 million in a year is a cause for concern—superficially at least—it must recognise that it must face severe competition if it is to survive in an internationally competitive world. Cutting the monopoly price will give the Post Office a cold shower and provide a salutary lesson to it, but if it can survive that, I cannot see it having the difficulty that some of my hon. Friends suggest it might face.

The Post Office is an admirable institution and it has a tremendous opportunity to expand and develop as a consequence of the sound approach that the Government have mapped out for it to take. The financial arrangements, such as the fast-track for borrowing, and the experience that has already been gained through the acquisition of the German Parcel business are encouraging signs and, under the White Paper, the future of post offices in rural and deprived areas is not anything like as bleak as people believe. I certainly think that we have little to fear if the Post Office is to be backed up by a counters network of the kind that we have at present and if proper commercial advantage is taken of the opportunities available.

The motion is nothing less than scaremongering of the kind that frightens people in rural communities, but they are somewhat cynical about the crocodile tears that the Conservatives are shedding for people to whom they paid no attention during the years when they were in power.

5.50 pm

Mr. David Chidgey (Eastleigh): To pick up the theme of the closing remarks of the hon. Member for Ochil (Mr. O'Neill), my impression from today's debate is that Conservative Members are somewhat off target. They are in danger of being so wide of the mark that they could be indulging in an exhibition of collective shooting in the foot.

We are to understand that the Conservatives are condemning the Government for not privatising the Post Office fast enough. I recall the Conservatives, when in power, backing away from it as a privatisation too far. From today's comments, we are given to understand that the Conservatives are condemning the Government for delays in automating the Post Office. Yet, again when they were in power, they mismanaged and bungled the Pathway project to such an extent that it effectively ground to a standstill.

We are also expected to understand that the Conservatives are wringing their hands in deep concern at the fate of rural communities being deprived of sub-post offices. Yet, for most of their 18 years in power, they stood idly by while 3,500 sub-post offices closed their doors. I do not recall them showing a care in the world about their fate. This is one of the best examples that I have witnessed in this House of an Opposition party offering free target practice to the Government. No doubt the Government will take full advantage in due course.

The key issues that we should address are surely how best to turn a highly successful and respected public service into an equally successful international enterprise; how best fully to automate a network of 19,000 post offices so that they can retain their core business with the Government agencies—their prime customers; and how best to improve efficiency and attract new business sufficient to sustain the national network of sub-post offices, and reverse the disastrous pattern of closures in rural and urban areas alike—the key social obligation that post offices serve so well. Those are the key issues about the future of post offices and it is on them that the Government's proposals in the White Paper should be tested.

The Liberal Democrats argue that although we welcome the sentiments of support for the Post Office in the White Paper, we are concerned that, as they stand, the proposals lack the political will and the plans for action essential for the Post Office to thrive.

[Mr. David Chidgey]

For the past 350 years, the Post Office has served the nation well. The uniform price and next-day postal service delivered nationwide are a fundamental commitment. Each year for the past 23 years, the Post Office has returned a profit to the Treasury, hitting its external financial limit targets time and again. Since 1981, the Post Office has contributed £2.4 billion to Government finances. But for some years—all hon. Members will recognise this—it has been clear that without greater commercial freedom, the Post Office has been losing ground to its competitors in an increasingly liberalised world postal market.

Yesterday, the Post Office announced its pre-tax profits for 1998-99 as some £608 million. That is good in itself, but those figures are down by £65 million from the previous year. That is a clear sign of the impact of increasing competition and of the fact that without greater commercial freedom, the Post Office will decline.

Analysts tell us that in a liberalised global postal market, there is room for only four or five really global players. At present, the Post Office is hanging in at about fifth place. Without greater commercial freedom and the ability to internationalise its business, the Post Office is bound to slip out of the major league. Therefore, the case for greater commercial freedom is crystal clear. The question is: what form should it take?

The Government propose to turn the Post Office into a plc which, I think, is a clear departure from the previous Secretary of State's preference for an independent, publicly owned corporation. Why? What extra benefits would a plc bring over an IPOC? In all its pleading for greater commercial freedom—and very well justified it is—the Post Office has not shown any desire to become a plc. The Government claim that, by raising shares, the Post Office could expand its business through share swaps and transfers. So it could, but it could equally well make direct investment in other companies internationally, as it has already started to do.

Anyone in the City would say that the prime purpose of raising shares is to sell them. It is clear that whatever Ministers may say, turning the Post Office into a plc will pave the way for a future privatisation. I give Opposition Members credit for noticing that. The Government tell us that they have no plans to sell shares in the Post Office for the foreseeable future, and that any proposed share sales would have to gain parliamentary approval. As most Governments are incapable of predicting events a week away, referring to "the foreseeable future" is meaningless. As Governments invariably exercise their majority to impose their will, seeking parliamentary approval is just as meaningless, unless the Government are prepared to pledge that any proposals brought before the House to sell shares in the Post Office will be subject to a free vote. The Minister makes no comment.

It seems to me that converting the Post Office into a plc is the result of pressure from the Treasury. It is interesting that the two principal spokesmen were both Chief Secretaries to the Treasury.

Mr. Lilley: I was not.

Mr. Chidgey: I beg the right hon. Gentleman's pardon. He corrected me, but he knows that Treasury influence is clearly present, and it is here to stay. The Treasury is bridling at losing Post Office profits, and is determined to retain an option to cash in Post Office shares when the coffers start to empty.

The Government have made no case to show that conversion to a plc would bring more benefits to the Post Office than would a conversion to an independent, publicly owned corporation. It would give no greater freedom, flexibility or competitiveness. In his statement on 8 July at column 1188 of *Hansard*, the Secretary of State claimed that his research had found fundamental weaknesses in the IPOC model. That sounds like a smokescreen for his failure to prize the dead hand of the Treasury from plans to modernise the Post Office.

The plain fact is that the Treasury rules established in the 1920s prevent the Post Office from converting to a publicly owned corporation fit for the 21st century. The political will is needed not just to convert the Post Office, but to modernise the Treasury at the same time and prevent it from continuing to operate under the same rules as have applied for almost a century.

Even under the Government's proposals for greater freedom, the Post Office will still not be able to compete equally. At the same time, the Government plan to add to the threat to the Post Office by reducing its monopoly in its home market, in advance of similar agreements to liberalise postal services elsewhere.

Under the Government's proposals, the Post Office will face new financial pressures that could amount to a future loss of profits of some £300 million a year. The key to international success for any enterprise is a strong home market. To succeed overseas, the Post Office must be able to offer a full range of flexible services, delivered with the benefits of modern technology to its home market. Yet the Post Office is expected to cope with the halving of the letter monopoly, resulting in the loss of £100 million profit; the loss of interest on Post Office reserves, which is a loss of £107 million profit; and the DSS's decision to pay benefits directly into bank accounts by 2003, which is a loss of another £100 million of income. That will hit rural post offices in particular, which, as many hon. Members have noticed, are going out of business at the rate of 200 a year.

The Post Office is doing its best. It has responded well to the impact of the closure of thousands of branch banks in small rural communities and in urban areas. There have been 3,500 such closures since 1990. More than a quarter of inner-London wards have lost all their banks since 1990. I raised that issue in my early-day motion 203 on 19 January, in which I urged closer co-operation between clearing banks and Post Office Counters Ltd. to accelerate the transfer of over-the-counter services from closing branch banks to local post offices.

Closure of branch banks and no over-the-counter cash services at post offices have had a tremendous impact on the viability of small retailers, who need to be able to bank their cash at the end of every day's trading. Such retailers also lose the benefit of additional trade for the bank, which brings business into their shops, and all too many go out of business. In Botley, a small village in my constituency, Lloyds bank customers were so incensed by the prospective closure of their branch that both personal and shopkeeper customers marched on Lombard street with a big black plastic horse, upside down, to demonstrate their views on the bank's policies.

I am glad to say that over-the-counter services are now being transferred to post offices. A contract has been signed providing for 15,000 post offices to take over such services from Lloyds-TSB. The Post Office, however, cannot provide the full service until it is completely automated. The sorry saga of the Pathway project, which was supposed to link Benefits Agency and DSS payments to a swipe card, has severely damaged the viability of thousands of sub-post offices throughout the country. The debacle of mismanagement, added to the rivalry between Departments, has led to the demise of the project, the loss of £1 billion to the taxpayer, and the risk of closure for thousands of rural post offices.

It is because the Government have failed to get a grip on their legacy from the Conservatives that the replacement Horizon project will arrive years later still. Hundreds more sub-post offices will close—and, to make matters worse, the delay in automation could result in 10,000 rural post offices' losing £350 million of business when the Benefits Agency and the DSS convert benefit payments to automatic transfer in 2003. Without an automatic platform, the Post Office cannot compete, and the business will be lost.

I listened carefully to what the Secretary of State said. He guaranteed that the contracts to introduce the automated platform would be in place by 2001. That is reassuring, but we know from recent experiences of huge computer projects how easily they can fall behind, and how easy it is for delays to mount up. I want a commitment from the Government that the re-tendering of service contracts that are currently placed with the Post Office by the Benefits Agency and the DSS will be phased in following the successful introduction of the Horizon platform project. I do not want to see another disaster brought about by delays in the Government's sponsored computerisation programme. We need a commitment for the Post Office to be given a fair chance to retain the business that is crucial to the survival of rural and urban sub-post offices alike.

The Government have claimed that they propose to extend the range of services available to post offices. I could not agree more that that is a vital ingredient of post offices' viability, but the Government could make a start with the DVLA. It is a fact that only about 4,000 post offices out of 19,000 are able to issue vehicle tax discs, which is a source of intense frustration throughout the country. The postmaster at Fryen Hill post office in my constituency has been complaining for years that he cannot get POCL to give him the right to sell vehicle tax discs.

A few weeks ago, on a Wednesday afternoon, when all the other local post offices were closed, 33 people went to that post office trying to buy tax discs. That shows the level of frustration caused by the DVLA's rather arcane view that only a limited number of post offices—less than one in four—should be able to sell the discs. The reason that it gives is the increased cost of the extra paperwork to the taxpayer.

Mr. Hoyle: As the hon. Gentleman will know, the problem is that if every post office issued vehicle licences, the income of other post offices that are very reliant on vehicle licensing would be diluted.

Mr. Chidgey: I agree, and the question of which post office is most vulnerable is interesting, but we must also bear in mind the frustration of customers. Many people find that continued frustration difficult to bear.

With that sort of approach—that lack of joined-up government—it is hardly surprising that, since 1979, over 3,500 sub-post offices have gone out of business and that the rate is continuing at some 200 a year. The approach is removing vital services in poor and socially excluded communities every week of the year. With the closure of bank branches, it is accelerating the failure of thousands of small shops throughout the country. The Government have a duty to ensure that sub-post offices can retain their core business and develop new flexible services through modern technology.

The Government statement is very good on sentiment and concern, but my colleagues and I are concerned that they are ducking the key issues in the creation of a dynamic enterprise overseas and a robust and reliable post office service at home. The Secretary of State has lost his fight with the Treasury for an independently owned public corporation which is free from state control, leaving the Treasury free to dip its hand in the till. Any further delays in modernising the system will place at risk the future of thousands of sub-post services, which are vital to the survival of the communities that they serve. I urge the Government to think carefully about how they bring their White Paper forward to legislation.

6.6 pm

Mr. Bob Laxton (Derby, North): Unlike some Opposition Members, I feel buoyant about the Post Office's future. I welcomed the White Paper when it was presented to the House on 8 July. Not being, I trust, an over-cynical individual, unlike some hon. Members who have spoken, I take at face value the absolute assurance that, although the Government propose to convert the Post Office to plc status, there is no prospect in the foreseeable future of a share sell-off. In fact, we have been assured that that would require primary legislation. Unlike some hon. Members, I am eminently satisfied with that assurance.

I welcome the statement in general because, for the first time in years, the Post Office will have some stability and a clear knowledge as to what the future holds for it. For a long period during the Conservative Government, a debate raged within the Conservative party. We remember the desire of the hawks to sell off the Post Office, with little, if any, concern for the future of rural sub-post offices. The plan was: "Just get rid of it. Take the money into the Treasury. That is all we are after."

During that process, we saw how well loved and respected the Post Office was. The British public were hostile to that plan. It drove huge wedges between the ideologues and the perhaps more pragmatic individuals—the very few pragmatic individuals—in the Conservative party. There were enough of them for the prospect of privatising the Post Office to diminish. The statement will provide stability for the future.

About an hour and a half ago, I made an intervention because I was particularly interested in the Horizon project issue. The hon. Member for Tiverton and Honiton (Mrs. Browning) left-footed, or right-footed, my intervention and side-stepped answering it, so I was particularly keen to listen to the speech by the right hon. Member for Hitchin and Harpenden (Mr. Lilley). I was not at all satisfied with the response.

I was particularly concerned about the fact that the contract for a computer project of this magnitude was signed in May 1996, and after only nine months,

[Mr. Bob Laxton]

I understand, went through major renegotiation. I readily understand the comment that it was part of managing the project, but there is a lot of difference between tweaking and managing a project and rewriting a contract. We do not have access to the information—which is privileged—on how decisions on the project were made. Moreover, the other day, members of the Select Committee on Trade and Industry were unable to get answers to our questions on the matter because the relevant documents were not available to either Department of Trade and Industry Ministers or to the Secretary of State.

The current Government inherited plans for a technology—yesterday, it was described as "Lilley's legacy"—which, had it been introduced, would have been not only extremely expensive for the Post Office, thereby impacting on Post Office Counters Ltd. and the rural sub-post office network, but obsolescent, and perhaps even obsolete. Nevertheless, we have to be mindful of new technology, new work practices, and new methods of service delivery.

I have great respect for, and some involvement with, the Post Office, as many of my constituents work for it. Derby is a Post Office centre of excellence, with a huge mail sorting office and a mammoth mail operation located at East Midlands airport, moving mail by aeroplane at night around the countryside, and to and from the Isle of Man and the Channel Islands. As the Post Office employs many of my constituents, with whom I am closely involved, I know a great deal about how it operates.

In the debate, there has seemed to be an air of despondency about the future of rural sub-post offices. However, as we move into the new millennium, there are new opportunities and ways of working—such as using the worldwide web, electronic commerce and e-mail. Sub-post offices, particularly, will have to adapt to those new technologies, and—as my hon. Friend the Member for Ochil (Mr. O'Neill) said—thanks to drastically reduced computer hardware costs, will have to start providing services utilising those technologies.

Across the United Kingdom, including many of our rural areas, about 1.5 million people are working—teleworking, as it is euphemistically called—from home. Increasingly, people in rural areas will work from home and want services that, hitherto, they have not used. Previously, many people went to urban areas to work and to shop—like the Secretary of State, to get their newspapers and tins of beans. In the new millennium, with the new technology, people will want sub-post offices to offer high-technology services.

The message for the Post Office, therefore—particularly for rural sub-post offices—is not of despondency, but of buoyancy and hope.

6.14 pm

Mr. Christopher Chope (Christchurch): This debate has been dominated by the threat to our sub-post office network. That threat is totally unnecessary; it was avoidable; it would not have happened if the Government had stuck with the Horizon project, as they should have done. I am not persuaded that the Government's decision to abandon the project was the right one.

After hearing the speech of my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley), I am even less convinced that the Government's decision was the correct one. I am convinced that my right hon. Friend left a golden legacy to pensioners, other benefit recipients, sub-postmasters and rural communities—a legacy of a network of post offices that could continue to pay out benefits over the counter on an exclusive basis. He left a system which would have guaranteed the future of thousands of sub-post offices across the country. That system was destroyed by the Government.

Many of the observations of the Government are disingenuous in the extreme. As my right hon. Friend the Member for Hitchin and Harpenden said, the responses to parliamentary questions show that the Government have shifted their ground. Last July, the Minister of State—who we believe is ill, and who we hope gets better soon—told me that the current plans provided for all post offices to be automated by the end of the year 2000. I then asked him why the date had been shifted to the end of 2000, as against 1999. The right hon. Gentleman replied that it was always expected that the original planning assumptions for this project would be tested and reviewed as the programme moved forward. There was no mention of the programme being three years behind, or of the fact that the Government had inherited a situation from the previous Government that was untenable or unmanageable.

In July last year, I asked the then Paymaster General, the hon. Member for Coventry, North-West (Mr. Robinson), why the Government had decided not to assess alternative options to the ICL Pathway project. The hon. Gentleman had plenty of time to think of his answer, which was that ICL Pathway was engaged in a project to automate Post Office Counters Ltd. under contracts agreed in 1996. He said that the Government remained committed to the objectives of the project.

We have heard today—and from the Secretary of State yesterday—red herrings about renegotiations in February 1997. This time last year, it was satisfactory for the Government to refer to the contract in 1996, and there was no talk of modifications, changes or difficulties. I am not convinced by the Government's story on this.

Nor am I convinced by comments to the effect that the points that we are making are exaggerated or scaremongering. In today's edition of *The Independent*, John Roberts, chief executive of the Post Office, is quoted as saying that the decisions of the Government

> "inevitably put at risk a pretty substantial chunk of the network. There are 10,000 rural post offices and benefit payments generate £350 million of business—nearly 40 per cent. of Counters' total turnover."

He is in a strong position to know the facts, and he is expressing grave concerns about the Government's claims.

Earlier this year, I was speaking to a 97-year-old constituent about the pleasures of life in Highcliffe-on-Sea. She told me that one of her great pleasures is walking to the local post office every Thursday to collect her pension, having a gossip with people on the way, and perhaps taking a bit longer than some of us would do. She does not want her post office to be closed by the Government so that she can no longer gain access to her pension once a week. She is one of 15 million people in a similar position.

In the amendment, the Government have said that they have a commitment to "a network"—not "the existing network", or a "network similar in extent to the existing one", but

"a network throughout the UK of post offices which will be automated".

That is just not good enough.

In the White Paper, the Government said that all benefit recipients who wished to collect their benefits in cash at post offices would continue to be able to do so, both before and after the change. But what happens if the post office from which those benefits have been collected in the past is closed? What do they do then? I have been told that about half the existing 18,000 sub-post offices are not viable without cross-subsidy—even with income from benefit payments. Without the benefit payment income, they will need much more cross-subsidy to survive, but the post offices that will provide that subsidy will themselves be under financial pressure.

That is why it is not an exaggeration to say that up to half the existing sub-post offices are threatened with closure by the Government's policies. If a network is halved, is it safeguarded? It would be consistent with the Government's use of language for them to say that they had safeguarded the network but reduced it by half.

We wondered whether a future official line was being tried out on the Select Committee by Mr. Baker yesterday, when he told my hon. Friend the Member for Banbury (Mr. Baldry) that Germany had a much larger population and half as many post offices. One can imagine Ministers trotting out that line when half the network has been closed down.

On page 63 of the White Paper there is a reference to the Government standing by, ready to play their part in easing the transition, and supporting existing post offices "of special value". Which post offices are of special value? Are not all post offices of special value? I believe that one Minister was forced to concede that.

The Government have erected a false prospectus in the White Paper. The Post Office Counters network carries out over 800 million transactions a year. To find a replacement for all of them will take more than the Secretary of State going along to the post office and making a withdrawal from his savings. The policy is disastrous, and I strongly commend the motion to the House.

6.21 pm

Mr. Lindsay Hoyle (Chorley): There is a lot of emotion about today. People's jobs are at stake and we are discussing the future of urban, rural and town post offices. It is too easy to forget that for 18 years post offices withered on the vine and closed without a word from Conservative Members. They have a memory of convenience, which is not acceptable. If we are serious about the future of post offices, we should say that we welcome the White Paper and the freedom that it offers, and we should look for new ideas.

We should introduce a people's bank. The main facility that is missing from rural areas is the bank. Everyone seems to agree that the local post office is the focal point, and we have a golden opportunity to introduce the bank back to the post office and give banking facilities to those who have been denied them. We can extend the facilities on offer well beyond tax discs.

With the new technology links that will come to rural post offices we can provide many new facilities. Instead of bickering and scoring cheap political points, why do we not sit down and concentrate on saving our post offices and protecting the work that they provide for self-employed people by ensuring that they can take advantage of the new opportunities?

Let us support the Post Office and give it the freedom that it needs to ensure that it has a long-term future and does not continue to wither on the vine, as it did under the Conservatives.

6.24 pm

Mr. Tony Baldry (Banbury): We are considering two things this afternoon. The first is the Government's proposals for the future of the Post Office. I, like many other hon. Members who have spoken, am a member of the Select Committee on Trade and Industry and we seem to have had innumerable sessions on the subject in the past two years while the Government have changed their mind about the future of the Post Office.

The decision to grant plc status is welcome, but the Post Office will still be subject to Treasury controls. As the *Financial Times* said last week, it is

"disappointing that a Government that prides itself on its market savvy has turned its face against privatisation. This is a company with nearly £7 billion turnover and profits of £650 million. It has to prepare for competition and the huge challenge thrown up by the internet. The sooner it is allowed to make its choices and bear the consequences the better."

On the Government's proposals for the future of the Post Office, *The Economist* observed:

"The results are an uneasy and probably unworkable political fudge. The Government have defended the decision not to press ahead with even a partial share sale on the grounds that the necessary legislation could not be introduced for years. The White Paper's backing of plc status reveals just how thin this excuse is. The reality is that the unions have blocked privatisation and the Government, even with its huge majority, is unwilling to risk taking them on."

We will end up with a Post Office that will be hobbled in terms of international competition.

It became clear yesterday, in hearings before the Select Committee, that when Ministers were drafting the White Paper they did not take into account the decisions that would be taken on the Horizon project. Amazingly, the business plan that the Post Office has drawn up for the next five years has taken no account of Ministers' decision on that project.

The history of the Government's relationship with the Horizon project is a sorry tale. In April last year, the DTI told the Select Committee that

"the Government is committed both to the maintenance of a nationwide network of post offices and to providing a secure, convenient and cost-effective means of paying benefits to customers. That is why the Horizon automation programme is designed to do what it is designed to do. Post Office Counters Ltd and the Benefits Agency are continuing to work closely with ICL Pathway to progress the Horizon programme and the Government is monitoring development closely."

No scintilla of a suggestion appears that there was any problem with the Horizon programme at that time.

[Mr. Tony Baldry]

In November, the then Secretary of State for Trade and Industry—the right hon. Member for Hartlepool (Mr. Mandelson)—appeared before the Select Committee. He said:

"There have been delays, but the Benefits Agency and the Post Office continue to work closely with ICL and the Government is closely monitoring progress. The current plans provide for post offices to be automated by the end of the year 2000 and in that context the Government is committed to the maintenance of a nationwide network of post offices. I feel confident that the project will be properly completed and that it will provide a very important platform, a computer-based platform springboard for the Post Office to introduce and develop a diversity of services. We remain confident on the basis of the information that we have at the moment that it will reach completion."

That was only a few months ago, and again, there was no scintilla of a suggestion of any problems.

Suddenly, out of the blue at the end of May, there was a complete change of plan. In effect, what has happened is that Ministers have, for whatever reason, changed their mind in the middle of a major contract. One suspects that they were rolled over by the Treasury. ICL, the contractor, must have been left with a substantial loss. I imagine that the only reason why it has not issued litigation is that its parent company, Fujitsu, hopes to float some time next year and would like to retain the Government as a major client.

I agree with the hon. Member for Ochil (Mr. O'Neill), the Chairman of the Select Committee, that the matter should be referred to the National Audit Office. I hope that the Select Committee will find a way unanimously to recommend that approach and I hope also the Public Accounts Committee will examine the issue. It is a scandal and we need to get to the bottom of it. There is no way that Ministers can pretend that it was the previous Government's problem, when just a few months ago—on the record—the Secretary of State made it clear to the Committee that he supported the project.

Scrapping the ability of post offices to pay benefit is a threat to the network of sub-post offices, to rural post offices and to post offices on the edges of towns, on housing estates and elsewhere. Yesterday, the Select Committee heard a clear acknowledgement that 40 per cent. of the revenue of Post Office Counters Ltd. comes from benefit payments.

How will that lost revenue be made up? We heard about the automated platform, and were told that the revenue would be made up by allowing rural post offices to have cash cards. Another suggestion—which I hope hon. Members will investigate when they look at the record of our proceedings—came from a senior official from the Department of Trade and Industry. He said that when people moved house in future they would be able to tell every Government Department where they had gone by filling in one form. If that was the best that he could do, it was rather bizarre.

When asked how many post offices the Government thought would close as a result of the proposals, DTI officials said that Germany had only half as many post offices as this country, even though it is twice the size. The only reasonable inference to be drawn from that is that, because German post offices do not pay out benefits, the proposed change would cause the closure of something like half of our post offices in the areas to which I have already referred.

The proposals will also cause many village shops to close. In the areas that I have mentioned, post offices and shops are mutually dependent, but, in future, people who cash benefit cheques in the post office will spend the money in the part of office that is a shop. The proposal amounts to yet another attack by the Government on the fabric of rural Britain and on the livelihoods of people there.

Three Secretaries of State lined up yesterday before the Select Committee to explain that they were going to do away with previous proposals to protect the secure network of post offices, but they did not have the smallest suggestion as to how post offices will make up the 40 per cent. of revenue that they will lose. I asked them why the marketplace had not already caused post offices to use all the bright technological ideas that they described. They had no answer.

The truth is simple: the Treasury has put pressure on the DTI and thinks that a massive saving can be made. The people who will pay for it are those in rural England and on housing estates, because the numbers of post offices available to them will be decimated. Moreover, many people will be forced to use bank accounts against their wishes. At no time has any Minister attempted to explain who will deal with the bank charges or with mothers who will have to open a separate bank account if they want to keep their child benefit payments to themselves. The Government have not even begun to anticipate the number of letters that will come from constituents receiving benefit when they understand the full implications of the measure, and that they will be forced to open a bank account if they are to receive benefits in the future.

This is a shabby piece of work by the Treasury, and it does the Government no credit. The people of rural and urban Britain alike will pay for it and, sadly, the most vulnerable in our communities will pay the most.

6.34 pm

Mr. Edward Davey (Kingston and Surbiton): Before entering the House, I was a management consultant for Omega Partners, one of whose niche markets was providing specialist advice to international postal administrations. On election, I relinquished all financial links to the firm, but I have maintained my interest in international postal issues. During four years with Omega, I had the privilege of visiting about 30 post offices around the world from Correos de Chile to New Zealand Post. I met the director general of post in Taiwan and visited the privatised Singapore Post plc. I became a bit of an anorak on post offices, so hon. Members will be pleased that my time tonight is limited.

Of all the projects I was involved in, the most relevant to our debate was a study that I co-authored, commissioned by the United States Postal Service, entitled "A Strategic Review of Progressive Postal Administrations: Competition, Commercialisation and Deregulation". The study considered 10 post offices around the world, including those in the UK, Sweden, Australia, New Zealand, Germany, Canada and the Netherlands. It focused on issues such as the ownership and structure of postal administrations, their financial mandate, the extent of competition, the degree of managerial freedom and the ability of managers to set pay, borrow capital and form joint ventures free of

Government control. It examined the key parameters for analysing how far a country's postal market is liberalised and the extent to which a company was established as a commercial organisation.

On 8 July, the Secretary of State for Trade and Industry told the House that his proposals would give the House new commercial freedoms. If that is what he seeks to do, he is redefining "commercial". Under his White Paper, postal managers will be forced to keep pay settlements within public sector constraints. They will be unable to borrow freely on capital markets and unable to form joint ventures without prior parliamentary approval. I am intrigued to know the commercial model on which the Secretary of State based those proposals.

The Secretary of State chose his words carefully on 8 July, saying:

"We have based the plc and public ownership model for the Post Office on one that works very well in other countries, such as Australia, New Zealand, Finland and Sweden. The post offices in those countries have flexibility and commercial freedom, and are able to work in the wider national interest."—[*Official Report*, 8 July 1999; Vol. 334, c. 1184.]

He may have used the Antipodean and Nordic models for his proposals on ownership and structure, but he has ignored them with respect to commercialisation.

On borrowing powers, the Government propose to allow the Post Office to borrow £75 million a year without prior Government approval. Even for domestic concerns, that is a self-evidently inadequate amount for a company with a turnover of £7 billion. The much-needed project for a new sorting site at Feltham, which would serve my constituents, will cost £40 million—more than half of the Post Office's annual limit.

The fast-tracking of other requests—as in the German Parcel project—may improve on the status quo, but it keeps the Post Office inside Treasury public sector borrowing requirement constraints. In some years, that is likely to bite unnecessarily hard on the Post Office. When considered in the context of the borrowing powers of other genuinely commercial post offices, the Government's proposals look even more out of date. My study notes:

"New Zealand Post is free to raise capital and borrow at commercial rates and on commercial terms. It has lines of credit with four banks and can issue equity bonds."

With no state guarantee for its borrowings, New Zealand Post pays the commercial rate. Its borrowings do not score against the public sector borrowing requirement, and it can operate as a commercial organisation.

Sweden Post has similar freedoms. Again I quote from my study:

"Posten (Sweden Post) is free to borrow in commercial markets. Despite 100 per cent. public ownership, Sweden Post no longer enjoys a government guarantee and can raise money on a fully commercial basis."

Both New Zealand and Sweden Post have had a price to pay for their freedoms, namely significant deregulation. In both postal markets, there are significant private sector competitors, and their presence has forced the state postal companies to become more efficient and to manage their balance sheets commercially. But that is the proper combination of liberalisation and commercialisation.

If all this was simply about the retention of controls on borrowing, one could perhaps understand the logic of the Government's position; but the detail of the White Paper shows that the Government are giving the Post Office the worst of all possible deals. Page 56 states that

"in order to ensure that the Post Office competes fairly with other postal operators in the private sector; and to reinforce commercial disciplines, the Post Office will borrow at a rate which is broadly comparable to the rate it would be charged in the market without an implicit or explicit Government guarantee."

The Post Office moves from controlled borrowings at a cheaper rate than a commercial company to controlled borrowings at commercially comparable rates. What nonsense. If the Post Office has to pay a commercial rate for borrowings, it should at least set its own borrowing limit.

Faced with such absurdities, the House might want to reflect on why the Post Office has not gained freer access to the capital markets. The reason is the Treasury, whose officials are so committed to privatisation that, if they do not get their way, they will secure a proposal that is designed to fail—in the hope that privatisation will be seen as the only way out. The Conservatives are right to say that the proposals are paving the way to privatisation; it will be a long and painful path, on which the UK's post offices will be badly damaged.

6.40 pm

Mr. Nick Gibb (Bognor Regis and Littlehampton): This has been a good debate, although, in his opening comments, the Secretary of State failed yet again to answer the important questions put to him by my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning). In an excellent speech, my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) made it clear that the Government have either known about the problems with Horizon all along, and hence have misled the House in written answers, or they did not know that there was a problem, so they were not on top of their job. He is right.

My right hon. Friend is equally right to highlight the fact that the Government have not thought about the long-term consequences of their policies. The hon. Member for Ochil (Mr. O'Neill), who is the Chairman of the Select Committee on Trade and Industry, made the correct point that not only rural post offices, but those in some of the less accessible urban areas, are at risk. His proposed solution seems to be to, turn the network of sub-post offices into cyber cafés. However, he does realise that the Post Office faces the very real problem of survival in an internationally competitive world.

The hon. Member for Eastleigh (Mr. Chidgey) welcomed the sentiments of the White Paper and supported the proposals, but claimed that they lacked something or other to ensure that the Post Office would survive. That is typical of Liberal policy—wanting more of something without paying the price. The Liberals want more commercial freedom, but they oppose plc status because they cannot face up to the realities of Treasury rules. An independent, publicly owned corporation remains subject to state control, because it is still in the state sector.

The hon. Member for Derby, North (Mr. Laxton) exposes his wishful thinking in his belief that the Government's assurance not to privatise the Post Office in the foreseeable future means that they will not privatise it at all. My hon. Friend the Member for Christchurch (Mr. Chope) is correct to say that the system left by my

[Mr. Nick Gibb]

right hon. Friend the Member for Hitchin and Harpenden would have guaranteed the survival of the sub-post office network. My hon. Friend is right not to be convinced by the Government's explanation of the failure of the Horizon project. The hon. Member for Chorley (Mr. Hoyle) wants to end the bickering and open a people's bank—perhaps we should leave that comment alone. My hon. Friend the Member for Banbury (Mr. Baldry) rightly said that the Post Office will remain subject to state control, despite a White Paper that refers to commercial freedom. He is also right to say that the Government's handling of the Horizon project is a scandal.

This has been an important debate. The House has assessed the Government's competence as guardian of the nation's post offices. The debate has shown how very unsafe the Post Office is in the hands of the Government. The Post Office White Paper fails to deliver the Post Office from the clutches of the public sector—a sector that is despised by one part of the Labour party and loved by another. Because of that division, which extends right to the top of the Labour party, the Government are failing to give the Post Office the freedom that Ministers know is right. Ministers know that that is right—or at least some of them know it—if the Post Office is to survive in the new internationally competitive and changing environment that it faces.

Post offices are unsafe in the hands of the Government, because the Government's decision to abandon paying benefits through a swipe card over the counter at 19,000 private sector sub-post offices will put at risk the very survival of those post offices. It will threaten the communities of many rural towns, villages and hamlets. It is yet another attack by the Government on rural life, and yet another piece of incompetent computer project management by Ministers. That piece of Government incompetence will cost taxpayers £940 million—the equivalent of three new hospitals. It is a piece of incompetence that, by the Government's own admission, will result in £320 million of extra social security fraud.

As my right hon. Friend the Member for Hitchin and Harpenden rightly said, contracts of such complexity do not only have to be signed, they have to be managed as well. He told his officials that he wanted to hear bad news as well as good news, so that he could take early remedial action. That is what management is all about. Will the Minister tell the House why, after two years in office, he believes that the problems are not the current Government's fault, but that they must be someone else's fault—the previous Government's, or, in the words of the Chancellor, the fault of his officials?

There is a pattern of incompetence developing in the Government. We have seen it in the computerisation of the Passport Agency and in the Government's handling of gold sales, and we are now seeing it in the way in which they have mismanaged the Horizon project. I do not want to preach to the Government, because we hear enough preaching from them, but to be a successful Minister of the Crown, one has to do more than jet around the world, languish in five-star hotels, be driven in a Government Rover, or make speeches at conferences designed to push the latest focus group-tested soundbites. Being a Minister is about managing a Department or a policy area—it is about detail. It is about ensuring that decisions are made competently and for the long term, not for the short-term newspaper headlines.

We are simply not getting the proper level of competence from Ministers in the current Government. The problem is that the penalties for such incompetence are paid not by the man who appointed the Ministers in the first place, but by the people—by the small businesses trying to keep a rural sub-post office afloat; by the elderly and infirm who rely on their local post office; and by rural communities which, yet again, are suffering the consequences of a Government who have no conception of the harsh realities of rural living.

In the detail of the Post Office White Paper, we see even more incompetence. Not only is the Post Office unsafe in the Government's hands, but so too are the 4,000 private sector companies and businesses that already deliver parcels, express packages and letters. That is because the Government are not putting the Post Office fully into the private sector, with all the risks that come with being outside the cosy, protected world of the state sector. Instead, the Post Office will have huge unfair advantages over its competitors in the United Kingdom. Size, state protection and hidden subsidy will enable Post Office plc to undercut and crush small, entrepreneurial private sector British businesses, while the dead hand of state control will hinder its response to innovative and fierce competition from American and European privatised multinational postal services.

The White Paper speaks of ensuring that Post Office borrowings are at market rates of interest, and that it is not allowed to subsidise its non-monopoly services from its monopoly services, but what does that mean in practice? This year, Parcelforce made a £25 million loss, following a £14 million loss last year. No private sector parcel delivery company can survive year after year of multimillion pound losses, so if the losses continue, by definition, Parcelforce is being subsidised. What charge will be made to the non-monopoly divisions of the Post Office for the use of its fixed assets? Will the special traffic regulations for Post Office vans apply to the non-monopoly sector of the Post Office? If so, will that privilege be extended to the private sector?

Lending to the Post Office will come not from the private sector, but from the national loans fund, which is a part of government. Apart from the interest rate, how can the Post Office's competitors be sure that the other terms of such loans will be fair, including repayment periods? How can they be sure that the margin of several points above base that is applicable to most businesses in this country will apply to the Post Office? We need answers to those questions to be sure that the new arrangements will not be as damaging, to the private sector's long-term viability as they are to the Post Office itself.

The Government's policy on the future of our post offices is in complete disarray because of incompetence and cowardice: the incompetence of Ministers who are unable effectively to manage the detail of a computerisation programme, the consequences of which will put at risk thousands of rural sub-post offices, and the cowardice of a Government failing to do what they know is right for the competitiveness of the Post Office. They should fully release it from the clutches of the state. The policy is being dictated by Labour party divisions

rather than the imperatives of what is right. The Government are bad for postal services and bad for rural communities, and I urge the House to support the motion.

6.50 pm

The Minister for Energy and Industry (Mr. John Battle): This debate on the future of post offices has been useful, and it has opened up the discussion of our White Paper and its reforms.

The hon. Member for Bognor Regis and Littlehampton (Mr. Gibb), who spoke from the Front Bench, was not a Member of the House under the previous Government, and it may have slipped his mind, or perhaps he was not aware, that that Government held back the Post Office from modernising Parcelforce. That denied the Post Office the investment that it needed. Before the hon. Gentleman started haranguing us across the Dispatch Box, perhaps he should have reflected on the contributions of hon. Members sitting behind him who were Ministers in the previous Administration.

I shall tackle the concerns that were common ground in the debate. The Post Office network needs to have a positive future, and we must recognise the vital role of post offices, particularly in local communities, whether in rural villages or our towns and cities. That concern is shared across the Chamber.

I was interested to hear Conservative Members express concerns for the poor and those on benefits who currently have no access to a bank account. After 13 years in the House, that is the first time I have heard such remarks from Conservative Members, although I welcome them. Under our proposals, there will for the first time be access criteria. With the new regulatory structure and the five-year strategic plan, that will mean that there is potential to protect and enhance the network, using new technologies to make post offices more attractive and enable the Post Office to realise its potential at home and internationally.

Interestingly, Opposition Members who were Ministers in the previous Administration, and who were known for their impeccable new right credentials, complain that we are not privatising the Post Office. They are free to set out their stall, and they are right to say that we are not privatising the Post Office.

I was surprised that the right hon. Member for Hitchin and Harpenden (Mr. Lilley) even mentioned the Horizon project. Questions need to be asked about the roots of that project, which were established under his authority, and he is in the best position to answer those questions. We have had no answers so far, however.

My hon. Friend the Member for Ochil (Mr. O'Neill), the Chairman of the Select Committee on Trade and Industry, welcomed the White Paper and urged us to get on with it so that new opportunities will not be missed. He asked whether the regulatory system will be operated by a board rather than an individual. I can tell him that it will be run by a commission, and I hope that he welcomes that.

My hon. Friend also reminded us of the important fact that 60 per cent. of rural parishes have a post office while less than 10 per cent. have a bank or building society. Some of the comments made by Conservative Members need to viewed in that context, and we should not be beguiled by the scaremongering in which they have tried to indulge tonight.

The hon. Member for Eastleigh (Mr. Chidgey) reminded us that Conservative Members scarcely raised a finger when 3,300 post offices closed. I remember that when I was in opposition, the post office in Huntingdon, the constituency of the then Prime Minister, closed, but I do not remember those on the Benches around the right hon. Gentleman jumping up and protesting about that. For years afterwards they said that there was nothing they could do.

The accounts published yesterday confirm that there is pressure on the Post Office, and greater commercial freedom is needed to enable it to invest more, to internationalise its business and to reinforce the network. The hon. Member for Eastleigh suggested that there is a potential for the Post Office and banks to build new relationships. That idea was powerfully and imaginatively reinforced by my hon. Friend the Member for Chorley (Mr. Hoyle), who made positive proposals. He suggested that post offices could act as banks in local communities. Why not? Let us explore that suggestion as part of the consideration of the White Paper.

My hon. Friend the Member for Derby, North (Mr. Laxton) asked for reassurance that there is no intention to sell shares in the future. There is no such intention. As my hon. Friend reminded us, that would require primary legislation. We have no intention of introducing that primary legislation.

My hon. Friend also mentioned the Conservative ideologues who, trapped in an out-of-date ideology, are failing to get to grips with the potential of the new communication technologies that could transform post offices for the 21st century. Our approach to the Post Office is not driven by ideological dogma, or by the burnt-out traditional neo-liberal economic agendas still peddled by Conservative Members, who would privatise anything that moved, regardless of whether it was beneficial.

Interestingly, the Opposition motion does not even take a passing glance at the detailed challenges, here and now and globally, that the Post Office faces. Where is the challenge of global competition from postal services worldwide? There is not a reference to it in the motion. Where are the references to the challenges of being allowed to compete with other services in countries, such as Germany and Sweden, that are opening up their markets? Where are the references to the challenges of new forms of technology and communication? We believe that the Post Office needs to take a step change into the future as customers demand change, as technology advances and as new players—courier services, e-mail providers and so on—come on line. The Opposition motion is evidence of a tired old agenda. The Conservatives are locked into the "privatise regardless" attitude. Our proposals, set out in the White Paper—

Mr. Lilley: Will the hon. Gentleman give way?

Mr. Battle: I will. Perhaps the right hon. Gentleman will tell us about the roots of what went wrong with Horizon.

Mr. Lilley: I am grateful to the hon. Gentleman for giving way. Several of my colleagues and I have given chapter and verse a direct contradiction between what Ministers have been saying today and assurances that they

[Mr. Lilley]

gave the House on five occasions over the past 18 months. This is a very serious matter. The hon. Gentleman is noted for his personal integrity. I am sorry that he has not thought fit to try to restore the integrity of the Government Front Bench. Either the Government knew all along that there were problems—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order.

Mr. Battle: The hon. Gentleman has the nerve to question my integrity. I seem to remember that he belonged—*[Interruption.]* Okay. He belonged to the previous Government and he spoke eloquently tonight about the needs for banking and post office provision for people in poverty. He may like to reflect upon the social loan fund that he introduced, offering loans which no one could take up because they could not afford to repay them—yet he then asks us to do joined-up thinking. He may now have found a new role in life on the Back Benches, and part of that new role may help us if he will explain what went wrong some of the time, because it seems that we are still picking up the pieces after what went wrong under the previous Administration.

Mrs. Browning: On what date were Ministers advised by officials that the Horizon project should be abandoned?

Mr. Battle: The hon. Lady will remember that, in this debate, two hon. Members—one my hon. Friend the Member for Ochil, the Chairman of the Trade and Industry Committee, and the other a member of the Conservative party—said that they thought that perhaps the Public Accounts Committee should trawl over this whole business. That would be very interesting for all Members of the House.

Our proposals in the White Paper will ensure that the universal service obligation continues to be supported. They will set out arrangements for a new independent regulator, with a duty to ensure that the Post Office holds to that universal service obligation. The regulator's job will be to keep the network of post offices, and the Post Office will move in the direction of new electronic platforms to transform it.

For the first time, the Government are setting access criteria which will ensure that specific areas of population must have access to a post office, and the regulator will have a duty to police that. Therefore, for the first time in history, deliveries to every address in the country and collections every working day will be set out in law. That is an improvement. The Government propose to strengthen the Post Office Users National Council. We will give the Post Office commercial freedom for the future.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 126, Noes 328.

Division No. 247] **[6.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Gale, Roger
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
Ottaway, Richard
Page, Richard
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim

Tellers for the Ayes:
Mr. Keith Simpson and
Mr. Geoffrey Clifton-Brown.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald

Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Mitchell, Austin
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Opik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Reed, Andrew *(Loughborough)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Bob *(Colchester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*

Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Greg Pope and
Mr. Robert Ainsworth.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 293, Noes 140.

Division No. 248] **[7.11 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berrningham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Boateng, Paul
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Mitchell, Austin
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry

Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Greg Pope and
Mr. Robert Ainsworth.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Gale, Roger
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Hawkins, Nick
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
May, Mrs Theresa
Norman, Archie
Öpik, Lembit
Ottaway, Richard
Page, Richard
Pickles, Eric
Prior, David
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Thompson, William
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim

Tellers for the Noes:
Mrs. Jacqui Lait and
Mr. Keith Simpson.

Question accordingly agreed to.

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the important White Paper on the Post Office published by the Government; notes the contrast with the years of Tory dithering, blinkered by ideology, that left the Post Office to decline; welcomes the slashing of the EFL which contrasts with the Tory use of it as a variable tax on Post Office users; welcomes for the first time the clear commitment of the Government to a network throughout the United Kingdom of post offices which will be automated; welcomes the fact that for the first time the Universal Service Obligation will be guaranteed in legislation; and notes that the Opposition believes in immediate privatisation of the Post Office, showing they are still an ideologically-driven party, not one intent on improving services to the British public.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft North/South Co-operation (Implementation Bodies) (Amendment) (Northern Ireland) Order 1999, which was laid before this House on 28th June, be approved.—*[Mr. Allen.]*

Question agreed to.

Railways Bill

Motion made, and Question proposed,

That Standing Order No. 63 (Committal of bills) shall not apply to the Railways Bill.

That, if the Bill is read a second time, it shall stand referred to the Environment, Transport and Regional Affairs Committee, which shall consider the provisions of the Bill and report by 12th November 1999.—*[Mr. Allen.]*

Hon. Members: Object.

DELEGATED LEGISLATION

Ordered,

Data Protection Registrar

That the Motion in the name of Mr. Secretary Straw relating to the salary of the Data Protection Registrar shall be treated as if it related to an instrument subject to the provisions of Standing Order No. 118 (Standing Committees on Delegated Legislation) in respect of which notice has been given that the instrument be approved.—*[Mr. Allen.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): With permission, I shall put together the motions relating to delegated legislation.

Ordered,

Food Safety

That the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Amendment (No. 2) Regulations 1999 (S.I., 1999, No. 1585) be referred to a Standing Committee on Delegated Legislation.

National Health Service

That the National Health Service (General Medical Services) Amendment (No. 2) Regulations 1999 (S.I., 1999, No. 1627) be referred to a Standing Committee on Delegated Legislation.

That the National Health Service (General Medical Services) (Scotland) Amendment (No. 3) Regulations 1999 (S.I., 1999, No. 1620) be referred to a Standing Committee on Delegated Legislation.

Education

That the Education (Head Teachers) Regulations 1999 (S.I., 1999, No. 1287) be referred to a Standing Committee on Delegated Legislation.

Fire Precautions

That the Fire Precautions (Workplace) (Amendment) Regulations 1999 (S.I., 1999, No. 1877) be referred to a Standing Committee on Delegated Legislation.—*[Mr. Allen.]*

Luton Hat Industry

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Allen.]*

7.26 pm

Ms Margaret Moran (Luton, South): May I first doff my hat to my colleagues and to you, Mr. Deputy Speaker, for clarifying that it is entirely permissible for us to wear hats in the Chamber? We are thus re-establishing an important tradition for the House, which I hope many more of my colleagues and friends will take up in support of the Luton hat industry.

I take my hat off to the Minister for Energy and Industry for the work that he and his Department have done in identifying the issues that surround the hat industry, particularly the Luton hat industry. The Department's research has been extremely valuable, so our congratulations are in order.

Luton has been long recognised as the centre of the United Kingdom hat industry. It is a centre of international renown. The debate is important for the future of that industry in this, the year of the hat. I thank my colleagues, many of whom are here, for helping me to promote the Luton hat industry by modelling hats earlier. I much appreciated them joining me in the promotion and acknowledgement of the hat industry.

The hat industry is part of Luton's history, heritage and future. It has given the town a distinctive and rich industrial past, which is visible in Plaiters Lea, the hatters' quarter. It has given the nickname to our football team, which is, sadly, now in receivership. I hope that, like the hat industry, it will soon rise like a phoenix from the ashes—come on the hatters, as they say.

The Luton hat industry has its roots in the 17th century and the production of highly-quality, locally grown wheat, which is ideal for the straw hat and boater. Initially, the straw plait was sewn together for gentlemen's hats, much like the cricket hat. Plait schools soon developed. Allied trades such as blocking, block making, which is, I understand, unique to Luton, and dyeing grew up to support the industry.

In the 19th century, the straw hat industry dominated Luton's economy; it was the feather in our cap. It transformed Luton into a major industrial centre. As I have said, today, Luton is the heart of the UK hat industry. It employs around 1,000 workers, predominantly in small and medium-sized enterprises—often family owned—65 per cent. of which have turnovers of less than £1 million. Fewer than 10 of those companies employ more than 75 workers.

Products range from specialist hats such as protective and safety headgear, mass market hats and traditional hats such as the trilby to high-quality couturier hats, which are sold throughout the world and are recognised by couturier houses in Italy, Germany and France. They all come to Luton to buy our product, such is its international renown. Names such as Olney, Bermona, Snoxells and Right Impressions are famous around the world.

The year of the hat provides an opportunity to review the long-term prospects of an industry that is important to Luton. The industry employs many people—including many women, many of whom work part-time. It also offers home-working opportunities. At first sight,

the industry appears—despite the appearance in the Chamber today of such glamorous hats—to be in long-term decline, although I hope in this debate to prove that it is not. Unfortunately, however, there is a decline in the market for low-cost hats—not like those being worn today by some of my hon. Friends. Nevertheless, a Department of Trade and Industry survey reveals that the industry has good long-term prospects in producing high-value, high-quality hats, such as those being worn by some of my colleagues.

The first issue affecting the hat industry's future could be summarised as competition from overseas producers located in low-wage economies. Such producers are putting pressure particularly on the mid-range, traditional hat sector. Dealing with that pressure will require a sharper competitive edge, especially by Luton's small and medium-sized enterprises.

I ask the Minister not for tit-for-tat export restrictions, but to consider what I call bad hats—those manufactured in the far east, especially China, which are brought into the United Kingdom simply for trimming or, worse, simply to insert the "made in the UK" or "made in Luton" label. Although I realise that that practice is a matter of production law, it undercuts Luton's hard-earned reputation on the international market for high-quality and high-value hats.

Judy Mallaber (Amber Valley): Does my hon. Friend realise that some of us who are wearing hats—and some of us who are not wearing hats—in the Chamber also have clothing and textile industries in our constituencies, and that we are here to celebrate Luton hats as one example of the high-quality products made in much of the British textiles and clothing industry? Is not high quality the basis on which we have to compete internationally?

Ms Moran: My hon. Friend is quite right.

The hat industry needs more support in maintaining its excellent reputation. Marida Hats has specifically raised with me the issue of high mark-up by retail chains. In the hat industry, retail sale prices are high, but producers' profit margins are low. It is not fair for retailers to mark up by three or four times a product's finished value, because that deters people from buying the excellent hats produced in Luton.

Large retail stores are using their buying power to source globally, putting further pressure on producer profit margins. I hope that both the industry and the DTI will address that issue.

I have a particular bee in my bonnet about the skills shortage. The industry's specific skills, such as blocking, and transferable skills, such as machining and finishing, are in short supply. Right Impressions, in High Town, has told me that many skilled milliners are retiring with no skilled labour pool on which to draw for replacements.

The young talent that we need is certainly available in design, but not in manufacture and millinery. Although 64 per cent. of manufacturers and 87 per cent. of milliners recognise that there is a skills problem, few of them use external training and reskilling sources, such as existing education and training establishments.

Skills shortages are causing high labour mobility and wage inflation, in a cost-competitive environment. As the DTI report points out, without skills the industry is not sustainable, and there needs to be much closer and defined links between the industry and colleges to ensure that that skill shortage is rectified. At this point, I pay tribute to Barnfield college in Luton, which is one of the few colleges with the city and guilds course which creates those industry links. Also, we need courses that introduce management skills for the new hat market.

To cap it all, there is a low level of technology in the sector which can adversely affect productivity levels. One manufacturer told me proudly that the company had only one ancient computer, which was used sometime for the payroll, but mostly was not used at all. In any discussions that I have had with the industry about the possibilities of e-commerce, I have been met with blank faces. I have pointed out the need for the industry to recognise that new technology can afford it greater export opportunities through e-commerce.

We need to ensure that the industry is encouraged to look to new technology for supply chain initiatives to co-ordinate information about total demands and new trends, and an export information service to identify growth markets for high-value hats, to retain Luton's excellent reputation as a high-quality supplier and to disseminate changes in the overseas markets.

It is clear from my experience of visiting many Luton companies that the industry performs best in areas where there is evidence of technological innovation, such as high-performance materials for sportswear and safety headgear, and where there are technological innovations in process and design innovation for the low-volume, high-margin fashion market.

It is in the high-value fashion market that the future of Luton's hat industry belongs. Bespoke high-fashion hats make up 52.7 per cent. of the UK production market for export, and it can and should grow with our support. That requires us to be constantly promoting the excellence of our Luton hat industry abroad, and it means that we need to ensure that the export of products for the middle to high-value market does not suffer to the extent that other low-cost sectors have.

By and large, the high-value end of the market is not so influenced by macro-economic forces such as the strength of the pound, and it can withstand those forces because customers from Italy, France and Germany are less price sensitive and are often willing to pay substantial amounts for a fashionable Luton hat.

I hope that the Minister will not think that I am talking out of my hat if I raise the issue of the financial support that the Department can give to the Luton hat industry. In the past, the DTI—with the support of the British Knit and Clothing Council—provided sponsorship for the cost of exhibitions abroad to promote export markets. Hats, unlike clothing, have high costs in terms of packaging and shipping, while exhibition incomes are often low. I am told by manufacturers that a £500 to £1,000 order from a single exhibition is not unusual. However, the costs of packaging and export are considerably higher—making it not worth while for many companies in the hat industry to export and exhibit abroad.

In the year of the hat, there is an opportunity for the DTI to reinstate that sponsorship, to sponsor such missions—again in conjunction with the British Knit and Clothing Council—and to assist in our bid for Luton hats to be more widely accessible in the export markets across the world. I hope that the Minister will seriously consider that in an effort to promote the Luton hat industry.

[Ms Moran]

The Luton hat industry needs wider promotion. The excellent examples that we have seen today will stand us in very good stead and are excellent news for the retention and growth of jobs in the industry, for which my thanks are due.

Mrs. Teresa Gorman (Billericay): On behalf of those of us who have stayed to listen to the hon. Lady's most fascinating debate, we would all jointly like to say that we take our hat off to her.

Ms Moran: I thank the hon. Lady for her support. Perhaps next time, she, too, will wear one of our excellent pieces of headgear. In fact, we have a spare demonstration model here, should she choose to wear it.

The hat industry is very sensitive to the fashion climate and the way in which celebrities, Members of Parliament and the royal family wear their hats.

Mr. Kelvin Hopkins (Luton, North): As another Luton Member—and a daily wearer of hats, come rain or shine, for obvious reasons—I wonder whether my hon. Friend agrees that a revival of the cloth cap, and perhaps even the cloth-cap image, among Labour Members, would be beneficial to the hat industry and to the economy of Luton.

Ms Moran: All contributions to the promotion of the industry are welcome. Both cloth-cap and high-fashion hat wearers are part of the broad strand of politics embraced by our party.

The promotion of the industry is essential. Hat wearing by high-profile personalities is crucial. Exports and purchases of hats increase, for example, when there is a royal wedding. I encourage everyone to follow the example of the late Princess Diana, who was a regular wearer of hats.

May I be so bold as to suggest that when my right hon. Friend the Prime Minister next meets the Queen, he invites her to put hats and the wearing of hats high on the list of priorities for the next royal wedding? After all, the royal family receives money from the civil list, which includes contributions from Luton taxpayers and members of the hat industry, so we would like its members, in turn, to wear hats and support our industry on each and every possible occasion.

To cap it all, I would like to thank my hon. Friend the Minister for attending the debate. I hope that he, too, will encourage and support the Luton hat industry. We are not all as mad as hatters in trying to promote the industry. It is a serious industry providing many jobs, especially for women, as well as much enjoyment, entertainment and pleasure, as many of my hon. Friends here today have demonstrated.

7.43 pm

The Minister for Energy and Industry (Mr. John Battle): At the end of a long day—today started with Trade and Industry questions at 11.30 am and continued with two Opposition debates—it is usual in the House to dread Adjournment debates, but I am absolutely delighted that I am the one whose name was in the hat to respond tonight.

I come from Leeds, where Leonard Sachs was known for many years in the varieties for his overworked puns, and I would not dare to try to compete with my hon. Friend the Member for Luton, South (Ms Moran). The purpose of Adjournment debates is to raise matters of concern to our constituents, and I have never seen it done in such an imaginative and witty way that makes an important point. My hon. Friend is to be complimented for getting off the Order Paper and bringing a serious subject, about the textile, clothing and hat industry in Luton, to life.

Long may Luton be known as the centre of our hat industry. This year is the year of the hat, which is the first promotion event of its kind for the hat sector. Hats have been worn at various events and activities. Swing tags have been produced to attach to the brand labels on hats manufactured in Luton to publicise the year of the hat. Male Members are not allowed to wear hats in the Chamber, and perhaps we should change the rules to ensure that my hon. Friend the Member for Luton, North (Mr. Hopkins) could participate. However, I am not sure that wearing swing tags would ever replace pager tagging.

The British Hat Guild has organised promotional events, which are vital to the survival and prosperity of the industry. The hat industry in Luton is a small, highly specialised sector, but it produces some of the world's most sought-after hats. The UK hat sector's annual turnover is some £90 million and it employs some 2,600 people. It is estimated that there are 130 to 140 companies in the sector, and the majority employ fewer than 50 people. The sector is based in Luton, which is traditionally the millinery centre for Britain.

The Government recognise the importance of the sector to the economy of Luton and the rest of the United Kingdom. It is a flagship industry.

Mr. Andrew Stunell (Hazel Grove): I come from Stockport, which has the UK national museum of hats, and we might dispute which town is the traditional centre of hatting. However, I appreciate the imagination and spirit behind this debate, and I hope that competitiveness is maintained so that Luton's hatting industry does not go the same way as Stockport's.

Mr. Battle: The hon. Gentleman makes a good point. We do not want to see a museum of the past, but an industry with a bright future. Europe is the industry's main export destination and figures show that 43 per cent. of manufacturers' sales are to Europe. However, more than half the UK's net supply was from outside Europe. The industry faces a real challenge in import and export markets.

We should emphasise our strengths. If the sector faces unfair import competition, especially in the details on clothing and hats, there are ways to tackle that within the European competitiveness rules. My hon. Friend the Member for Luton, South made the important point that the key to making progress in global competition is innovation and quality. That is where the real strength of the industry has lain traditionally and it is where it will lie in the future.

Companies and individuals are producing sports, protective and hygienic headwear. Headwear generally is becoming increasingly fashionable, and we also have

high fashion, independent milliners who are performing well. The likes of Philip Treacy and Kangol have made a considerable impact on the fashion industry in recent years and are household names in Britain and overseas. Kangol has managed to launch its branded goods throughout the world's best high streets. It is such high-profile images that are enhancing consumer appeal, especially with younger people, which must be encouraging for the industry.

Only one company can be the cheapest, and the rest must rely on quality, innovation, new products and new processes to make progress. Our job in the DTI is to act as a catalyst to nudge British industry forward so that we face up to the challenge of new markets and global competitiveness. I am often amazed by the levels of skill and craftsmanship in our manufacturing industry. The traditional handcrafts are often blended with the most modern technology. That is the key to the future of manufacturing, and the hat industry is a prime example.

People, their skills, experience, expertise and talent, are the greatest assets of companies, and it is the companies that invest in training and building up skills that will have a competitive edge. In the past, there was no specific vocational training programme for the hat-making industry. Last year, CAPITB—the national training organisation—and the British Hat Guild developed a new programme of national vocational qualifications specifically designed to develop hat making skills. My hon. Friend the Member for Luton, South mentioned the colleges running those courses and, as well as Barnfield college in Luton, Huddersfield offers a city and guilds certificate in millinery as part of the link between training and industry.

In common with most traditional, craft-based industries, the hat industry has to address the difficulty of recruiting skilled labour. I hope that the launch of the new NVQ programme will go some way to addressing the problem.

The NVQ in manufacturing sewn products includes mandatory and optional units, within which candidates can develop the vital hat-making skills of sewing, blocking and trimming. That will ensure that those skills are not lost and that examples of their use are not just museum displays in the future. It offers a real potential for developing the industry. In addition, the university for industry, when it is launched, will contribute to retaining skills and to upskilling in the workplace, for small and larger businesses.

There is no denying that trading conditions are difficult. The performance of the hat industry is affected by both external and internal factors. The hat sector has faced difficult trading conditions, as has the rest of the textile and clothing industries throughout Britain. The crisis in south-east Asia, the well-publicised strength of sterling, as well as wider factors in trading and manufacturing processes, mean that the international trading environment is fast moving and complex.

The size of the sector has declined over the past 40 years, as hats are no longer essential everyday wear. Increasingly, the trend has been towards wearing them for special occasions only. However, as my hon. Friend said, that does not need to be the case, as wearing hats could again become ordinary and a matter of common sense. There is a long way to go, especially in protective and safety headgear—which is increasingly fashionable—and also in sportswear and high fashion.

Kangol has done a lot to improve the street credibility of hats with the young. In the wider world of fashion, London style is taking off, and its designers and brand names compete with the best in Paris and Milan. I am sure that Luton hats can feature in that future.

As my hon. Friend mentioned, my Department funded a competitive analysis report on the UK hat sector. Cranfield Innovative Manufacturing Ltd. produced a report that was presented to industry representatives in October, at a seminar funded by the DTI and the British Hat Guild. It concentrated on the competitiveness of the UK hat sector, highlighting its strengths and weaknesses, but also the real opportunities open to it.

The report contained recommendations to improve the industry's cutting edge and competitiveness. It looked in particular at the development of a supply chain initiative for hat making to co-ordinate information to suppliers about total demand and market trends. It proposed that suppliers should compete but also co-operate, through the supply chain, so that the whole sector could be strengthened.

The report also proposed the establishment of education and information services for managers in the industry, to equip them with the skills needed to lead their companies and to use the new technologies, including e-commerce, as my hon. Friend mentioned. In addition, it proposed education and training initiatives to integrate design and production skills so that producers become more aware of the potential of design and designers. Independent milliners especially could benefit from greater awareness of the potential of volume production.

Finally, the report recommended the establishment of an export information service to identify growth markets and to support the export potential of the high-value hat industry in particular by promoting Luton—and other centres in the UK—as high-quality suppliers. The service would also help by disseminating information in the UK about changes in markets so that suppliers can respond quickly.

I understand that, following the analysis report, a steering group has been set up this year to develop an action plan for the UK hat sector, based around the report's recommendations. The steering group is made up of representatives from industry and the British Hat Guild, while officials from my Department will work in partnership with the industry to do everything possible to promote its future.

I hope that I have demonstrated that the DTI has a commitment to helping to improve the competitiveness of this sector, as of all manufacturing. We want this creative sector to flourish, and we want to support international export efforts. We will continue to work in partnership with the sector to ensure that it has a bright future.

However, I want to compliment my hon. Friend the Member for Luton, South on her most imaginative way

[Mr. Battle]

of going beyond mere words to demonstrate in a practical, bright and colourful way that there is a serious point to campaigning for manufacturing industry on behalf of the country and our constituencies. Presented in a lively and witty way, as was evident this evening, such a campaign deserves to attract a lot of attention.

We must build on our traditional strengths and thereby add to the creative potential of the 21st century. All of us in what I am tempted to call the capacity crowd attending this debate should thank my hon. Friend for detaining us this evening.

Question put and agreed to.

Adjourned accordingly at six minutes to Eight o'clock.

House of Commons

Friday 16 July 1999

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Policing (London)

[Relevant documents: Report of the Commissioner of Police of the Metropolis, 1998-99; Metropolitan Police Committee Annual Report, 1998-99; Metropolitan Police Committee Annual Plan, 1999-2000.]

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kevin Hughes.]*

9.33 am

The Secretary of State for the Home Department (Mr. Jack Straw): Every debate on the report of the Commissioner of Police of the Metropolis is important, but today's is special because we are at a point of transition. The Greater London Authority Bill, which from next April will bring the boundary of the Metropolitan police service into line with that of the 32 London boroughs, will establish the Metropolitan police authority, which we plan should take effect from 3 July 2000. There will of course be a report to me—as the police authority for London—on the current financial year. As usual, that will be made available to the House, and it will be up to the usual channels to decide whether it should be the subject of a debate.

This debate is also special because the annual report is the last by the current Commissioner, Sir Paul Condon. It is right to take this opportunity to refer to his outstanding record of achievement. Among his successes since his appointment as Commissioner in 1993, burglary—the crime that Londoners most fear—is at a 20-year low, and overall crime in London has dropped annually since 1993. There have been many high-profile operational successes against serious crime. Examples include the arrest and conviction of the Mardi Gras bomber, and the highly professional response of the police and other agencies to the three nail bombings in London which shocked us all earlier this year and which caused many injuries and three deaths.

Sir Paul's greatest resource is the men and women of his service. On behalf of the whole House, I pay tribute to their dedication, courage and commitment. Officers and civilian staff, whom we all see every day, serve London well. Sir Paul is rightly proud of advances in the safety of his officers, in the supply of equipment and in systematic training in its use. Police officers' lives have been saved, and assaults on officers reduced by more than 50 per cent.

There is a continuing debate on the use of CS spray and its alternatives. Any such equipment should command full public confidence, but it is worth bearing in mind that it was introduced to protect police officers in extremely dangerous circumstances. We should never forget that police officers in every other major city who face the same kind of risk as ours are routinely armed, while London's police are not.

It is a further tribute to the efficiency and success of the Metropolitan police force and the courage of its officers that London has one of the lowest murder rates of any large city in the world, at 2.1 per 100,000 population. That is eight times lower than New York, the city heralded as one of the safest in the United States. It is three times lower even than that of the major city of the Netherlands, which is seen as a very peaceable nation.

The Commissioner's determined and successful efforts to deal with corruption underpin the integrity of the overwhelming majority of the Metropolitan police service. His personal commitment to diversity and equality is reflected in a 50 per cent. increase in the numbers of black and Asian officers in the service, even before I launched my initiatives on such recruitment.

Sir Paul has reinforced the outstanding international reputation of the Metropolitan police service and shown a personal commitment to community consultation and communication. His record has been most distinguished. He has already set about with a will to implement the Crime and Disorder Act 1998, including the partnership arrangements with local authorities. To help achieve that, he has already announced a reorganisation of the internal commands of the service, reducing the number of divisions from 62 to 32 and aligning each with its London borough boundaries. These arrangements will be phased in by 1 April next year, and the borough commanders have already been designated.

Perhaps the most important single event over the past year for the Metropolitan police—indeed, for all the police forces of this country—was the publication of Sir William Macpherson's report on the murder of Stephen Lawrence, which I put before the House in February. The failures and shortcomings documented in that report were shocking, and the Commissioner was right to acknowledge them and to offer his profound apologies to Stephen Lawrence's family.

The programme of change set in train by the Macpherson report has major implications for the future of policing across the country. It requires of our police forces a high commitment to providing a service of the greatest quality to all our citizens, regardless of their race or religion. The action plan that I published on 23 March charts the way forward, and the Metropolitan police are playing a leading role in driving forward the process of renewal.

Macpherson did not come to conclusions only about the police service—that fact is sometimes overlooked. He made recommendations on the need to increase black and Asian recruitment, retention and promotion for all the public services. I am announcing the targets for those services for which the Home Office has responsibility; some of them have further to go than does the police service.

The Commissioner has personally discussed the lessons of Macpherson with all senior staff, including all officers in command of local operational command units. All 1,800 officers of the rank of inspector and above have received, or will receive, personal briefings. All officers throughout the service are being briefed by their local commanders, using a tailored briefing which pulls no punches.

Coming to terms with the inquiry and its findings in that way provides secure foundations for reform. The Commissioner acted—again before the publication of the

[Mr. Jack Straw]

inquiry report—to develop the Met's diversity strategy, including the establishment of the racial and violent crime task force. There has been significant progress in that respect. Success in dealing with racist crime is measured not by the number of recorded crimes going down, but by the number of recorded crimes going up. There has been strong encouragement to report racist crimes, and the number of such reports increased by more than 110 per cent. in 1998–99 compared with the previous year. A strategic intelligence cell in the task force has produced an annual increase of more than 900 per cent. in intelligence submissions on racist activities. Detected offences that led to charge or summons have increased from about 400 to more than 1,100.

The Metropolitan police are driving forward comprehensively the post-Macpherson action plan as it applies to them, and both the Metropolitan police committee and I receive monthly progress reports from the Commissioner on the matter. As he says in his annual report, all of that demonstrates a resolve and willingness to embrace change, ensuring that the Metropolitan police service becomes an anti-racist organisation that sets the standard for others to follow.

In partnership with the London boroughs of Merton, Greenwich, Hounslow and Tower Hamlets, the Met is currently developing projects designed to achieve a sustained and long-term reduction in racially motivated crime, which, at the same time, increase confidence in policing among the black and Asian communities. The project is currently undergoing final development under the guidance of some distinguished criminologists funded by the Home Office. The total cost will be about £9 million, of which £1 million will come from the targeted policing initiative of the crime reduction programme. The Met and local authority partnerships are providing another £8 million.

The Commissioner reports continuing success in the central business of the Metropolitan police service—that of reducing crime. Incidentally, I commend the presentation of the Commissioner's report; it is extremely good and should serve as a model for other public services. As I have already said, burglary in the Metropolitan police area is at a 20-year low. It fell by a further 8 per cent. in 1998–99, compared with the previous year. Street crime too declined by 2.3 per cent.

Effective policing relies, palpably, on public help and confidence. I want to commend especially those people who have reported crime through the Crimestoppers freephone line, which the Met has promoted with local authorities and other partners. Last year, there was a 72 per cent. increase in results from information given under the system: 663 people were arrested and more than 1,200 offences were solved. Another measure of the Met's relations with the public is the fact that 93 per cent. of victims said that they were satisfied with the initial police response to a reported domestic burglary; and 86 per cent. of victims were satisfied with the initial response to a report of a racial crime.

The drive for crime reduction must be persistent and determined, in London and elsewhere. I therefore welcome the fact that the Commissioner has set challenging, specific, service-wide targets in the policing plan for the current financial year, in addition to the targets deriving from local partnerships and strategies. In recent months, there have been some increases in certain categories of crime. That shows that we can never be complacent in tackling crime, even after successive years of reduction. It is too soon to judge the causes of those increases. However, the Commissioner noted that, for example, during that period a large number of officers was diverted to exceptional operations—including the Greek Embassy siege and the operations to end the nail bombings. The Commissioner has responded with increased operational deployment, including a fresh investment in Operation Eagle Eye targeted at street crime. Earlier this month, the drive for intelligence-led, proactive policing was reinforced within the Metropolitan police service by the establishment by the Commissioner of a challenge fund of £5 million.

There have been claims that the fact that there are fewer stops and searches is linked to an increase in street crime, but the Commissioner tells me that those claims have not been substantiated. If one considers the pattern of the increases in street crime and that of stops and searches, no consistent picture emerges across the Metropolitan police area, as there might have been if—as was reported in some newspapers—the effect of the Macpherson report had been as powerful in respect of that aspect of police behaviour as was suggested. The Commissioner tells me that operations against street crime rely on intelligence-led operations, using surveillance techniques, decoy operations and plain clothes officers, in addition to targeted stop and search. In some areas, where there is a high proportion of black and Asian people—including that represented so ably by the Under-Secretary of State for the Home Department, my hon. Friend the Member for Vauxhall (Kate Hoey), who is also my constituency Member of Parliament—the results of such targeted exercises have succeeded in making the streets, as well as people's houses, safer.

Stop and search will continue to be an essential and legitimate tactic in preventing and detecting crime. I fully support its proper use and am pleased that the Macpherson inquiry took the same view and stated, in unqualified terms, that the law on stop and search must remain and that it needed to be used. The Met is in the forefront of conducting trials on new approaches that will help to ensure that stop and search is carried out effectively, sensitively and in strict accordance with the law and the code of practice.

Mr. John Greenway (Ryedale): Will the Home Secretary tell the House the source of the information published this week by Dr. Marian Fitzgerald, who carried out several studies for the Home Office? The information on statistics that she leaked was certainly gathered in advance of the publication of the Macpherson report. However, was the source of that information the Government's own unpublished report on stop and search practices in the Metropolitan police? If so, does the Home Secretary not think that that was an appalling leak of the Government's information?

Mr. Straw: Dr. Fitzgerald has left the employment of the Home Office. As far as I am aware, she was herself the source of the reports. My only information is what I heard on the radio; I gleaned from that that Dr. Fitzgerald had compared published data from the British crime survey and the 43 police forces. She suggested that a possible conclusion to be drawn was that, especially in

the provincial forces, there was a considerable difference between the number of people who reported to the survey that they had been stopped and searched by the police and the number of records held by police forces. If we can give the House any further information, I shall ask my hon. Friend the Under-Secretary to do so in her winding-up speech. I am not aware of any unpublished report on stop and search, but I shall ask my hon. Friend to look into that.

My policy is to place Home Office publication of statistical series on a basis that is independent of Ministers. We now set dates for publication and notice is given. As for research findings, the Research, Development and Statistics Directorate is pretty independent of Ministers. It always has been and, in many ways, that is quite right. Once the research has undergone peer review and has been properly evaluated, it is published. That is as it should be—after all, the information is not advice to Ministers but material that is paid for by the public purse, and so should be in the public domain. In one sense, the greater distance there is between Ministers and professional researchers, the better: once research is in the public domain, while Ministers may or may not agree with the conclusions they can nevertheless use it as a contribution to the debate.

To return to the issue of partnership working, reducing crime is not a task only for the police. Our Crime and Disorder Act 1998 provides a framework for effective local partnership, led by the police and local authorities and engaging a range of other partners, including police community consultative groups and the community as a whole, to audit crime and to devise and implement local crime reduction strategies. Across London, the Met has worked hard, effectively and closely with its partners within those crime and disorder arrangements. I have witnessed that work and I have been struck by the huge change in attitude that has occurred, especially on the part of London boroughs over the past 10 to 15 years. Now, regardless of political persuasion, they work with a will and co-operatively with the Metropolitan police service to make their communities safer.

The Met and its crime and disorder partners are taking part in the first phases of the Government's £250 million crime reduction programme. Seven London projects have been selected in the first round of the burglary reduction initiative, in Brent, Haringey, Islington, Kensington and Chelsea, Lambeth and Southwark. These are aimed at reducing burglary in those parts of the capital with a burglary rate at least twice the national average. They tackle one of the most common crimes and one that causes a great deal of distress and public fear. Funded by more than £400,000 from the crime reduction programme, the projects employ tried and tested interventions along with new methods.

The targeted policing initiative is also providing nearly £1.5 million toward two other projects involving the Met and four London local authorities. Those aim to improve the way in which the police tackle crime and will be applied to a range of problems, including the use and proliferation of crack cocaine, youth disorder, vehicle crime and criminal damage.

What the Met is doing is developing intelligence-led policing. Alongside well-established systems of gathering criminal intelligence, it is gaining advice and information from people and communities who, increasingly, have confidence in the police and want to support them.

The Met and other criminal justice agencies must also work effectively. Progress in that respect includes the creation of youth offender teams where the Met, social services and probation, health and education services co-operate in a joined-up response to youth crime. We know that more than 70 per cent. of young people dealt with in the right way on a first offence do not re-offend. The youth offender teams, which are being piloted in some London areas and elsewhere, will come into force across the country from April next year.

The teams can now jointly identify and tackle those who might otherwise slide into crime. As we know, the young are particularly at risk from drugs, and in April last year the Met introduced a directorate to co-ordinate the fight against drugs. As part of its three-year drug plan, the Met is committed to introducing an arrest referral scheme in every London borough by April next year. As I announced on Wednesday at the Association of Chief Police Officers conference in Manchester, over the next three years we shall make available nationally up to £20 million of central funds toward the cost of running the referral schemes.

To undertake their great and varied range of duties, the Metropolitan police have to have the right financial resources; it is the Government's job to provide most of those resources, and we have delivered. This year, the Commissioner has at his disposal revenue expenditure of £1.8 billion, which is about a quarter of all expenditure on policing in England and Wales. That sum represents an increase of some 3 per cent. on last year, and so is in line with the national average.

The great bulk of that expenditure—about 80 per cent.—is devoted to employing officers and other staff. From the early 1990s, the Metropolitan police service lost officer numbers at an average rate of about 300 a year—nearly 2,000 altogether in the period from 1992 to 1998. We have now stabilised the position, with a loss from the Met of only 21 officers in 1998-99. The Commissioner's aim this year is to maintain police numbers at around 26,400; he has the funds to do so, although he does of course need an adequate flow of well-qualified recruits to meet the target.

Effective policing is not merely about numbers of officers. Reports from the inspectorate of constabulary and from the Audit Commission have confirmed that

"success in solving crime does not depend solely on the number of police officers available".

Effective policing and crime reduction is not just about how many police officers there are, but about what the police do with their time and with the technology and other assets and skills available to them.

A telling success is the Commissioner's action on attendance management. During the past financial year, the Commissioner was able to secure a reduction in sickness absence in the Met of more than one quarter, which is equivalent to more than 500 additional police officers available for duty each day. In addition, every time the number of officers who present as sick but who are not sick is reduced, it releases management time to front-line operational duties.

That is an example of the overall purpose of our requirement on all forces, including the Met, to improve efficiency. We have set a 2 per cent. efficiency target this year, and the savings are to be invested in front-line policing. The Commissioner has gone further, with an

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efficiency plan that aims for 3.5 per cent. efficiency gains. During the year, it will be the Met's task to demonstrate that those gains are delivered, and my task, with the assistance of the inspectorate and the Metropolitan police committee, to review and monitor what is happening.

The Met's aim in respect of personnel is to secure a quality work force, delivering a quality service. Let me give some examples: the Met has introduced a new foundation course for detectives; it has piloted the national senior investigation developmental programme, which focuses on the management of serious crime; and it is developing a new interactive computer-simulated training package, which is a world leader in the field. The service has also instituted a comprehensive anti-corruption and dishonesty strategy, with ethical testing. The public need to have confidence in the integrity of the police service, and members of the service themselves need to be confident in each other's integrity.

The Met is developing a range of measures to achieve the targets that I have set for the recruitment, retention and progression of minority ethnic community members. Those are, rightly, challenging targets. To meet them, the Met seeks the active support of others in London, and I hope that it will receive that.

A history of the Met in the 19th century explains that

"in 1829 Peel raised a new kind of standing army virtually overnight, and in a capital city where the largest organ of local authority hitherto had been the parish vestry".

That history also explains that

"in 1829 there were three partners: the Home Secretary; the Receiver, who took on what became elsewhere the local authority role; and the commissioner".

Therefore, 170 years ago, the Home Secretary intended to establish a tripartite relationship for policing London. No one can say that it is premature to introduce such an arrangement for 2000, modified to take account of the creation of the office of mayor and of the Greater London assembly.

Sir Robert Peel, all those years ago, showed the most extraordinary foresight. He established boundaries for the Metropolitan police service that, even then, went as far as the small agricultural village where my forebears lived and my relations still live—Loughton in Essex, which at that time was not connected by anything but a track to London. Sir Robert established boundaries so wide that they still extend further than that of Greater London and the area covered by the Greater London assembly. He put other arrangements in place that have unquestionably stood the test of time. As the House knows, we have tried within the scheme of the Greater London Authority Bill to retain many of the arrangements that Sir Robert and his successors established.

In working towards the establishment of a Metropolitan police authority, I am extremely grateful for the advice of the Metropolitan police committee. In preparing for the Metropolitan police authority, the committee is advising me on the budget, the policing plan, efficiency planning and the first ever best value performance plan. Led by my Department, the committee will also contribute, with the Met, to work to ensure that resources are available to enable the MPA to, as some would say, hit the ground running.

There is a good future for the policing of London, to the benefit of all the city's communities and citizens. I invite the whole House to support all those, including the Commissioner and all his officers and staff, who are working towards that. I commend the report to the House.

10 am

Mr. John Greenway (Ryedale): I understand that congratulations to the Home Secretary are in order because yesterday, at the university of Leeds, an honorary doctorate degree was conferred on him, so he is now the right hon. Dr. Straw. I gather that Mr. Jeremy Paxman was similarly honoured. I am bound to say that, in the case of at least one of the awards, I am not entirely sure that the good sense of the university was entirely justified, but I am happy to confirm that my doubts do not relate to the right hon. Gentleman, and I am glad that the war of the roses is clearly now over.

On another note of harmony—I am sure that the Home Secretary does not expect all my remarks to be harmonious—I entirely agree with him that Sir Paul Condon's career has been a supreme and distinguished one. We greatly admire his work, and pay tribute to all the many successes that the Metropolitan police have enjoyed under his leadership. We wish him, when the time comes, a long and happy retirement.

I warmly welcome the opportunity once again to debate the policing of London. On the previous occasion, I said that, as a former Metropolitan police officer all those years ago, I felt rather honoured to be winding up the debate for the Opposition. Having survived two Opposition reshuffles since then, it is an even greater honour today to have been given the responsibility of making the opening contribution to the debate on behalf of the Conservative party. The recent catalogue of mistakes emanating from the Home Office, for which Ministers must take full responsibility, heightens our sense of anticipation of their imminent reshuffle within the Government.

At the previous debate in November 1997, the Home Secretary gave a personal assurance that he was determined that the House would be able to debate the policing of London every year. That was some 20 months ago, so clearly it is not only passports that have been delayed. In those intervening months, the House has debated the police service in London on two other, significant occasions: during the consideration of the Greater London Authority Bill, which contained the proposals for a new Metropolitan police authority to which the Home Secretary referred, and in a debate on Sir William Macpherson's report on the events surrounding the murder, in 1993, of Stephen Lawrence.

Despite my good-natured reproach of the Home Secretary for the delay in having this debate, we are grateful for it. However, we want reassurance that the Government will continue to hold debates on the policing of London annually, notwithstanding the creation of the MPA. The creation of the new authority suggests that the annual debates could in future be even more important for reviewing how the new structure is working in practice.

As the right hon. Gentleman knows, Conservative Members remain sceptical that the new authority will command public confidence, given the Government's refusal to include borough representation. Police commanders work closely with local boroughs. The Home

Secretary referred to such work today when he mentioned crime and disorder partnerships. However, if members of those boroughs are not represented on the MPA, the authority will be viewed as remote, and that will give rise to concerns about the potential politicisation of the management of the police service in London—as he knows, there is already some worry about that. That would be a wholly retrograde step.

Mr. Straw: Borough representation is important. However, in the early 1970s, I served as a borough representative on the Inner London education authority, which was a rather amorphous body that contained Greater London council representatives as well as borough representatives. One of the reasons why I was not in favour of doing as the hon. Gentleman has suggested is that I did not think that the system worked. Borough representatives end up being very unclear about their role and to whom they are properly responsible.

It seemed to me, and in the end my view commended itself to the House, that it would be far better if the Metropolitan police authority were composed according to a formula identical to that for police authorities outside London. That would mean that just over a majority of the authority would be made up of elected members, justices of the peace and independent representatives. Its strategy would then follow in the footsteps of that set by the Home Secretary, which would mean that the good arrangements with the boroughs would be much less likely to be disturbed than if there were borough representatives on the authority.

Mr. Greenway: We shall see, in the long run, who is right. My point is that crime and disorder strategies are to be delivered at the borough level. It is crucial that the boroughs have a clear relationship with the Metropolitan police authority. I used the word "remote" and, if the authority is seen to be remote, it will not work.

Mr. Tony Baldry (Banbury): My hon. Friend is absolutely right to say that there should be an annual debate on policing in London. Will the Opposition also press for an annual debate on policing elsewhere in England and Wales? With the existence of the Scottish Parliament and the Welsh Assembly and frequent debates on specific London issues, there is an increasing tendency for middle England to feel disfranchised in the House.

Mr. Greenway: My hon. Friend makes an extremely valid point. The Home Secretary will recall that the only other opportunity to debate policing in any depth is the annual police budget statement. This year, we were grateful for the opportunity to debate that for about two and three quarter hours on a Thursday afternoon, rather than only 90 minutes. We want to debate the policing of the country more frequently and at greater length, and preferably not on a Friday, so that hon. Members would find it easier to attend.

There is a need to review the policing of London in debates and also to review the Home Secretary's residual role and his responsibility for some of the special features associated with policing the capital, such as the royal family, diplomatic matters and major public events. Under the new structure, the Home Secretary remains accountable to the House for those matters. The Metropolitan police, who are by far Britain's biggest police force, will continue to be the focus of public attention on the performance of the police service in general and the fight against organised crime.

As we saw at the time of the publication of the Macpherson report earlier this year, criticism of the Metropolitan police undoubtedly impacts on the public's perception of the police service in other parts of Britain. Increasingly, however, I have found that those criticisms, which many thought unjustified, have encouraged many members of the public to volunteer their support for the police. More positively, the police response to terrorist atrocities in the capital, such as the recent nail bomb attacks and public order demonstrations, including those that took place in the City of London only a few weeks ago, enhances the public's appreciation of the work of the police service, not only in London but, as my hon. Friend the Member for Banbury (Mr. Baldry) reminded us, throughout Britain.

That admiration is felt even more acutely when a police officer is murdered while on duty. In our previous debate, in November 1997, we took time to reflect on the then recent murder of WPC Nina Mackay, and her death should be a continuing reminder of the courage routinely demonstrated by police officers, day after day, in helping to make our communities safe. Thankfully, as the Home Secretary told the House, this week's publication of the annual report of the Commissioner of Police of the Metropolis confirmed that the rise in the number of assaults on officers on duty has been stemmed, and indeed has fallen sharply in the past 12 months from 2,894 to 2,151. I am not sure what the percentage decrease is, but it is significant and very welcome.

I welcome what the Home Secretary said about protective equipment, and I agree that those who judge whether any of that equipment is appropriate should bear it in mind that, in other capital cities, the police are routinely armed whereas, here in London, they are not.

The Police Federation Metropolitan office takes the view that the supply of safety equipment, such as CS spray and new police batons, which were sanctioned by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard)—he knows that that and our agitation over some time for protective clothing had my strong support—has been a key factor in the welcome reduction in the number of injuries of police officers.

Criticism of CS spray must be set against the advantage of reducing and preventing injuries to both police and civilians. The very fact that officers are now better equipped often dissuades offenders from resorting to violence at the time of arrest. Indeed, a police officer told me the other day of an incident in Acton, which is one of the pilot areas, in which a violent man wielding a machete gave himself up immediately on seeing the policeman withdraw his CS spray. The figures clearly speak for themselves.

The beneficial effect of fewer officers on sick leave is that more police are available for duty. We warmly welcome the success of the sickness management project over the past 12 months. I understand that it has achieved almost £20 million of efficiency savings. I recall a Home Affairs Committee inquiry in which I was involved making recommendations along those lines. Nevertheless, such improvements in the management of police sickness, and the resulting availability of more officers

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for front-line duties, cannot obscure the Opposition's deep-seated concerns about resources and police numbers in the Met.

In order to gauge the recent trend of police manpower, I referred to *Hansard*—not to the previous debate in November 1997, but to the exchange between my right hon. and learned Friend the Member for Folkestone and Hythe, when he was Home Secretary, and the present Home Secretary, in February 1996. I am sure that my right hon. and learned Friend vividly recalls the occasion, on which there was a disagreement about the strength of the Metropolitan police.

My right hon. and learned Friend pointed out that, between December 1994 and December 1995, there had been an increase from 27,611 police officers to 27,719. The right hon. Member for Blackburn (Mr. Straw), as shadow Home Secretary, preferred to rely on figures from the chief inspector of constabulary, which he said showed that there were 27,812 officers in the Met in 1992 and that that had fallen to 27,480 by March 1995. Such arguments seem both sterile and academic when one considers what has happened to police strength under this Government.

As recently as 30 June, the Home Secretary confirmed in a written answer that Metropolitan police strength was standing at 26,073. What a dismal record for a Government who promised so much in the fight against crime. Even if one accepts the 26,400 to which the Home Secretary referred, the fact is that police numbers are declining at a rate which, if sustained—there is increasing evidence that it will be—will result in insufficient police officers in London to police our streets and communities in the way that both they and the public want.

The right hon. Member for Blackburn was right about one thing in that debate. The record shows, as he claimed, that total manpower in the Metropolitan police peaked in 1992—he made a brief reference to that again today. However, the number of constables in the Metropolitan police was at its peak just before the general election, when there were more than 500 more constables than in 1992, but fewer officers of senior rank. Sadly, the right hon. Gentleman cannot claim that the desirable trend of more officers for front-line duties and fewer senior officers in administration is continuing under his stewardship of the Metropolitan police.

Mr. Straw *rose—*

Mr. Greenway: Let me give the right hon. Gentleman the figures; then perhaps he will explain them to us.

The three most recent Metropolitan police annual reports show that the number of constables has fallen from 20,957 in March 1997, to 20,635 last year, to 20,396 now—a fall of 600 officers in two years. So the conclusion is damning: front-line policing is being cut under Labour.

Mr. Straw: Exchanging tales about police numbers is an unwise path for the hon. Gentleman to tread. If he wishes to turn this into a partisan debate, I shall give him some simple, incontrovertible facts about police numbers in London. Between 1992 and March 1998, police numbers in London fell by nearly 2,000—300 a year for every year that the Conservatives set the budget. They set the budget for 1997-98 in January 1997. I ensured an increase in the resources for the Metropolitan police service in 1998-99 over and above the previous Government's allocation for that year. As I reported to the House just a moment ago, the result was that numbers stabilised last year, with a reduction of only 21. The Commissioner has assured me that he has the funds to maintain stable numbers—providing that he can get the recruits—for this year. The question for the hon. Gentleman is why police numbers fell by 300 a year—by 2,000 in six years—under his Administration.

Mr. Greenway: First, it was not my Administration. None the less, the right hon. Gentleman is wrong. If he wants to continue down that path, we could pursue matters much further. When he was in opposition and standing at this Dispatch Box, he stated each year that the number of police officers available for front-line duties was falling. The figures show that the number of constables available for front-line duties rose under the previous Government, and particularly so during the previous Parliament. The fall was in senior ranks. If the right hon. Gentleman is saying that it was not a good idea to get rid of some commander, chief superintendent and chief inspector ranks, which were administrative posts that could be filled by civilians, and to improve the management structure to create a flatter style, all of which took place under the stewardship of my right hon. and learned Friend the Member for Folkestone and Hythe, I would be amazed, given that, as Home Secretary, he places such great store by the need for the police to make more and more efficiency savings in order to retain the funds with which to ensure sufficient police officers.

Mr. John Randall (Uxbridge): Does my hon. Friend agree that all this bandying of figures means nothing to my constituents and others in the Hillingdon division because the reality is that, this year, the division lost 13 police officers and five civil staff; since January 1997, it has lost more than 15 per cent. of staff; and we are extremely worried that we will lose another 17 members of staff in the coming year?

Mr. Greenway: There we are; up-to-date information from the street, as it were. The Home Secretary may smile, but he and I represent constituencies in which we have our own problems with police numbers and markedly different situations. I suspect that, from the experiences in the constituencies of right hon. and hon. Members, this debate will show that the number of officers available for duty is falling.

The Home Secretary says that he believes that the position has stabilised but, sadly, for both serving police officers and the people of the capital, that is the height of complacency because all evidence is that the decline in numbers is set to worsen.

First, the age profile of the Metropolitan police is increasing. In February 1999, the Minister of State, the hon. Member for Brent, South (Mr. Boateng), gave me some written answers, confirming that the average age of serving police officers in the Metropolitan police had increased from 35 to 38 in only five years. Of currently serving officers, 3,300 have more than 25 years' service and more than 1,000 have more than 30 years' service.

To replace those officers as they retire and as others leave the police service for other reasons, the Metropolitan police need to attract new recruits.

The Home Secretary added a little caveat to his comment—he said that numbers would increase provided that the Metropolitan police can recruit the officers that they need. I share with the House some information given to me this week by the Metropolitan Police Federation: in the past few months, the recruitment rate has declined sharply. The Metropolitan police look to attract new recruits at the rate of 190 every five weeks, for 10 training courses at the police training centre at Hendon. In both of the last two five-weekly intakes, the number of recruits fell to below 100—at 98 and a mere 88 respectively.

Within months, the effect of that decline in recruitment will be fewer officers and increased pressure on those who remain in post. Remember that the Metropolitan police are some 500 officers short already, with another 750 officers moving on secondment to other police forces because of the change in the Metropolitan police boundaries associated with the introduction of the Greater London police authority. I say in all sincerity to the Home Secretary that that does not augur well for the increase in ethnic recruitment that he has rightly targeted. We support such an increase, and the objectives arising from the Macpherson report.

There is much other evidence of cuts. Police stations are closing; yesterday, my hon. Friend the Member for Orpington (Mr. Horam) confirmed to me that four are targeted for closure in his area alone. There are problems within the criminal investigation department. Detective inspector posts are not being filled. Uniformed inspectors with no CID experience are in charge of CID branches at major divisional headquarters, and the detective constable is the most senior detective in many of our police stations. There is no proper career structure within the CID; that is a cause of the difficulty. There are also cuts in the mounted section.

That catalogue of general decline does not augur well for the policing of London. It is all very well for the Home Secretary to tell us about the many successes, all of which we applaud; he cannot ignore the evidence before his eyes of a declining police force in our capital, and it is shameful that, today, he refuses to recognise the problem.

As the Home Secretary said, in each of the next three years, the Metropolitan police must make efficiency savings of 2 per cent. In a conversation with me, the Commissioner said that he was confident that he could meet that target for the year ahead, but I question the extent to which that arbitrary 2 per cent. target—which has been set not only for the Metropolitan police but, I say to my hon. Friend the Member for Banbury, for other police forces in England and Wales—can be achieved year on year without some effect on the budget available for police manpower.

The increasing age profile has consequences for pensions. The prospect of more than 3,000 Metropolitan police officers taking normal retirement over the next three years or so has huge implications. The Commissioner has warned that, before long, as much as a quarter of his budget could be absorbed by police pensions. Conservative Members are the first to acknowledge that there is no easy solution to the pension funding problem. If there had been, it would have been implemented; the Home Secretary knows that.

We acknowledge, too, that there are implications for public expenditure in stemming the tide of reductions in manpower. As the Home Secretary said, the Metropolitan police get about a quarter of the total police budget. However, I believe that it is entirely right for us to point to the fact that all the good work of the previous Government in rebuilding police strength and morale in the capital is being undermined. The increased strength in manpower that we witnessed during many years of Conservative government is evaporating. If the Government gave the police a priority equal to that given to them by Conservative Governments over 18 years, we would not be in this position. As it is, the Government's policies are making matters worse by imposing funding cuts disguised as arbitrary efficiency targets.

Above all, we contend that enforced cuts and other features of police policy are deeply damaging morale in the police service and making it more and more difficult to recruit the young men and women who are needed to maintain police numbers at levels adequate to uphold the standard of policing in London that the police want to achieve and that the people of London deserve and have every right to expect.

Mr. Tony McNulty (Harrow, East): If the previous Government had such a record of success, will the hon. Gentleman dissociate himself from the remarks of one Ivan Massow, who apparently has joined the list of clowns seeking to run for London mayor for the Conservatives? He said:

> "Londoners are fed up with a police force that is managed like British Leyland in the 1970s and split into competing fiefdoms."

If it is the success story that the hon. Gentleman says, this Mr. Massow is wrong. Will he confirm that he is wrong and dissociate himself from his remarks?

Mr. Greenway: I will confirm what the Home Secretary confirmed, which is that, over five years, the number of crimes in the capital fell year on year, and that was because of the action taken by the previous Government. I will not engage in an argument about an article and a comment that I have not read. However, I do say, in conclusion on this matter, that I do not relish having to come to the House on a day like this, with a responsibility to bring the Home Secretary up short on his complacency about police numbers. I simply relate to him and the House what the Metropolitan Police Federation, serving police officers and even divisional commanders are saying to me, and I dare say to him. We cannot go on like this. The number is set to decline further. In our next debate, we shall see who is proved right.

Mr. Straw: Does the hon. Gentleman accept that, between 1992 and 1998, the number of police in London fell by nearly 2,000? Yes or no?

Mr. Greenway: I do not accept that. I do accept that the number of those in senior ranks fell, but the number of constables for front-line duties increased. If the right hon. Gentleman—a Home Secretary pressing for efficiency savings—thinks that it is not a good idea to strip out unwanted senior ranks at great expense, I am very surprised.

Mr. Geoffrey Clifton-Brown (Cotswold): Does my hon. Friend agree that in London—as in Gloucestershire—even if police numbers are stabilised, the fact that the Government have introduced extra legislative burdens, such as the Crime and Disorder Act 1998, the working time directive and provisions for maternity leave, means that there are fewer police on the beat?

Mr. Greenway: My hon. Friend correctly says that we ask more and more of our police, but I would acknowledge that all Governments have expected more and more from our police.

Mr. McNulty: I apologise to the hon. Gentleman for returning to the point, but a mayoral Tory candidate is essentially attacking the record of achievement of which the hon. Gentleman is so proud. Either the mayoral candidate is completely wrong and the hon. Gentleman should dissociate himself from what he says, or the record was a load of nonsense. Which is true?

Mr. Greenway: First, the hon. Gentleman should confine himself to worrying about Labour mayoral candidates and what they may say about the policing of London in their election campaigns. Secondly, I am convinced that, when the next election comes, the people of Harrow will want to know from the hon. Gentleman why a party that stood at the last election as being tough on crime has in government presided over a significant cut in the number of police officers in the hon. Gentleman's borough, let alone across the length and breadth of London. It is important that we have these exchanges on police numbers because that is what our constituents expect. Their experience is not a good one.

I shall move on to the Macpherson report. The Home Secretary knows that the allegations made in the Stephen Lawrence report were accepted. The Opposition accepted much of the criticism that was levelled at the police. Those criticisms have undoubtedly cast a long shadow over the police service, especially in London. That has had adverse consequences for police morale. Allegations of corruption within the Metropolitan police have also had a negative impact on morale and on the attraction of the police service as a career for young people. I believe that that is one of the root causes of the recruitment difficulty to which I have referred, and it must be addressed.

I sense that many serving police officers are deeply frustrated. They are determined to repair and restore the battered image of London police post-Macpherson. They want to make further progress on many of the successful initiatives of recent years—which the Home Secretary acknowledged—that have seen crime fall year on year to an unprecedented degree. They are eager to rebuild relationships with local communities, particularly those of an ethnic origin.

Police officers rightly take pride from the way in which the Metropolitan police handled recent terrorist incidents in Brixton, Brick lane and Soho. I think that the Home Secretary knows that a senior FBI officer telephoned the Commissioner after their success with the nail bomb attacks. He was incredulous at the success of the operations. We are justified in paying tribute to that success. The police response to the recent disturbances in the City again reminded us that the approach to the policing of public disorder in London is among the best, if not the best, in the world.

At the same time, as my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) has said, we are asking the police to do more and more, and they cannot do it with fewer and fewer officers. They are bemused and bewildered by the Government's apparent willingness to see police manpower haemorrhage. They interpret that as a lack of commitment.

Another development that is contributing to poor morale is the recent reform of disciplinary procedures in the police. We understand why the Home Secretary made the changes and we accept that the arguments are finely balanced. However, it is my clear impression that there is deep anxiety among many police officers that their enthusiasm to catch criminals and to deal with disorder exposes them to allegations of misconduct that are often malicious or distorted. Such alleged breaches of police regulations or charges arising from internal police disciplinary inquiries will be judged on a balance of probabilities rather than, as previously, on the criminal standard of proof.

A great deal could be said about some of the publicity surrounding the recent disciplinary action taken against Detective Inspector Bullock. Some of that publicity suggested a degree of guilt, and an expectation of disciplinary punishment, which were not supported by the facts. When it comes to what punishment may be appropriate, I am sure that the Home Secretary would agree with me that the punishment has to be relevant and proportionate to what has been established and not to what has been alleged in the media.

We remain concerned that there is still a lingering fear that the ability of the police service to confiscate or reduce the pensions of officers who are found guilty of criminal offences, which we support, may be extended to other areas of police discipline. We do not believe that to be right. When the Under-Secretary of State for the Home Department, the hon. Member for Vauxhall (Kate Hoey) replies, we should be grateful if she would clarify the Government's views on this matter.

The Home Secretary touched on the question of whether the reduction in stops and searches has had anything to do with the rise in street crime over the past two or three months. The questions answered by the Home Office revealed a 45 per cent. increase. I will not delay the House with another argument about figures. I am grateful to the Home Secretary for what he said about Dr. Fitzgerald, which clarified the matter.

Whatever the figures, the level of street crime affects us all. I think that it gives rise to the fear of crime rather more than the numbers of murders in London, which the Home Secretary rightly observed are among the lowest in any major city throughout the world. Indeed, that applies to the figures throughout Britain.

Two weeks ago tomorrow my daughter, Louise, was married in the House. We had a wonderful day. At 2 o'clock I went to my front door in Gilbert road, Kennington, to see whether the vintage taxi that we had hired for the occasion had arrived. Indeed it had. Parked alongside it was a police car with a blue flashing light. While the gentleman who drove the taxi had been waiting for the appropriate time to knock on my door to say, "I have arrived, Mr. Greenway, to take you and your daughter to the House of Commons," three young black boys aged 15 or 16 on mountain bikes jumped into his cab and robbed him of his bag, his wallet and his driving licence.

We could have a debate about what we should be doing to protect cab drivers. However, I have related an experience that occurs all too frequently. I found it astonishing that, in broad daylight—

Ms Oona King (Bethnal Green and Bow): Will the hon. Gentleman give way?

Mr. Greenway: I shall finish the story. I am quite happy to give way to the hon. Lady. *[Interruption.]* The incident took place in the constituency of the Under-Secretary.

I found it astonishing that, in broad daylight in a London street at 2 o'clock in the afternoon such an incident should occur.

I have the highest regard for the police officers for the speed with which they came to the incident. They were clearly of the view that such incidents occurred all too frequently. I make no point other than that it is such incidents—everyone knows somebody who has such an experience—that give rise to the fear of crime. That is why it is crucial that the police continue to be able to police in London without fear or favour, notwithstanding what was in the Macpherson report.

Ms King: Has the hon. Gentleman ever mentioned in the House the skin colour of people involved in such incidents when they are white? Is he able to recognise the anger with which his remarks are received? I do not describe Opposition Members as white Members. They are MPs. Will the hon. Gentleman please recognise the anger that he causes when he does this? It is quite disgraceful.

Mr. Greenway: I find the hon. Lady's comment quite disgraceful. I am making no point other than relating to the House an incident that occurred within a mile of the House that is typical of other incidents. The police know—it does no one any good to try to hide this point—

Mr. McNulty: What point?

Mr. Greenway: I have made the point that three 16-year-old coloured boys—*[Interruption.]* Black boys. The fact that the police know who these people are adds to the situation that we have to face. *[Interruption.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Perhaps the House should calm down. We will not have shouting from a sedentary position.

Mr. Greenway: I am amazed at the reaction of Labour Members—

Mr. Iain Coleman (Hammersmith and Fulham): Will the hon. Gentleman give way?

Mr. Greenway: No. It is time to wind up, and I have one or two more things to say.

Mr. John Wilkinson (Ruislip-Northwood): Will my hon. Friend allow me?

Mr. Greenway: I give way to my hon. Friend.

Mr. Wilkinson: It is entirely appropriate, is it not, Mr. Deputy Speaker, for an hon. Member, whether from the Front Bench or the Back Benches, to describe the characteristics—[HON. MEMBERS: "No, it is not."]—of any suspected criminal, be that person black, white, brown, yellow, long-haired, short-haired or anything else? My hon. Friend was merely describing the participants, as he thought them to be, in an act of violent crime. In that, he is making no other judgment at all.

Mr. Greenway: I am grateful to my hon. Friend. He sums up entirely the point that I am making.

The House still needs to address one other matter in relation to the Macpherson report. We retain grave concerns about the Government's handling of the publication of the Macpherson report. For the best part of a week, as the Home Secretary knows, we had one mistake and blunder after another, all of which served to undermine the public's confidence in the report's recommendations, the quality of the Macpherson inquiry and the competence of Ministers to oversee the proper implementation of the report.

We remain of the view that it is utterly disgraceful that no one has had the courage to admit to being the source that leaked parts of the report to *The Sunday Telegraph*—a leak that the Home Secretary considered sufficiently serious to obtain an injunction against publication. There has been no opportunity to debate the matter, but our concern is all the greater because the leak inquiry concluded that the person responsible was someone senior in the Home Office and Government. Given that that limits significantly the possible number of culprits, the failure of the person to identify himself or to be publicly identified has damaged the reputation of all those who had access to the report.

No doubt Ministers think that, with the passage of time, the whole thing will blow over and be forgotten, but the many witnesses and informants whose identities were revealed in the blundered publication of the appendix of the report will not forget so easily. They face perhaps many months and years of fear and anguish for doing no more than coming forward to help the police.

Worst of all, the blunder could have been avoided if the Home Secretary had shown greater trust and confidence in the Metropolitan police by granting them more time to read and consider the report in advance of publication. It was thanks to the vigilance of police officers, rather than of officials in the Home Office, that the mistake was spotted so quickly. Police officers are left to provide the round-the-clock protection for those who were affected.

I shall conclude—*[Interruption.]* If hon. Members did not interrupt and make such a fuss, we would have made progress more speedily. Despite the Macpherson criticisms, the police service in London is one in which people who live and work in the capital, as well as the many millions who come to London for leisure, can have justifiable confidence. However, any impartial assessment of the successes of policing in London in recent years would have to conclude that it was the initiatives of the previous Government that brought tangible results in the form of reduced crime and improved policing. Those continue to provide the framework for much of the current success of policing in the capital. The Home Secretary referred to one such success, Operation Eagle Eye, in respect of the vexed problem of street robberies, which were the subject of a recent exchange.

For all the publicity associated with every announcement of Government policy to fight crime, often rehashed, there is thus far scant evidence that their

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policies to fight crime are making any discernible difference. Unless the Government reverse their attitude towards resources and police numbers, their eventual legacy will be a depleted and demoralised police force. I cannot believe that that is what the Home Secretary intends. It is to be hoped that the debate will help to concentrate minds within Government on the urgent action needed to reverse that deplorable trend.

10.44 am

Mr. Tom Cox (Tooting): All hon. Members, especially those of us who represent London constituencies, welcome a debate on the policing of London.

First, I should like to pay a warm tribute to the work done since the last election by my right hon. Friend the Home Secretary and his team in tackling crime throughout the country. The legislation introduced by his Department clearly shows the public that the Government intend to make our cities and towns safer, so that people have security in their lives. Like my right hon. Friend, I pay the warmest tribute to the Commissioner of the Metropolitan police and to police officers, both men and women.

We as Members of Parliament have close contact with the police forces in our constituencies and build up a relationship with them. The police welcome that and our continuing involvement in the local committees on which we serve along with the local police.

I am in no doubt that matters have improved noticeably not only in London but throughout the country since the last election. However, as my right hon. Friend is aware, there are still, sadly, far too many crimes of violence. I represent the Tooting constituency in the London borough of Wandsworth. Week by week I read in the local papers, the *Wandsworth Borough News* and the *Wandsworth Borough Guardian*, about the crimes that take place in my area.

A report published last week was headed "Racialist Yobs in Brutal Attack". It concerned a group of young white thugs, who attacked a Sri Lankan late at night on Tooting broadway. The youngster had to be treated in hospital. There was a case recently of a 13-year-old girl who was walking across Wandsworth common and faced an attempted knife-point rape. Sadly, there was a recent attack on a Turkish cultural centre in my constituency, when two people hurled a petrol-filled bottle through a kitchen window, causing great damage to the building.

Whereas I praise the work that my right hon. Friend has been doing, he and his colleagues in the Home Office know that there is still more to be done. I welcome the tough policies on crime that have been followed by his Department and the Government. That is what people want, and I applaud my right hon. Friend for introducing those policies.

In any debate, hon. Members have a right to comment on matters of local concern. Having been in the House during the 18 years of government under the premierships of Margaret Thatcher and right hon. Member for Huntingdon (Mr. Major), may I tell the hon. Member for Ryedale (Mr. Greenway) that year after year areas like mine suffered cuts in police manning, the closure of police stations and so on?

One of the issues of concern in my constituency is the possible reduction of opening hours at Tooting police station. The station is to be open for only 12 hours a day. That proposal is not popular locally, and I ask my right hon. Friend to engage in further discussions with the Commissioner and local police to see if the reduction in hours can be avoided. It should be pointed out that in recent years, two other police stations have been closed in my constituency.

My right hon. Friend has rightly mentioned the ethnic communities living in London. My constituency has a large ethnic community made up of extremely honourable people, many of whom have lived here for many years. They are hard-working, law-abiding people, but they often question the police's attitude to them and, as my right hon. Friend said this morning, the brutal murder of Stephen Lawrence and the way that the police handled that matter seriously eroded the community's confidence in the police.

My constituents from the ethnic communities often say to me how much they applauded my right hon. Friend's determination to hold the inquiry into that murder, which could and should have been held years ago under the previous Administration. Then, there never was any intention to hold an inquiry, even though not only the ethnic communities, but the vast majority of people in this country wanted one to be held. It is to my right hon. Friend's credit that he ensured that it took place. The Macpherson report, which has been referred to repeatedly in the debate, has been greatly welcomed not only in London, but throughout the country.

In April, I asked the Home Office a number of questions about policing in Wandsworth, one of which concerned the number of stop and search operations in the borough; there were 5,489 in 1996, 5,784 in 1997 and 4,130 in 1998. Although my community welcomes that reduction, I have to say to my right hon. Friend that members of the ethnic community are invariably stopped and the same people are often stopped repeatedly, which causes local problems. I do not dispute for a minute that there are occasions on which people have to be stopped by the police, but I believe that the regular stopping of certain people appears to be questionable, especially when they are not prosecuted for any offence. That does not help those of us—irrespective of which side the House we sit on, because I believe this to be a non-party issue—who are seeking to build up relations in our communities with all whom we represent.

I also asked the Home Office about the number of racially motivated assaults in Wandsworth; there were 30 in 1997–98 and 66 in 1998–99. Regrettably, there has been a substantial increase in such attacks against decent, honourable people who live in my constituency. I ask my right hon. Friend to give the greatest possible assistance as we seek to reduce that figure, because such attacks cause the most serious problems in communities such as mine.

The two previous speakers discussed recruitment at length, but I shall deal specifically with the recruitment of Asian and black police officers, be they men or women. I asked the Home Office a question about that and I was told that, on 23 April, there were four officers from an ethnic background at Tooting police station and seven at Wandsworth, totalling 11 officers with an ethnic background in the London borough of Wandsworth. The borough sends three Members of Parliament to the House and its population is more than 260,000. I do not believe for a moment that there are not many capable men and women from ethnic backgrounds who could play a

commendable role in policing, if not in Wandsworth, then generally throughout London, and I hope that my right hon. Friend will seek to increase that number.

I am not saying that achieving an increase will be easy, but when I and my colleagues meet members of ethnic communities at functions I am sure that we are all repeatedly asked, "How come there aren't more ethnic officers in this area?" At times, it is very hard to give reasons for that and my colleagues from other London constituencies or boroughs may be able to give the House figures similar to those that I have cited. I have to say to my right hon. Friend that 11 officers of ethnic origin in the London borough of Wandsworth is totally unacceptable to its Members of Parliament, and my two hon. Friends the Members for Battersea (Mr. Linton) and for Putney (Mr. Colman), who also represent the borough, agree with my comments.

Page 35 of the Commissioner's report is headed "Street Offences and Juvenile Protection". I serve as a delegate to the Parliamentary Assembly of the Council of Europe and chair its Social, Health and Family Affairs Committee, whose day to day work concerns the protection of women and children. The Commissioner's report gives frightening details, of which hon. Members may not be unaware, about the trafficking of women:

"Growth in the trafficking of women into the UK for the purposes of sexual exploitation continues, and such women now represent a significant proportion of prostitutes operating in London. Investigations conducted into networks operating from Lithuania, Hungary, Ukraine . . . have confirmed earlier intelligence indicating organised crime involvement."

The Council of Europe has 41 member states—my right hon. Friend was in Strasbourg recently at a Council of Europe Assembly—and those three countries mentioned in the report are all members.

On 13 July, *The Daily Telegraph* reported on "Huge traffic in prostitutes to West", referring to the fact that Lithuania is regarded as the staging post from which women are sent to various parts of Europe and other parts of the world. I liaise closely with a senior member of the United States Congress, Congressman Christopher Smith, who has introduced legislation in the United States in an attempt to stem that traffic. The market is huge and the United Nations estimates that the trafficking of women is worth $7 billion year. That is obviously of such concern to the Commissioner that he has referred to it in his annual report.

I do not believe that we are doing enough to protect women or to stop them being sent here—I understand that many enter this country on forged passports—nor are we doing enough to help them when they realise that have been deceived about why they have been brought here. They want to get out of the evil trade that they have been forced into, but support systems do not exist. My right hon. Friend and his Department work with the Council of Europe and I hope that he and his officials will work with the Committee that I am privileged to chair, because we are currently looking into the ever-increasing growth of the trafficking of women. What the report does not refer to is the clear evidence of major trafficking in young children for sexual purposes which has come to the Council of Europe's attention.

This has been an extremely interesting debate and London Members welcome the opportunity to have it. My right hon. Friend the Home Secretary, his team and the Government have, at long last, started to tackle the real issues of crime. When I meet my constituents or when they write to me, they say that they accept that there is a lot still to be done, but that they genuinely believe that this Government are deeply committed to tackling crime. I believe that, and welcome what my right hon. Friend has done since coming to office.

11 am

Mr. Michael Howard (Folkestone and Hythe): I am grateful for the opportunity to contribute to this debate. When I addressed the House on the policing of London in December 1994, the first occasion on which I did so as Home Secretary, I set out my vision for a London of the future. As the Home Secretary said today, London is one of the safest capital cities in the world. My vision was for an even safer city; where safer streets improved the quality of life; where a visible, predominantly unarmed, and approachable police force provided a reassuring presence; and, above all, where there were fewer crimes and fewer victims. I am proud of the progress that has been made towards making that vision a reality and I pay tribute to the men and women of the Metropolitan police for their work in achieving those objectives.

I pay particular tribute to the Commissioner. This is the last occasion on which we shall debate the policing of London under his term of office, and it is partly that fact that impelled me to speak in the debate. I did not appoint Sir Paul Condon to his post, but I had the privilege of working closely with him for four years. I am convinced that he will go down as one of the great Commissioners of the Metropolitan police, and the people of London owe him a very great debt. I also pay tribute to the Metropolitan police committee, which has done much valuable—if at times under-rated—work.

I want to consider some specific issues, the first of which is the level of crime. Over the past six years, recorded crime has fallen across the country, and that is also true for London. A major breakthrough has been made in stemming the rise of crime in the capital, although it was almost universally predicted that that simply could not be done. I remember being challenged, in my very first speech as Home Secretary, by the Prime Minister, who was then shadow Home Secretary. He asked me to accept, as the criterion of success of my term of office as Home Secretary, the outcome in terms of what happened to the crime figures. I can tell the House now that, although that was my primary objective, I was not sufficiently confident that I would succeed in bringing the crime figures down to accept his challenge. In the light of events, I wish that I had done so.

Between 1993 and 1997, crime rates throughout the country fell by some 18 per cent. In the Metropolitan police district they fell by some 8 per cent. More than 66,000 fewer crimes a year were committed in 1997 than in 1993 when I became Home Secretary. I am delighted that that trend appears to be continuing, although I shall have some cautionary observations to make about that before I sit down.

The Commissioner reports that, although changes in Home Office accounting rules have resulted in an apparent increase in crime in 1998–99, in reality crime has fallen for the sixth successive year. The most significant falls in recent years have been in two of the volume crimes that cause most distress to Londoners: breaking into our homes, and stealing our cars. Between

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1993–94 and 1997–98, domestic burglary in the Metropolitan police district fell by 21 per cent. and vehicles crimes by almost 30 per cent. Those trends, too, appear to be continuing. As the Home Secretary said, the Commissioner has reported that, in 1998–99, the number of burglary offences in London fell by a further 8.3 per cent. to the lowest level in the capital for 20 years.

Initiatives such as Operation Bumblebee, which was launched in 1991 and extended Met-wide in June 1993, have had a real impact on crime levels and have done much to shift the fear of crime from the citizen to the criminal. Similar successes have been achieved by Operation Eagle Eye, the Met's initiative to tackle mugging and street robbery. Operation Eagle Eye was launched in the summer of 1995 in controversial circumstances, when street robberies in the capital were heading towards 40,000 a year. Since then, the rate of increase in those offences has first been slowed and has now been reversed. The Commissioner reports a fall of 2.3 per cent. in 1998–99. It is vital that the police are supported in building on that achievement.

The figures that I have been quoting are for recorded crime. As those figures began to drop during my term in office, in a way that had not happened before, the statisticians and other experts rushed to pour cold water on them. "These figures cannot be trusted," they said. "We must wait for the British crime survey, which is a much more reliable basis for assessment. That will give the lie to the myth that the crime figures are falling." On occasion, I believe, the Home Secretary associated himself with those criticisms.

Last year, the British crime survey produced its findings for the period 1995–97. It showed a drop in crime of 14 per cent. over that period—the first time ever that the British crime survey had recorded a fall in crime. That was the answer to the doubters, and that fall in crime is a legacy that the Conservative party left to the present Government.

I very much hope that the trend will continue, but it will not do so unless resources are provided to enable the Commissioner to retain an adequate police presence on the streets of London. We have had arguments about that today. I simply limit myself to saying that it is my devout hope that the legacy of falling crime will prove to be lasting. I also hope that the resources will be made available to enable that trend to continue. If they are not, and if the crime figures do not continue to fall, the Government will bear a heavy responsibility.

May I now deal with a subject that has had, and will continue to have, profound implications not only for the Met but for the police service as a whole? I refer to the inquiry into the murder of Stephen Lawrence and to the publication of the Macpherson report. I shall quickly pass over the ignominious circumstances in which the report was published, save simply to say that I do not begin to understand why the report on the leak, to which my hon. Friend the Member for Ryedale (Mr. Greenway) referred, has not been published. Given that the Home Secretary champions—or is said to champion—the cause of open government, why on earth has that report not been published? I have never heard a satisfactory answer to that question.

The murder of Stephen Lawrence was a despicable act. It is a matter of painful regret that the investigation into it was not more effective. Obviously, there are many lessons to be learned. Many of the Macpherson report recommendations are to be welcomed. My right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), who was shadow Home Secretary at the time of its publication, welcomed in particular the stress that the report places on the importance of increasing trust and confidence in policing among minority ethnic communities. I echo that welcome. However, in attempting to improve how the police respond to, and interact with, ethnic minority communities, we must ensure that their hands are not tied to the extent that they cannot police effectively, as that would have adverse consequences for all communities.

We must always remember that the poor and the disadvantaged suffer most from crime. It is vital that any and all traces of racism in our police service are eradicated and that all communities, of whatever race and culture, have equal confidence in those who police them. We must not, however, prevent the police from taking action to deal with crime, whoever is the perpetrator of it. For that reason, care must be taken to ensure that officers do not become reluctant to deal with criminal elements of any particular community for fear of being branded racist or discriminatory, or of facing disciplinary proceedings.

I have been particularly concerned by some of the recent figures on crime in the metropolis and on stop and search. In an answer to my hon. Friend the Member for Aldershot (Mr. Howarth), the Under-Secretary of State for the Home Department, the hon. Member for Vauxhall (Kate Hoey), said that in the first four months of this year the number of stop and search operations conducted by the Metropolitan police fell from 25,715 to 14,110, which is a drop of more than 40 per cent. Over the same period, there was an increase in notifiable offences from 78,212 to 85,194, a rise of almost 10 per cent.

I understand that my hon. Friend has been told by the Commissioner that in Tottenham stop and search operations fell by 48 per cent., whereas notifiable offences increased by 25 per cent. A few moments ago, the hon. Member for Tooting (Mr. Cox) gave figures on the drop in stop and search operations in Wandsworth, although he did not give us any corresponding figures on notifiable offences.

The issue of police use of stop and search powers has always been an emotive one, not least because people from ethnic minority communities are disproportionately represented in the stop and search figures compared with their representation in the population as a whole. To get to the truth about this, we need to look a little further. We should look behind the bald figures and comparisons.

When I was Home Secretary, I was troubled by the fact that people from ethnic minority communities were disproportionately represented in those figures. I asked for more detailed information. In particular, I wanted to know the proportion of people from ethnic minority communities who were searched and subsequently arrested compared with the proportion of the white population who were arrested after having been stopped and searched.

If it turned out that the proportion of, for example, black people who were subsequently arrested after being searched was significantly lower than the proportion of

members of other communities, there would be real cause for concern that they were being stopped and searched unnecessarily, and possibly as a result of discrimination. If, on the other hand, there was no significant difference in the proportion of black people who were subsequently arrested after being stopped and searched compared with people from other communities, it would be difficult to make out the case for discrimination.

I asked for information on that point, and research was published by the Home Office in 1997, which showed that in a sample of police forces, including two districts of the Metropolitan police, the percentage of those stopped and searched who were subsequently arrested was broadly similar for all ethnic groups. In fact, the Met's latest stop and search figures show that for 1998–99 the percentage of black people who were stopped and searched and subsequently arrested was slightly higher than the corresponding figure for white people: 13.1 per cent. for black people; 12.7 for white people. On the other hand, the proportion of Asians who were subsequently arrested was slightly lower: 11.5 per cent. compared with 12.7 per cent. That may merit further examination.

Ms Karen Buck (Regent's Park and Kensington, North): The right hon. and learned Gentleman's argument is slightly confusing. As I understand it, roughly three people from across all ethnic minorities for every one white person are stopped and searched. Logically, the arrest rate would have to be correspondingly higher to ensure that there was no discrimination. The fact that the arrest rates are within 0.4 per cent. of each other in the case of black and white Londoners destroys his argument.

Mr. Howard: I am afraid that the hon. Lady has misunderstood the point. She is wrong. We have to consider the proportion of the people in all communities who were subsequently arrested after having been stopped and searched. If the proportion of those who were subsequently arrested was significantly smaller in any community—it is slightly smaller for Asians—that would be a matter for concern. That is what ought to lead one to examine whether those powers are being exercised in a discriminatory way.

We must be careful not to allow simplistic inferences to be drawn from statistics that do not necessarily reflect the full complexity of the issue, but nor must we allow unsubstantiated perceptions to hamper the police's ability to do their job, and to undo all the good that has been achieved through targeted initiatives, such as Operation Eagle Eye.

I was particularly pleased that, in an interview in the *Evening Standard* on 13 May this year, the Minister of State, who has just joined us, affirmed his support for stop and search. He said:

"Stop and search is there to be used as part of the police's armoury. We expect the police to use it. There's no softly, softly policy, there's no hands-off policy."

That is an important statement. It was reinforced by the Home Secretary in his remarks to us at the beginning of the debate. I hope that the Government stick to it.

My concern is that the Government's response to the Macpherson report should not undermine the ability of the police to carry out their duties. That must not be allowed to happen. There is much of merit in the Macpherson report, and I know that the Commissioner has responded positively to the thrust of its recommendations. However, we must not throw out the baby with the bath water. In seeking to eradicate any traces of racism in the police service, and to ensure the fair policing of all communities, we must be careful not to inhibit the police in their use of the powers that they need to tackle crime effectively.

We should not allow the police to be burdened with spurious responsibilities, which may interfere with a sensible ordering of their priorities. To me, one of the most puzzling recommendations of the Macpherson report was that which suggested not only that the term "racist incident" must be understood to include both crimes and non-crimes—I understand that, and have no difficulty with it—but that both should be reported, recorded and investigated with equal commitment.

If an activity has been defined by society and the law as a non-crime, it ought inevitably to follow that it is given less priority in an investigation than an activity that has been defined as criminal. There is a crucial distinction between the two. Aneurin Bevan famously said that socialism is the language of priorities. Policing, too, must have priorities, and it must give greater priority to the reporting, recording and investigation of crimes than it gives to the reporting, recording and investigation of non-crimes. That is a basic proposition of common sense, and I am puzzled that it was not shared by the Macpherson inquiry.

I again pay tribute to the Metropolitan police and the work they do, often in the most difficult circumstances. The Government must be careful not to make those circumstances impossible by failing to resource the service properly, or by tying its hands. If crime starts to rise in London and in the rest of the country, the Government will have no one to blame but themselves. They will have frittered away the Conservative legacy of falling crime and a greatly strengthened police service. Were that to happen, they would rightly be condemned.

11.19 am

Mr. Stephen Twigg (Enfield, Southgate): I am pleased to contribute to this important debate. As other hon. Members have said, policing our capital city poses enormous challenges for all of us. It is a busy, vibrant and diverse place. Many of the challenges posed to us here in London are the same as the challenges in any great town or city, but we face the extra challenge of the ever present threat of terrorism and terrorist violence.

It is almost three months since the three acts of terror in London—in Brixton, in Brick lane and in Soho. The threat of prejudice and bigotry tore at the heart of our capital city. It is important for us to learn the lessons of Brixton, Brick lane and Soho. All London Members will recall the days that followed the second bombing, when the capital city waited, expecting a third atrocity, and speculated about who would be targeted this time and where that third atrocity would take place.

I was very well briefed by the borough commander in Enfield, as I am sure other Members were by their local police, about possible targets in our community. Few of us thought at the time that the likeliest target was the lesbian and gay community, but we then witnessed that appalling atrocity in Soho, which, as the Home Secretary has said this morning, resulted not only in horrific injuries but in the deaths of three innocent people. We must learn lessons from that about how we can ensure that there is

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trust between all sections of the community and the police, and ensure that we deliver equal access to our policing service here in London.

One of the issues addressed in the Crime and Disorder Act 1998 was that of racially motivated or racially aggravated crime. We are already beginning to see the impact of that new law in the increasing public and police awareness of the importance of dealing with racial aggravation. During the passage of the Act, a number of us drew attention to the need to address wider hate crimes as well. In Committee, it was pointed out that crimes committed on the grounds of religion or sexuality were not covered by the legislation. I ask Ministers to consider whether we need to look again at the law as it relates to hate crimes, especially in the light of what happened in Soho—or at least, to look again at the guidance issued by the Home Office. It must be recognised that a hate crime committed against someone because that person is gay is just as serious as a hate crime committed against people because they are black or Asian.

As others have said today, it is important for our police force in London to reflect the diversity of our community. We still have a long way to go, but I pay tribute to the outgoing Commissioner for his work, and to the various groups in the police force who have been prepared to tackle some of the prejudice that exists—in particular, the Black Police Officers Association, the Lesbian and Gay Police Officers Association and the Greek and Greek Cypriot Police Officers Association. My constituency contains a larger Greek Cypriot community than any other constituency in the country, and I was delighted to discover recently that that association had existed for years. Its aim is to ensure that an effective relationship exists between the Greek and Greek Cypriot community and the police.

As my constituency waited in fear of a possible third atrocity, I was well aware of its diversity, and of the possible targets: the Greek Cypriot community, the Turkish-speaking community—including Turkish Cypriots—and the Jewish community. There was a feeling of vigilance, which is still there, although there have been only those three atrocities. I hope that there will be no more.

We must make certain that those who died at the Admiral Duncan pub did not die in vain. I pay tribute to all who have sought to ensure that we remember those people and act in their memory. In particular, I pay tribute to the Stonewall group, and to the gay and lesbian policing project in London. As the Prime Minister said at the time, we must recognise that those crimes were committed against all of us, and against the values that we all hold dear; but we must also recognise that the impact of the crimes in Brixton, Brick lane and Soho was felt most powerfully in the communities that were specifically targeted.

Let me make a broader point about policing in London. I welcome the Government's current policy, which is to encourage the development of a multi-agency approach and break down some of the barriers between different organisations. That is probably the strongest theme of the new crime and disorder legislation. Having spoken to the police in my area over the past week, I know that they feel very positive about the impact of the Crime and Disorder Act, which they say has provided a catalyst for agencies to come together to solve problems. It has brought about more coherence in the provision of services for the local community. They also say that they expect the new legislation to deliver cost savings, as different parts of the strategy are provided by the organisations with the most expertise and experience.

However, the police in Enfield have expressed concern about the fact that different agencies working together in crime and disorder partnerships have different priorities because they have different performance indicators. They have emphasised that it is important for all Departments and other agencies to pay regard to the Crime and Disorder Act when formulating performance indicators and deciding on priorities. They have also pointed out that funding remains a limiting factor—although, as has been said, it is hoped that some of it will be provided by the moneys that replace section 11 funding.

My constituency looks forward to having a single borough basis for the delivery of the police service, and the advantages of efficiency and representation that that will bring. The priorities of policing in my borough are much the same as those throughout the force: to increase security, to deal with young offenders speedily, to reduce the incidence of burglary and street crime, to deliver effective local partnerships to target crime and disorder, and, in particular, to increase the detection of drug offences in cases in which there is a link with violent crime.

The success that has been achieved in Enfield mirrors the national success of which the Home Secretary spoke—the success that has been achieved throughout the Metropolitan police area. Burglary rates have fallen throughout the borough over the past five years, and there was a 25 per cent. fall in 1997–98. Local businesses have been actively engaged in the attempt to tackle crime targeted on shopping centres, and, as others have said, we have seen the success of Operation Bumblebee and neighbourhood watch.

Enfield is taking a successful multi-agency approach to tackling racist crime. Some years ago the racial incidents action group was set up there, and the Home Office has commended it as an excellent example of good practice. Last year, I was delighted that the Home Secretary was able to visit the Oakwood area of my constituency, where there had been a particular problem of racist crime directed mostly at the Asian community, but also at the Jewish community. I am pleased to say that, thanks in large part to the work of the police, the local authority and the local community, there has been a significant fall in the number of reported incidents of racist crime in Oakwood.

Oakwood is a small area, part of a ward. In 1997, 48 cases of racist crime were reported there. I am told that since July 1998, only two cases have been reported. That is a very positive development. People are being encouraged to come forward and report crimes, and the police have been taking tough action. People have been taken to court and one or two of them have been sentenced. The local authority has made a strong commitment to work with the local community. I see that as a beacon of good practice, showing how partnership can be made a reality and people's lives can be dramatically improved.

As we have heard from other hon. Members, we still have a very long way to go. The borough-wide figures for racially aggravated offences in Enfield give a different

picture from the one that I have described for that small part of my constituency. In 1994 there were 75 reported cases. By 1998 that number had almost quadrupled, to 287. None the less, there is a lot that is positive and can be welcomed.

The right hon. and learned Member for Folkestone and Hythe (Mr. Howard), the former Home Secretary, quoted Aneurin Bevan. Perhaps it says something about the new politics that we can now quote one another's folk heroes. In recent weeks, there has been a debate among Labour Members and in the country about the sort of appeal that our party has to make in the run-up to the next general election. It has been suggested that the choice is between an appeal to core voters and an appeal to new Labour voters.

The issue of policing in London is a good illustration of the fact that there is no such choice or contradiction. An effective policing strategy and campaign against crime is in the interests not only of people who have come over to vote Labour for the first time, but of our core voters. Indeed, it is perhaps in their interests more than anyone else's, because, as hon. Members have said, the main victims of crime, disorder and criminal behaviour are often precisely the people living on housing estates, the most vulnerable, elderly people who are frightened to go out, and some of the poorest and most deprived members of our communities. That is why it is important that we not only continue to be vigilant, and learn lessons from the recent events in London, but recognise that there are significant advances in the policing of London, which are for the benefit of all the people of this great capital city.

11.32 am

Dr. Vincent Cable (Twickenham): I join in the tributes to the Metropolitan police, particularly Sir Paul Condon. In some ways, the past year has been an annus horribilis for the police. There was bad publicity in London surrounding the Lawrence inquiry but, in many respects, there is a very good story to tell of crime reduction. Those two things need to be seen together.

May I add, on a personal level that, during the year, I re-established, with the help of some hon. Members who are present, particularly the hon. Member for Poplar and Canning Town (Mr. Fitzpatrick), the all-party group on the police? During that work, I have had much co-operation from the Commissioner of Police of the Metropolis, Deputy Assistant Commissioner Grieve and the Police Federation. It is clear that they want to talk to Members of Parliament, that they want their operations to be transparent and that they want to communicate. I am delighted by the way in which they have dealt with that issue.

It is clear that this debate has to take place under the shadow of the Lawrence report. It is right that the police should want to draw a line under it historically, to move on and to learn the right lessons, but we have to keep coming back to some of the underlying problems. One that I am particularly concerned about is racial violence and assaults.

I have tabled a series of parliamentary questions to the Home Office about underlying trends. The figures for the whole of London appear, at least on the surface, to be very alarming. They show that, last year, there were about 7,800 violent racial crimes. In the previous year, there were about 1,100; there was an increase of about 700 per cent. I do not pretend for one minute that racial violence has increased sevenfold in a year. I am sure that much of the increase is due to improved statistical collection and greater awareness of the problem; none the less, the figures contain worrying elements.

In my area, which is a predominantly white suburb—our ethnic minority population is about 5 per cent.—there were 100 violent racial incidents last year. What is striking is that that is more than in Brixton and Notting Hill. In the area immediately adjacent to Hounslow, there were four times more. The figure for the area is now the largest in London.

I suspect that there is a pattern. Whereas people in inner cities have in many ways learned to live in ethnically mixed societies and to co-exist happily, much of the bigotry has spread to the suburbs—that is where the violence is beginning to manifest itself.

A second point arising from the Lawrence inquiry is the sensitive issue of stop and search, on which the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), the former Home Secretary, spoke at some length. There are two sides to that. It is clear that stop and search is an important part of policing and that the police should not be inhibited from doing it. At the same time, it is clear that, as long as there is suspicion of police attitudes—which will take a long time to dispel—practice has to improve.

Mr. Andrew Dismore (Hendon): I was troubled by what the former Home Secretary said on statistics. I think the answer to the point that he was making is this—I should be grateful if the hon. Gentleman would comment on it. The former Home Secretary concentrated on what he saw as the rough parity between people who are arrested after stop and search—it is irrespective of their ethnic grouping—but should not the focus be on the people who are not arrested? If 88 per cent. of people who are black are not arrested and 88 per cent. of people who are white are not arrested, but three times as many people who are stopped are black, rather than white, does not that effectively mean that people are three times more likely to be stopped, even though they are innocent, if they are black?

Dr. Cable: Like the hon. Gentleman, I was a little confused by the logic of the former Home Secretary. There was an element of self-justification about it. The central point is that stop and search is an important police technique and must be used in a way that is acceptable. There is a good section in the Commissioner's report on how stop and search should be monitored and adapted—not abandoned—to fit in with multi-ethnic policing.

The final point on the subject relates to recruitment. It has not yet come across how serious the problem of under-recruitment of ethnic minorities is. I know that much effort is going into that in London. The Metropolitan police have devoted many resources and much thought to it, particularly in recent months. About 6 per cent. of the people they are recruiting are from ethnic minorities whereas, at the moment, people from ethnic minorities make up about 3 per cent. of the force.

The figures that my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) has sent the Home Secretary suggest that, if the Home Secretary's target is to be met over 10 years, exactly half of all new recruits

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need to come from ethnic minorities. Clearly, that target will not be met. That is not a criticism of the target, or even of the police, but we are way behind all other police forces in the UK in terms of meeting that target.

That relates to a broader recruitment issue. The hon. Member for Ryedale (Mr. Greenway) made pertinent points about the recruitment problem in London. It is not simply a question of numbers—there is the question of the quality of recruits. One of the points that Sir Paul Condon makes frequently in public and in private relates to his sense of alarm about the quality of recruits now available to the Metropolitan police. We are talking not about ethnic minorities, but all recruits.

There are great difficulties in recruiting graduates. If the police do get graduates, they will be at the bottom end of the qualification level. It is difficult to get police officers who have come from London; they come from out of London and so do not know the area. The whole recruitment situation is potentially disastrous. Frankly, it is a question of money and the local labour market. The Government and police chief constables will have to wake up to the fact that there will have to be big regional differentials in pay if the recruitment crisis in London is to be solved.

The figure that has been quoted to me—it seems plausible—is that a starting salary for a police officer in London may need to be about £5,000 above the rest of the country to meet London costs. Until chief constables in general and the Home Secretary grasp that, there will be a continuing recruitment problem.

Recruitment is part of a more general debate about numbers. We had a rather sterile debate about which Government were better or worse in the numbers game. The brutal fact is that it is a politically neutral trend. My police division is, I suspect, much the same as any other. Since the general election, it has lost 30 police officers—about 10 per cent. In the previous five years, it lost another 10 per cent. Casting blame one way or the other is not the issue. The fundamental problem is that police numbers have declined worryingly. We need to think through some of the consequences of that.

It may be, as the Home Secretary explained, that numbers are not everything and that one can increase productivity, reduce sickness and deploy police resources more efficiently. I accept all those points. However, where there has been a big reduction in numbers, there are fewer police officers on the street. It is not simply that people are more fearful of crime because there is a reduced police presence; there is a much greater incidence of petty, unreported crime. Certainly in my area—my hon. Friend the Member for Kingston and Surbiton (Mr. Davey) tells me that the same applies to his constituency—which is an otherwise quiet, law-abiding suburb, there has been an enormous mushrooming of graffiti, smashed bus shelters and the like. Youngsters are running amok, knowing perfectly well that they are largely immune from being caught. They are undermining the quality of life for others.

When the Home Secretary first took office he spoke about zero tolerance of small-scale petty crime. However, the opposite is the case. As a result of the significant reduction in police numbers, the police are, quite understandably, concentrating on violent crime and more serious offences, and petty crime is quietly proliferating. In addition, lower priority activities such as traffic policing have been cut quite drastically.

The numbers issue is important particularly in relation to London. Since the Government were elected, there has been a reduction of some 1,000 police officers, 600 of those in London. It is linked to the funding problem. We can argue until the cows come home about which Government have been more or less favourable to the police in terms of resources, but the funding formula clearly works against London.

The Audit Commission report includes a damning table which describes how funding allocations have worked over the past five years. London is one of three police forces that have experienced a real reduction in police funding. There are 20 per cent. increases in Lancashire, Durham and other areas. In comparison with police spending overall, London has suffered considerably. That can be traced back to a new formula funding arrangement that was agreed in 1995-96. I do not know the background to it, but I suspect that it may have had something to do with the previous Government's desire to switch resources from the big cities to country areas, but, whatever the rationale behind it, it now discriminates strongly against big cities with complex problems such as racial difficulties. I hope that the Government will take a fresh look at the funding formula and what lies behind it.

Let me make one further point about funding. It is not simply a matter of the Government coming up with more money or switching resources from one region to another. Prudent action can generate income and reduce costs. I have a few proposals in that regard. For example, the Home Office should do more in respect of detoxification. An enormous amount of police time and money goes into handling drunks. Research carried out in my constituency shows that every time the police have to deal with a drunk and disorderly person, it costs about £100 in police time and resources.

A large part of police effort goes into handling drunks. A focused programme of dealing with drunks and drying them out would save police resources and time. It would also avoid the police having to deal with some of the most difficult personal cases on their books. I had a careful look through the cases of the 17 people who died in police custody last year and found that seven of those people were severely intoxicated, so a more focused programme on drunkenness would save a great deal of money and would result in better policing.

The Government should also consider forms of income generation. As we heard in the debate on drugs a few weeks ago, the police are already beginning to bring in small but welcome amounts of money from drug barons by expropriating their property. The same could apply in respect of smaller crimes. I should like fines for traffic offences to be put back into the police force instead of disappearing into the Treasury.

For some years I have argued that the policing of big events such as the rugby matches in my constituency should not be provided free. A few weeks ago, the local scouts organised a St. George's day parade. Because of the shortage of police resources, they could not obtain a police presence. None the less, 12 times a year there is a big international event with 80,000 people on the streets, and the entire Metropolitan police have to be mobilised at taxpayers' expense to support a professional function.

I am not picking on the local rugby football union which provides considerable benefit to my constituency. There are also events at Stamford Bridge, Wembley and other venues around London which benefit from enormous hidden subsidies from the taxpayer. The matter should be looked at.

My final comments relate to governance. The Home Secretary stressed the importance of the mayoral role, which will present other challenges. In many ways what is important in terms of governance is what happens not at an all-London level, but in local communities. There is a lively, on-going debate about police community groups. In many ways, that is what the relationship between the police and local communities is all about. In my constituency it is very supportive, but I know that some others are quite aggressive. It is important to have a link between the police and the local community. The right hon. Member for Cities of London and Westminster (Mr. Brooke) may well refer to this in his speech. There is concern that we now have a vacuum in that there is no legislative support for those organisations, yet they provide the community underpinning for policing.

11.46 am

Mr. Neil Gerrard (Walthamstow): I am glad to have the opportunity to participate in today's debate. Along with my hon. Friend the Member for Poplar and Canning Town (Mr. Fitzpatrick), I have had the opportunity to take part in the parliamentary police scheme and spent 25 days with the Metropolitan police. We spent time with a range of specialist units and also went out on patrol to see at first hand what was happening at ground level. I am grateful for the openness with which those at all levels in the Metropolitan police spoke to us.

That experience was most enlightening in respect of what the police do every day. I was there when they arrested people for drug dealing, violent disorder and street prostitution. That brought home to me how many unpleasant and sometimes dangerous activities we expect the police to undertake as a matter of course. I witnessed an armed siege in north London, and the police dealt with it in an exemplary way. They devoted much patience and a great deal of time to talking someone out of a flat into which he had barricaded himself with an array of weapons that could have done considerable harm to himself and others.

A number of other impressions are worth mentioning. Reference has been made to the figures relating to burglary. It is clear from what is happening inside police stations that in the past year or two there has been a shift towards intelligence-led policing and a more professional approach to investigating crimes such as burglary. That has certainly had an impact on the figures. I suspect that it has also had an impact on job satisfaction for many police officers. Given that the new approach to dealing with burglaries was adopted at the same time as the Lawrence inquiry was taking place, I was curious about why the same techniques and efforts had not been applied to other crimes.

I found some aspects of police work surprising. A great deal has been said about police numbers, whether numbers were falling in London and what effect that might have. I saw room for greater efficiency in the use of resources, and certainly saw room for improvement in the use of information technology systems [illegible] though more sophisticated than they used to be, [illegible] old software.

I was surprised by what happens when an arrest occurs. The Police and Criminal Evidence Act 1984 sets out rules about what must be recorded and what steps must be taken, but I was amazed by how long an officer must spend off the streets to deal with even quite trivial offences. It can take an hour and a half or two hours to deal with the paperwork. I was told that one evening only one officer was on the street in one division because everyone else was in the station doing the work necessary after arrests.

There must be a better way to perform the vital but essentially administrative tasks of recording evidence and the details of what happened. All those tasks must be done properly if cases are to go to court, but they take an inordinate amount of time. Modern technology ought to make it possible to deal with matters more quickly.

The Commissioner favours a tenure policy under which officers are moved after a fixed time and do not stay in the same job year after year. I understand the rationale behind that policy. In units that may be sensitive to corruption, little cliques cannot be allowed to develop, impervious to new people or to outside control. Nor do we want officers to work in a comfort zone, feeling that they need not be challenged or do anything new. Specialist units should not become closed shops, particularly because there are often problems in recruiting black and Asian officers to them.

However, the tenure policy can be too rigidly applied. It results in training costs when people are moved, and it can mean that expertise is lost. Ensuring that people do not fall into comfortable habits and that specialist units have the necessary turnover are essentially management problems, but it may be that they are being tackled with a blunt instrument, and some refinement may be needed.

Among the issues surrounding the Lawrence report, stop and search still raises serious questions. Three times as many black people as white people are stopped and searched. That still happens. Significant change appears to be occurring in the pilot areas, particularly in the proportions of arrests.

I am extremely doubtful about the statistics given us by the former Home Secretary, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard). All of us should be wary of quoting simplistic statistics about the percentages of people stopped or arrested. Statistics are important, but we must not treat them simplistically when the issues are complex. Stop and search is important because of the attitudes that it engenders among those who feel that they are being stopped unnecessarily and unfairly. Constituents tell me that they have been stopped repeatedly, and that affects people's view of the police.

I was on the parliamentary police scheme while the Lawrence inquiry was under way, and it was interesting to note how often officers at all levels spontaneously mentioned it. Many recognised that change was necessary, but there was apprehension about what the inquiry's conclusions might be. The inquiry made it clear that failure had occurred, and had to be addressed. As I listened to the hon. Member for Ryedale (Mr. Greenway), I felt that he ought to revisit the report to read what it said about the policing of ethnic minority communities.

Recruitment must be addressed. As the hon. Member for Twickenham (Dr. Cable) said, a police force with 3 per cent. ethnic minority representation is unrepresentative of communities in London, and that must

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change. One of the greatest safeguards for the policing of a multi-ethnic community is a force that represents the population. Welcome initiatives are being taken to involve individuals from borough forces in recruitment to the Metropolitan police, but a great lack of confidence must be overcome if recruitment is to improve. Why should a young black man or woman feel that the Metropolitan police offer him or her a career? The views of parents are important. Would a parent encourage a son or daughter to join the police? It will not be an easy task. However, I welcome the steps being taken to address that problem.

We also need to consider retention and what can be done in the Metropolitan police to ensure that recruits receive active support so that they are retained and can develop their careers and be promoted. Experience in local government and in other sectors where efforts have been made to change the composition of the work force shows that it can be done. However, it is not easy; it takes a great deal of effort and must involve everyone in the organisation. We must remember that it is no good making commitments at a senior level that are not matched by middle managers and throughout the organisation.

We should not fall into the trap of believing that all that is necessary is to see more black and Asian police officers in constituencies such as mine, or Tottenham, Poplar and Canning Town or those of other hon. Members. We should see them throughout London. It is as important that black and Asian police officers are on the streets of Bromley and Orpington as it is that they are in areas with a significant ethnic minority population.

We have a right to expect the police to make changes. The Macpherson report made that clear. There should be efforts to change—to recruit and to retrain where necessary. As politicians, we should be prepared to criticise when things go wrong, but we must ensure that we take the necessary steps to encourage change and development. We should encourage people to join the police; it is no good saying that we want to see black and Asian police officers if we do not do our part to encourage people to join the Metropolitan police. We must not be responsible for discouraging people from joining the police.

We should consider how we are to debate policing in London in the future. We shall not have debates that are quite the same as this one when the Home Secretary ceases to be the police authority. However, the opportunity to debate these matters is useful; we should consider how we can retain such debates in Parliament, even if they do not take quite the same form.

12.1 pm

Mr. Peter Brooke (Cities of London and Westminster): It is a pleasure to follow the hon. Member for Walthamstow (Mr. Gerrard). I sit on the all-party groups on AIDS and on refugees under his chairmanship; he brings the same thoughtfulness to this debate as he brings to both those groups. I also commend his participation in the police parliamentary scheme.

The hon. Member for Twickenham (Dr. Cable) made an extremely good speech; I echo his remarks on detoxification schemes. The Ministers on the Treasury Bench will be aware that I have been in correspondence with the Home Office, and with two other Departments, on that subject. That all three Departments were involved is an example of joined-up government, although I point out—neutrally—that I found varying enthusiasm in their responses.

It is 20 months since we held the previous debate on policing in the capital. On this occasion, the debate coincides with the publication of the Commissioner's report; I echo the tributes paid by the Home Secretary and by my hon. Friend the Member for Ryedale (Mr. Greenway) to the present Commissioner for the notable service that he has given to the metropolis. The headline in his report is that burglary is at a 20-year low. Largely out of curiosity, I revisited the speech that I made 20 months ago; I shall return to some of the issues that I mentioned then, because there is a continuity. In the interim, I report that, whatever may be happening elsewhere in London, in Paddington—an area which I featured in my previous speech and whose representation I share with my neighbour, the hon. Member for Regent's Park and Kensington, North (Ms Buck)—burglary has, sadly, been increasing during this summer. That includes hotel burglary—a subject to which I shall return.

Before returning to the subjects that I raised 20 months ago, I point out that my constituency was, sadly, one of the three affected by the nail bombs unleashed in April and early May. I note that the other hon. Members whose constituencies were affected are in the Chamber today. The Home Secretary graciously allowed me to accompany him to New Scotland Yard to see the Met's response to that crisis. The experience was deeply impressive; it was a real-time illustration of what can be only statistics in a annual report. The case arising is, of course, sub judice; I shall say no more, save to thank the Home Secretary for his personal courtesy at a difficult time.

I shall likewise err on the side of caution in respect of the recent disturbances in the City of London although, in that instance, I am returning to a subject that I raised 20 months ago. The commissioner of the City police will report to the City of London police authority on the demonstrations in the City at a meeting on 28 July. Clearly, the commissioner's report will inform subsequent debate, so my contribution today will be of a general nature. However, I was glad that the recently retired Met officer who was invited to conduct an independent review should have been Tony Speed, who has a wealth of experience of demonstrations at the Westminster end of my constituency.

The response of the police to the events in the City involved a combined operation by the City, Metropolitan and British Transport forces. The deployment of police in the City on 18 June was decided in the context of what was anticipated at the time. However, there is little doubt that, in the event, the especially aggressive and premeditated tactics used by some elements involved in the demonstrations marked a new departure and is a development from which the police service is determined to learn lessons in dealing with such events in future.

On specific issues of communication by members of the public with the police during the demonstrations, I would observe only that, however robust the 999 telephone service may be—in London, it is very robust—the advent of the mobile telephone inevitably means that the demand on the service when danger is perceived by many members of the public simultaneously can be intense.

I shall now say a few words about resources for the City police. I emphasise that, in doing so, I do not seek in any way to link the issue with the events of 18 June; however, this biennial debate is an appropriate occasion to put down a marker.

A recent written answer from Home Secretary to the hon. Member for The Wrekin (Mr. Bradley) shows the City police to be the only force in England and Wales to experience a reduction in both manpower and budget in 1998–99: manpower declined by 5.7 per cent. and budget by 7.3 per cent. The allocations of police grant for 1999–2000 were announced in a written answer to the hon. Member for Salford (Ms Blears) on 2 December 1998. The City's allocation was £55.4 million, down from £57.1 million in 1998–99.

That same written answer referred to the Home Secretary's decision to make a "special payment" to the Metropolitan police of £176 million,

"in recognition of its distinct national and capital city functions."—[*Official Report*, 2 December 1998; Vol. 321, c. *195*.]

I do not in any way suggest that such a special payment is other than merited; nor do I claim expertise in the no doubt impressive mechanics by which the figure was arrived at. I simply observe that no such payment is referred to in the written answer in respect of the City police, and I invite consideration of that point, especially in the contexts of terrorism and of police involvement in state visits that occur in the City.

During the debate in November 1997, we had painted for us a real-life tableau in respect of prostitutes' cards: not only did the Home Secretary accept them across the Dispatch Box, but he pledged a Government response. I shall not dwell on that subject today—it has been well ventilated, not least by my parliamentary neighbour the Member for Regent's Park and Kensington, North—save to say that an index of its scale is that one of the individual card distributors who puts them up in telephone boxes was found to have 2 million such cards in the boot of his car. Nor shall I criticise the Government for allowing 20 months to elapse, for that, too, is an index of how intractable the issue is in a modern society. However, in the light of the Home Office consultation paper, I hope that the Under-Secretary, the hon. Member for Vauxhall (Kate Hoey), who is to wind up the debate, can shed light on where those matters stand.

That applies also to police community consultative groups, to which the hon. Member for Twickenham referred, and which we discussed during the Commons Committee stage of the Greater London Authority Bill. I have not had a chance to discover whether the Lords have returned to that subject, but it is fair to say that there would be concern among the police and in the community if the effect of the changes proposed in the Bill was to weaken the strength of those groups, whose value—if I temporarily cross the Thames into the constituency of the Under-Secretary—was demonstrated in the aftermath of the Brixton bomb.

That leads me, by seamless elision, to the issue of the recently arrived immigrant community in Paddington, to which I also referred 20 months ago. If the local schools have to deal with 120 first languages other than English, the police have to deal with perhaps 150 ethnic groups in that area. I stress that I am commenting only on the lawless elements in those groups. They tend to have come from societies accustomed to resolving issues with a knife; there is prolific shoplifting by children, and they are not, by previous background, used to trusting the police, and thus do not readily have interface with them. I shall not dwell on resources in relation to that issue, as I did with the City of London police, but I remark neutrally that Paddington has about 150 fewer officers than it did five years ago.

I also mentioned rough sleepers 20 months ago. I shall not revisit the issue at a general level, except to express warm support for the appointment of the rough sleepers supremo and the choice of Ms Casey to hold that post. Ms Casey brings not only much relevant experience to the task but imaginative sensitivity, tempered by hard-headed realism.

I want to dwell on one aspect of rough sleeping because of its relationship to the drugs problem in the west end. We are all aware, from last year's crime figures, how Westminster street crime, in all forms, outstrips that in other parts of the capital because of the huge numbers of visitors and tourists. It has been estimated that 70 per cent. of rough sleepers in the west end have a drugs habit financed heavily by begging. A sum of between £900,000 and £1.5 million per annum is estimated to be the reward of begging by rough sleepers in the west end. Broken down, that can mean that £60 in coins is given to an individual beggar in an hour and a half.

Of course, rough sleepers from outside the west end also come in to beg, but those who give to beggars there should be aware that they are potentially sustaining a crack cocaine addiction. Their good intent would be far better exercised if the money were given to voluntary groups or charities who have profound expert knowledge on the ground.

Operation Gridiron against the dealers, which has been an operation of great skill, diligence and courage, has so far clocked up 90 years in sentences, and that figure continues to rise. I pay tribute to the high-level support that the operation has received in the Met, as well as from the local police community group in Soho and from the Home Office.

It cannot be said too often that, if we are to rid the west end of that particular scourge, which is perceived as originating from Jamaica, the police will have to pursue prosecutions against dealers and customers alike, rather than falling back on cautions. Anyone thinking of trading in either direction should be pre-warned. The Jamaican aspect damages race relations here because the reputation of our black community risks being tarnished by dealers who are flown in from Jamaica. I remark neutrally that the Home Office also carries responsibility for immigration policy and its implementation.

That leads me to pay tribute to the Government's initiatives for liaison between the police and local authorities, which were also mentioned earlier in the debate. They certainly seem to be working well in my constituency, subject to the one proviso that it is important that the two bodies keep their two roles separate and there is no confusion between them.

On the west end drugs problem, Westminster city council will shortly put up signs giving warning of the positive prosecutions policy of the police.

Another example of that interaction and co-operation is the action on hotel burglaries, to which I referred earlier. Paddington police have not enjoyed much direct response to approaches to hotels in their area which cover the

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whole spectrum of hotel accommodation, perhaps because the trade is not anxious to advertise the risk to customers. An alternative route to improved security lies through the planning criteria set by Westminster city council.

Westminster is one of the three local authorities in west London which, along with the royal borough of Kensington and Chelsea and the borough of Hammersmith and Fulham, is taking part in the pilot projects of youth offending teams. A sum of £200,000 from existing resources has been diverted by the Met in Westminster to the youth offending team.

I made an amateur reference to the youth project at the West London magistrates court in a press-ganged contribution in the remaining stages of the Youth Justice and Criminal Evidence Bill, but I commend exposure to the project to any hon. Member who has the opportunity to witness it.

I began with the City of London; I conclude with a reference to royal parks, for policing in those parks is as much a part of policing in London as any other policing activity. I appreciate that what I shall raise is not a Home Office responsibility, but its impact diminishes the authority of law and order in the heart of the capital. I allude to illegal vendors of food prepared in unsatisfactory and unhealthy conditions and sold by eastern Europeans, including a fair number of Albanians.

Illegal trading in Westminster is subject to penal conditions of instant confiscation of equipment. To get the equipment back, the shadowy figures who co-ordinate the illegal vendors must come out of the shadows. However, the laws do not apply in royal parks—including on the apron in front of Buckingham palace—which makes them a sanctuary for the illegal trade, which involves the use of a cooking oil with a nauseous ambience.

Primary legislation is required to solve the problem. There are as many as 50 vendors working at any one time in royal parks, and the trade has expanded into Kensington gardens. Territorial wars between vendors are leading to armed affrays in royal parks. The House will recall the two Victorian ladies who went to see Sarah Bernhardt play the part of Cleopatra, who remarked to each other in the interval, "So unlike the home life of our own dear Queen." In the same spirit, we do not expect such gang warfare in royal parks.

In a constituency capacity, I secured an offer of all-party support from the official Opposition Front-Bench team for a private Member's Bill on the matter as far back as January last year. In November last year, my noble Friend Baroness Hooper, who lives near a royal park, and I offered to sponsor a private Member's Bill. The Department for Culture, Media and Sport did not take up that offer until 8 June, which I fear was far too late for any prospect of the Bill's ultimate success. Although the Home Office does not carry responsibility for royal parks, I hope that, in the Ministerial Committee on legislation, Home Office Ministers will support the case for Government legislation in this area, for the issue is becoming a national scandal, to our discredit as a tourist magnet.

To return in a single sentence to the rest of London, I share the concerns of the hon. Member for Twickenham about recruiting, but think that, as Greater London Members, we should count ourselves lucky at the quality of policing that we enjoy. I commend all the forces that provide that for us.

12.17 pm

Joan Ruddock (Lewisham, Deptford): I join all the tributes that have been paid to my right hon. Friend the Home Secretary and Sir Paul Condon—especially to my right hon. Friend for the Stephen Lawrence inquiry and to Sir Paul Condon for agreeing to re-open the investigation into the New Cross fire in my constituency, in which 13 young black people died.

Many hon. Members have spoken of today's all-time low burglary rate. I am glad to be able to say that that is true of my area. Over the past three years, we have seen a 37 per cent. reduction, and since April this year in my part of north Lewisham, a further 22 per cent. reduction. That is extremely good news for all us Londoners who are, of course, concerned about security in our own homes. Like so many others, however, I must report that, sadly, street crime is rising.

My local chief superintendent, Mike Humphrey, to whom I pay great tribute for his work, has not attributed any cause to such an effect, but he thinks that, perhaps, police numbers could be of some significance. He does not complain about the planned reduction that has been going on for many years, which is partly a recognition of the success in reducing crime. His concern is that, post-Macpherson, officers have been drawn away from their local areas to join area major investigation teams, which investigate serious crimes. It is his view that that should be recognised and that the police can afford no further reduction in the number of front-line police officers than that already planned.

I am glad to say that, under the Metropolitan police "protect and respect" policy, we are beginning in Lewisham to take very important steps in the recruitment of black and visibly ethnic minority officers. That is being done very imaginatively, in a way that was not possible or even considered in the past. New alliances are being formed with black and ethnic minority groups in the borough, and police officers are broadcasting on a black-led community radio station to identify with the local communities and to try to persuade them of the great importance of recruiting—and, more importantly, retaining—ethnic minority and black officers in the Metropolitan police.

Many Members have spoken about the new partnership that our Government have fostered between the police service and local communities, and especially local authorities in London. In my area, that has given a whole new meaning to policing and community involvement. Nowadays, when I meet the police and the many community organisations that I encounter in the course of my duties, I notice a completely new attitude. There is a new spirit—a commitment to serving the community in the round, understanding its diversity, analysing what is and is not being delivered, and seeking solutions instead of constantly reiterating the problems.

In Lewisham, a new community panel has been set up to advise police on pre-event and post-event critical issues. It involves elected members of the local authority, business representatives and black and ethnic minority group representatives. The stated aim of that new panel is to provide a credible degree of transparency regarding

policing issues, and to provide a direct link between the police and the community that they serve. That is enormously important. All London Members have campaigned for many years for such a credible degree of transparency.

Post-Macpherson, it is felt that there is a need for even more specialist groups to provide interface with the community. Therefore, we have set up the diversity steering group. It consists of a cross-section of Lewisham police officers, the chair of the police consultative group and the director of Lewisham race equality council. Such a grouping would have been unthinkable in the past. The task is to make representations to the police management team on how to police diversity effectively and to provide a service throughout the borough.

Within the diversity steering group is a sub-group that has been set up to examine the use of stop and search powers. That sub-group is chaired by Mr. Asquith Gibbs, the chair of the police and community consultative group. He has written to the Under-Secretary of State for the Home Department, my hon. Friend the Member for Vauxhall (Kate Hoey), about his concern, which has been expressed in the debate, about the continuing role and duties of the consultative councils. I hope that my hon. Friend will tell us something about that when she winds up the debate.

It is extremely important for that sub-group to be confident that the police will provide it with all the figures for which it asks, and will discuss their significance fully and in depth. The purpose is to ensure that the police are, indeed, trying to investigate committed crimes and recognising that such crime has an impact on the community, especially the ethnic minority community of our borough. I believe that it is the first time that those issues have been discussed openly with the representatives of the communities most affected and most offended. The fact that the police sit down for a rigorous discussion is extremely important and has encouraging implications for an improved policing service in our communities.

I want to mention Ringmaster, because I believe that it may be unique in my area and of interest to hon. Members. I see the hon. Member for Uxbridge (Mr. Randall) shake his head. I apologise for suggesting that the system is unique to my constituency. However, perhaps there are only a few of us who have the service. It is a computerised voice-messaging system. About 12,000 individuals and organisations have agreed to subscribe to it. It is free of charge.

The Ringmaster system enables spoken messages to be transmitted from the police to any or all subscribers. If, for example, there has been a spate of burglaries in a locality, all the subscribers in that area can be provided with that information by the police. If a crime investigation is under way in a particular area, it is possible for the police to transmit appeals for witnesses through the network of subscribers. National appeals can be made through the system. Virtually anything that is important as a liaison between the police and communities can be transmitted by that means. This experiment—it is still an experiment in my area—demonstrates another aspect of the important intelligence-led policing methods that the Government are so actively promoting.

One local concern involves Millwall football club. I know that my hon. Friend the Under-Secretary has taken a keen interest in the policing of football grounds and in tackling racism at them. It has been a priority for Millwall, especially under the recent chairmanship of Theo Paphitis. I commend the work of the local police with the club. In the past, sadly—and to a lesser degree now—Millwall has attracted the attention of racists in London.

To try to give effect to the Football (Offences) Act 1991, the police have been policing the ground for some time in covert surveillance operations, using concealed cameras and microphones to detect offences under the Act. I am glad to say that this has resulted in successful prosecutions.

More recently, the police have employed another innovative technique, which is to use undercover officers who are visibly from ethnic minority groups to distribute anti-racist publicity material near the football ground. This is an important move that can only engender further confidence within the black community. Again, the operation is monitored by cameras and microphones.

I have focused on these few examples in my constituency, which I believe have lessons for London as a whole and which address some of the most important issues that we in London face, particularly endemic racism.

I welcome the developments that my right hon. and hon. Friends and I have campaigned for over so many years. I congratulate my right hon. Friend the Home Secretary on the extension that he has made to the Metropolitan police committee, bringing in more elected representatives. He has made policing in London more accountable. We look forward to the establishment of the Metropolitan police authority within the Greater London Authority, which will create further accountability in London and give Londoners a much greater say in every respect in the way that policing takes place in our diverse communities in this great capital city.

12.28 pm

Mr. John Randall (Uxbridge): I am very pleased to take part in this important debate. I am pleased also to be able to take up the remarks of the hon. Member for Lewisham, Deptford (Joan Ruddock), who preceded me. I echo her concerns and those of others about the future of police consultative groups. She may be reassured to know that when Millwall fans last visited Uxbridge a couple of seasons ago there was no trouble. However, I think that the numbers were a little low.

Given the Home Secretary's opening remarks, I am concerned whether future debates on policing in London—in their current style—will be held. That seems to be somewhat in doubt. I would regret that deeply, as it would deprive London Members of an opportunity to debate a matter of primary importance to them and their constituents.

For many years in this place my predecessor, Sir Michael Shersby, represented the interests of the Police Federation and took police matters extremely seriously. The fact that I was reminded of that this morning by the hon. Member for Harrow, East (Mr. McNulty), who is not known for his consensual style of politics, speaks volumes for the respect in which Sir Michael was held in the House.

In Uxbridge we have a strong tradition of supporting the Metropolitan police, and I am delighted to continue the tradition. We owe them all a great deal for their selfless devotion to duty.

[Mr. John Randall]

I am glad to say that the level of total reported crime in Hillingdon borough has fallen by 5 per cent. compared to last year, in spite of a below standard response rate to emergency calls. That problem was shown to be considered a lesser priority in an extensive police and community consultation that took place last year.

The successful reduction in crime has been achieved against the disappointing background of much-reduced staff numbers. I have made known my opposition to the fact that the division is to lose 13 officers and five civil staff this year, and may face a further reduction of 17 in the year 1999–2000.

That is a further manifestation of a serious problem suffered by outer London and the suburbs: the erroneous assumption that the suburbs are areas of leafy streets that can be ignored as an ever-increasing proportion of resources are used in the inner city. I am deeply concerned about areas such as my constituency, where policing levels are becoming dangerously low because of that mistaken perception. We cannot afford any further reductions in the suburbs.

The Hillingdon division has managed to deal with the reductions through an improved shift system, better management, combined control rooms and reduced sickness levels. However, there is a limit to the efficiency gains that can be made before staffing reductions erode the provision of effective policing. The situation must be carefully monitored.

Work is under way in Uxbridge town centre to create one of the biggest shopping centres in west London. It is due to be completed by September 2001. I am pleased to report that in the design of the development, efforts are being made by planners to reduce opportunities for crime. However, new pressures will inevitably be placed on the local division as a result of the greater number of customers attracted into the area. That means that the subject of police numbers will need to be revisited in the near future, to take into account the new demands that will be made on the division.

One concern that has been expressed by the local division is whether there is sufficient provision of cells. I hope that the Home Office will look into the possibility of providing more cell accommodation, perhaps at West Drayton police station. That would reassure the public about the continuing role of that police station, in the light of the widely opposed reduction in the opening hours of the front desk.

The outer boroughs, and Hillingdon in particular, are affected by the scourge of unauthorised camping by travellers. My constituents are being pushed to the edge. The current operational instructions to the Metropolitan police do not give the public the security that they desire. More resources must be made available to send a strong message that the spate of anti-social behaviour that we have witnessed is not acceptable. If we ignore that problem, we will do so at our peril. The anger of residents is close to boiling point and I fear it will spill over if action is not taken soon.

I pay tribute to the borough commander, Superintendent Alan Matthews, and to all the men and women who work in the Hillingdon division. They have done an excellent job over two difficult years in which they have been faced with reduced numbers and new structures. I also thank the Hillingdon community and police consultative group and the Hillingdon crime prevention panel under their respective chairmen, Michael Dent and Don Greenwood, for all their work, as well as all those involved in neighbourhood watches and victim support schemes. Their role in delivering community safety is fundamental.

Another aspect of policing in London—the work of the Metropolitan police wildlife crimes unit, which is dedicated to fighting such crime—perhaps does not receive the attention it deserves. Some Members may feel that that is not a great priority, but international wildlife crime is big business. Interpol estimates that the global trade in endangered species amounts to $20 billion a year and 350 million wild animals and plants are traded every year. It is estimated that 25 per cent. of that trade is illegal, which makes it second only to the illegal drugs trade in cash value. Many species are traded either as exotic pets or because they are used in the manufacture of goods such as handbags, shoes and belts. Snakes, crocodiles, parrots, tortoises and tropical fish are all part of the worldwide trading pattern.

Many of the most endangered species do not live in Britain or even in Europe, but unfortunately there is considerable demand for those animals and their products. As well as being a major trading centre in its own right, London is, sadly, one of the principal points of entry to Europe for illegal imports of endangered species. For example, growing western interest in traditional Chinese medicine has led to a large increase in the number of such traders operating in London. Traditional Chinese medicines and herbal remedies are lawfully sold in London every day and, although the majority of traders do not knowingly trade in endangered species, too many continue to do so and the number of convictions has been growing. The maximum penalty is two years' imprisonment or a £5,000 fine.

The demand for traditional ingredients has led to illegal trade in protected species and it is estimated that a tiger is killed every day to meet that demand. The world tiger population may be as low as 4,000, so on current trends the tiger is heading inexorably towards extinction. As a result of that worsening problem, the Metropolitan police set up Operation Charm in 1995—a special initiative designed to tackle the illegal trade in endangered species. One of the operation's successes has been the introduction of a sticker scheme whereby traders sign an undertaking that they will not knowingly trade in endangered species. They can display a sticker at their premises outlining their commitment to behave legally. More than 100 traders have joined the scheme to date.

I emphasise that Operation Charm is not about attacking traditional Chinese medicine, but persuading the trading community to work within the law and seek alternative ingredients that do not threaten endangered species. One of its aims is raising public awareness of the illegal trade, and leaflets, posters and postcards have been produced to highlight the problem. Through a combination of improved law enforcement and education, the operation aims to reduce the problem before it is too late for some species.

In addition to its work in combating the trade in endangered species, the wildlife crimes unit also deals with crime relating to British wildlife. One aspect of criminal behaviour is the increasing number of crimes

committed against the badger population in and around London and in those parts of the home counties currently policed by the Met. Badgers are protected by law and anyone who takes, kills or injures a badger can be sent to prison for up to six months or fined up to £5,000. Badger diggers use dogs and spades to flush badgers out of their setts. They are attacked by dogs, which either kill or seriously injure them. Sadly, that crime is not unknown within the London borough of Hillingdon and even within my constituency of Uxbridge. The wildlife crimes unit helps to combat that illegal and cruel practice by maintaining contact with conservation groups, Government Departments, other police forces and interested parties to enforce the law against badger baiters.

Another area of wildlife crime relates to Britain's bird population. All British birds, nests and eggs are protected by law, yet every year the Royal Society for the Protection of Birds receives reports of more than 1,000 offences committed against birds. As some hon. Members know, London is home to many different species of wild birds. Unfortunately, they are subject to being shot, poisoned or trapped, their eggs are stolen and they can be captured for sale abroad. I am pleased to report that the Metropolitan police wildlife crimes unit works closely in conjunction with the RSPB, offering expert advice on tackling bird crime. Whether the wildlife crime consists of trading in rare animals, birds and fish from abroad or of gratuitous cruelty towards our indigenous wildlife, the work of the wildlife crimes unit is appreciated by an increasingly environmentally aware public.

I am pleased to have the opportunity to draw the House's attention not just to the problems and the successes within the Hillingdon division of the Metropolitan police but to the important work of the Metropolitan police wildlife crimes unit. I pay tribute to that unit and its officers in helping to enforce that important area of the law. As in every aspect of the Metropolitan police's work, Londoners have every reason to be proud of their police force. It must be supported, and not disparaged.

12.41 pm

Mr. Iain Coleman (Hammersmith and Fulham): I shall take the opportunity of this debate to highlight an initiative in my constituency. I shall be brief, because many other hon. Members wish to speak. Before I do so, however, I wish to deal with something that was said earlier in the debate. It gives me no pleasure to have to say this, and I am sorry that the hon. Member for Ryedale (Mr. Greenway) has now left the Chamber—I tried to intervene on him but he declined to give me that opportunity. I find it staggeringly breathtaking that, as we approach the millennium, on the sensitive issue of policing in London, a Conservative Front-Bench spokesman can come to this House and refer to members of the black community as "coloured boys", and not even realise that he is being deeply offensive. I hope that when the hon. Member for Aylesbury (Mr. Lidington) sums up for the Conservative Opposition, he will take the opportunity to apologise to the black community for that appalling, gratuitous insult made by his colleague.

The pilot scheme in question is called "Standing Together". It is an exciting three-year project that commenced in the area covered by Fulham police station in November 1998. It was inspired by an approach to domestic violence that proved highly effective and successful in Duluth, Minnesota. Domestic violence is the most common crime perpetrated against women. In the United Kingdom, two women a week are killed by their partners or husbands. One in three women have, at some stage in their relationships, been physically assaulted by their partners or husbands, and the vast majority of those assaults are never prosecuted.

Those shocking figures are an indictment of our society and of the failure of successive Governments and policing regimes to tackle the issue with sufficient imagination and rigour. In my constituency, a number of different agencies work together in a partnership arrangement dedicated to tackling the scourge of domestic violence. The following list is not exhaustive, but they include the Inner London probation service, the London borough of Hammersmith and Fulham, West London magistrates court, the domestic violence intervention project, Women's Aid west London and, of course, the Metropolitan police. The pilot's principal objectives are to increase the safety of victims and children who live with domestic violence, and to hold those guilty of the offence accountable and responsible for their actions.

Inspector Helen Ball of the Fulham police division advises me that it is her experience as manager of the project for the past nine months that if domestic violence is tackled from the victim's point of view especially, while the needs and behavioural patterns of the perpetrator are also taken into account, families can be strengthened rather than broken up. As part of that scheme, changes to usual police practice include officers gathering extra surrounding evidence, such as taking polaroid photographs and seizing exhibits immediately, so that the evidence does not rest solely on the testimony of the victim: the battered woman. A positive arrest policy is a key element of the strategy at that point. It requires officers to take immediate action to caution and arrest the perpetrator.

Those special investigative techniques can virtually remove the victim from the process, placing the responsibility for prosecution elsewhere. The experience so far is that by removing that burden on victims, a great weight is lifted from their shoulders, leading to a positive effect on their physical and mental condition. Victims of violence are placed in immediate touch with highly trained specialist advocates, who help them to assess their safety and their needs, and provide the necessary support mechanisms while the prosecution goes forward.

One of the perennial problems is that, without these important support mechanisms, victims come under terrible pressure from a range of difference sources, and often decide not to co-operate with the prosecution for understandable reasons. On conviction of the perpetrator, the courts are encouraged to demand pre-sentence reports in appropriate cases, and to consider one of the sentencing options available to them, which is whether to make a probation order with a condition of attendance at a violence prevention programme. Such programmes have had a highly encouraging success rate when used in appropriate cases.

The probation service provides a structured violence prevention programme for offenders, during which they are challenged and supported in examining and changing their behaviour towards their partners. All the agencies involved in the partnership group to which I referred meet regularly to review cases and to discuss openly mistakes

[Mr. Iain Coleman]

and good practice. One advocate post has been fully funded by the probation service, and lottery funding has been successfully sought for two other key posts.

It is hoped that the pilot will make a difference by increasing the number of successful and effective arrests, charges, prosecutions and sentences for domestic violence; increasing the number of perpetrators attending violence prevention programmes; developing written protocols and good practice guidelines with and between all the partnership agencies involved in the pilot; establishing a supervised, high-safety child-parent contact centre in the pilot area; and increasing the number of women now able to remain safely in their homes rather than fleeing their community, their job and their family network.

Obviously, such ambitious and imaginative programmes are fraught with risks, and resources are regrettably scarce. However, I should like to congratulate the organisations that have shown such commitment and determination to ensure that the project will succeed. I particularly commend the community safety unit at Hammersmith borough council, and Councillor Christine Graham for her energy and enthusiasm. I also thank Inspector Ball and her boss Chief Superintendent Anthony Wills for their faith and bravery in supporting the scheme in the face of sceptics and those less committed to tackling face on the brutal crime of domestic violence that so scars many of our communities.

That spirit of co-operation between the voluntary, private and public sectors and our police force must be the way forward. I am sure that the House would want to join me in wishing those engaged in the "Standing Together" project in Hammersmith and Fulham all the very best for success in the future.

12.49 pm

Mr. John Wilkinson (Ruislip-Northwood): This is one of the highlights of a London Member of Parliament's parliamentary year. We have had the privilege—as ever—of hearing the Home Secretary give an account of the performance of the Metropolitan police, and their proposals for the year ahead. We have also heard authoritative speeches from my hon. Friend the Member for Ryedale (Mr. Greenway) and my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the former Home Secretary.

There has been a broad consensus, but, when the question of police numbers arose, the debate became more heated. I think that the record should be put straight. The question of adequate police numbers is fundamental to the effective policing of London, and there is a grave risk that, if present trends persist, a serious shortfall will result.

Throughout the period during which my right hon. and noble Friend Lady Thatcher was Prime Minister, the number of police in the capital increased every year. The number increased from 22,528 in 1979 to 28,152 in 1990. Furthermore, the number of police throughout London—this includes the City force—continued to rise until 1994, after my right hon. and noble Friend had left office. After that year, the figures declined somewhat, but it must be borne in mind that, during that period, the policies of my right hon. and learned Friend the Member for Folkestone and Hythe were beginning to bear fruit, and crime was also declining.

The Metropolitan police have stated categorically that the minimum number of uniformed officers in London should be 27,000. Anything below that figure makes life increasingly difficult. The present figure is 26,073, and the figure has declined steadily since the Government came to office. I earnestly hope that the experience of Londoners during the bad period at the end of the 1970s, when the Labour party failed to support the police service in London, will not be repeated. In fact, I do not think that it need be repeated: with imaginative policies, we can make better use of existing manpower. I think that there should also be some new initiatives.

It is true that the reduction in the number of absences through sickness has helped. The Home Secretary tells us that there has been a reduction of 25 per cent., which means about an extra 500 officers. I suggest, however, that fit, healthy and enthusiastic police officers should be allowed to stay in uniform for longer. If they still have what it takes, why should they be required to retire at 50? Allowing them to stay on would reduce the pension burden, and provide a higher level of experience throughout the force.

We know that retention is a problem with which the Metropolitan police must contend. A larger proportion of experienced officers would surely be welcome. I think that the retirement age should be more flexible, and that a retirement age of 55 should be the norm for the most senior ranks. That applies in the armed forces.

The Home Secretary emphasised the importance of quality in the work force. Nothing is more important than achieving the highest standards of discipline, and, given the increasing problem of corruption—probably as a result of the drug culture, and other social factors—leadership training is crucial.

If we are to get the best quality of officer, it will be helpful if officers are in the closest touch possible with the communities that they serve. Undoubtedly, the Crime and Disorder Act 1998 will be of assistance. The partnership process that is envisaged in the Act is wholly welcome, but, as many hon. Members—notably my hon. Friend the Member for Uxbridge (Mr. Randall)—have made clear, police consultative groups can be invaluable. In the borough of Hillingdon, the police consultative group works exceptionally well. It has the fullest support of the community and the local police division, under the admirable leadership of Alan Matthews, to whom my hon. Friend paid tribute. I would not wish it to be superseded in any way. Where the police consultative procedure works well and is functioning, it should be maintained.

I quote a letter dated 22 June to Michael Dent, chairman of the Hillingdon police consultative group, from Anderson Dunn, assistant commissioner:

> "Turning now to Hillingdon's budget. For this financial year it is £20.479 million and Alan Matthews and his team have been given targets of 380 police and 90 civil staff. These are reductions of 6 and 8 respectively. The targets are likely to remain, but I and my Policy Board colleagues are meeting next month to review the system through which resources are allocated. This will have implications for the next financial year.
>
> Looking to then, it is not possible to say with certainty what our budget settlement will be, but the indications are it will not allow for growth and we know we are expected to make further efficiency savings. Coupled with other factors, pensions etc., this means we may again have to look at further cuts in staff numbers."

My hon. Friend the Member for Uxbridge explained cogently and clearly how outer London is already suffering, and how the suburbs are under-policed. If police

numbers continue to decline and the police budget is not increasing in real terms, the position will become extremely difficult in Hillingdon.

In looking at quality of policing, we all wish that many more members of the ethnic communities were recruited into the force and, above all, retained. There may be differences of fundamental ethos here. Certainly, first and second-generation immigrant communities came primarily for economic reasons. They came here to establish businesses, to save, to remit money home, to bring their children and dependants here and to set up a new life style. Their ambitions were financial, to better the lot of themselves and their families.

It has only been over time, as generation has succeeded generation, that members of ethnic minorities have felt the commitment to the public service in the widest sense, including the police service, and to the community as a whole, so we should not expect too much, too soon, but we should at least expect the most imaginative measures possible to recruit more ethnic community members.

In London, only 3.3 per cent. of the force are ethnic minority staff. That is some 5,662 down on its target, a deficiency of no less than 25 per cent: a huge deficiency and the biggest by far in the country.

How are we going to deal with that grave problem? In the past year, the Metropolitan police have recruited 92 new ethnic minority officers, but 57 left the service in the same period, so it does not seem that there is deep career satisfaction among even new police service recruits.

We should learn from the time of Commissioner Trenchard, who established officer cadet entry to the police. The police college at Hendon offered a long, intensive course so that the service would have a few officers—the leaven in the loaf, as it were—throughout the metropolis who were inculcated in the ethos and traditions of the Metropolitan police, but, above all, had learned what was required to take responsibility and to lead.

I do not in any sense belittle or diminish the traditional pattern of entry, which allows everybody plenty of experience on the beat, which I know is crucial and fundamental. However, if people in London knew that, by joining the police at 17 or 18, they could have two or three years of cadet-style education and training which combined training in the leadership and character building required for a long-term career in the force with serious academic studies in relevant fields such as sociology, civics and politics, leading to a degree qualification, many from ethnic minority communities and others might take a different view. They might say, "This is the most fantastic grounding that I could possibly have. I would learn discipline and I would have an esprit de corps with my fellow cadet entrants. I would finish my cadet training not just as an officer, but with a degree qualification that would serve me in later life. Furthermore, during my period as an officer cadet entrant, I would be properly paid and looked after so that in no sense would I be a burden on my family, nor would I incur student loans and the financial incubus which my contemporaries at ordinary universities and colleges have to face." I hope that the Government will take that proposal on board.

It is my belief that the new pattern of establishing a Metropolitan police authority for the capital offers all Londoners a great opportunity to become more involved in the policing of the capital. I very much hope that the mayor will act particularly wisely in his selection of a deputy, as the deputy mayor will be especially influential among the 12 assembly members who will sit ex officio on the Metropolitan police authority. The deputy mayor will be the link between the mayor and the Metropolitan police authority. The authority will have the crucial function of checking the performance of the Commissioner and he will be accountable to them.

There is a risk that the Metropolitan police authority could become politicised. I know that the assembly members have to be drawn in strict proportion to the relative strengths of the parties on the assembly, and rightly so. However, the deputy mayor will be primus inter pares, and I hope that he will be at the right hand of the chairman of the Metropolitan police authority and someone in whom the mayor has complete confidence.

I suspect that most assembly members on the Metropolitan police authority will be those without a constituency, because the constituency members, with their huge twin borough constituencies, will have an extremely onerous work load, so there will probably be more Londonwide list members on the Metropolitan police authority. That is no bad thing so long as some have a territorial connection, and so long as territorial connections are spread across the capital so that no area can be said to be under-represented.

The Metropolitan police authority should be under the guidance of the Home Secretary, with whom, in addition to the Environment Secretary of the day, the mayoralty must work hand in hand. The Home Secretary will, in effect, appoint the Commissioner, who will in turn appoint his deputy, and the Home Secretary must get on sufficiently well with the mayor to take the mayor's advice on the appointment. Apart from the four London justices of the peace, the other seven members of the authority will come from a list drawn up by the Home Secretary, who, as he has a national responsibility for policing in London, will make one further appointment himself.

I am sanguine about the future of the police in London. I cannot pay sufficient tribute to Sir Paul Condon, whom I consider an admirable officer in every respect. We have been privileged to have him in London, and we wish him well in his future career. I hope that his successor will maintain his high standards. The Metropolitan police authority offers Londoners a real opportunity to become better involved in the policing of the capital. That can only benefit Londoners. If the Government can adopt more imaginative policies to improve the quality of leadership throughout the force and to attract more ethnic minority members into the force, our policing can go from strength to strength.

1.7 pm

Ms Oona King (Bethnal Green and Bow): I thank the Home Secretary for ensuring that issues surrounding policing in London are fully and regularly debated. Crime, disorder and anti-social behaviour remain the foremost concerns of my constituents. As many hon. Members have said, today's debate takes place in the shadow of the Lawrence report. I recognise that it has been difficult for police to deal with many of the issues raised although, over the past months, they have done so and done so well.

Of all the misunderstandings that arose around the Stephen Lawrence inquiry, the one that saddens me most was the idea that the report's findings tarnished every

[Ms Oona King]

police officer. It is ridiculous and insulting to say that every police officer must be a racist. It is as ridiculous and insulting as saying that every black man must be a mugger. We must move away from those stereotypes. I am glad that my local force is far further down that route than, for example, the hon. Member for Ryedale (Mr. Greenway), whose earlier remarks disappointed me greatly.

The catalogue of failure documented in the Lawrence report revealed individual failings, but its legacy will be the tackling of institutional failure. By doing so, it will radically improve the institution's performance, benefiting black and white alike. These matters are not just black issues, and certainly not just minority issues. The policy of stop and search exemplifies that fact. We have heard much about it today, and it is important to remember that some attempts to improve stop and search predate the Lawrence inquiry, although the inquiry gave them far greater urgency.

There are some astonishing figures from Tower Hamlets, where quality performance indicators have been taken into account in the new stop and search regime. The figures show that, in the third quarter of 1997, 2,514 stop and searches took place, but that there has been a fall, in the third quarter of 1998, to only 1,039—a reduction of 58 per cent.

In the House today, we have heard that, apparently, the reduction in stop and search means that the police are less effective, or that they have been prevented from carrying out their job so efficiently. In fact, however, the percentage of arrests in Tower Hamlets under stop and search has increased radically—from 6 per cent. in the third quarter of 1997, when there was a higher number of stop and searches, to 16 per cent. in the third quarter of 1998, when there was a reduction in stop and search of 58 per cent. Incidentally, over the past six months, the arrest rate for stop and search was 18 per cent.

I draw two conclusions from those startling statistics. The first is that, evidently, the percentage of arrests has increased, so even if the exact number of arrests remains unchanged, how on earth can the reduction in stop and search be blamed for an increase in crime? Secondly, if we ensure that policing is always based on reasonable grounds of suspicion and never on the unreasonable grounds of prejudice, the effectiveness of policing increases. That benefits every British citizen. Despite the fact that there were approximately 1,500 fewer stop and searches in Tower Hamlets, there was an increased percentage of arrests. What does that mean? It means less time wasting and more crime fighting. It means greater efficiency.

Efficiency is important. If the police meet their efficiency targets, they will be rewarded by the Government with an extra £1.24 billion. Even more important, if the police meet the Government's modest efficiency targets, that will free up a potential £140 million to be put straight back into front-line policing. That is what my constituents and I are most concerned about.

However, there are obstacles to efficiency, as has been pointed out. Racism is one obstacle; corruption is another. They sap efficiency and they profit no one, except the bigot and the criminal. What of the ordinary, law-abiding citizen? As the Home Secretary and the former Home Secretary pointed out, London is one of the safest capital cities in the world. There has been an overall reduction in crime, which is obviously welcome.

Unfortunately, however, in some areas—often the poorest—communities feel under siege. It is difficult to express the fear and resentment felt by people forced to live in fear on their estates. At present, many estates in my constituency give me great cause for concern. The Under-Secretary, my hon. Friend the Member for Vauxhall (Kate Hoey), was kind enough to visit one of them—Denning Point—recently; I shall return to that point in a moment.

A few weeks ago on another estate—the Collingwood estate—in one incident during an elderly pensioner's birthday celebrations, there was a fire bomb, a machete attack and a serious assault on a young boy. That was just one incident. It is difficult to appreciate the desperation that communities feel in such circumstances.

Another factor that aggravates such insecurity—perhaps beyond anything else—is the explosion in hard drugs. The explosion in heroin abuse is especially marked in east London. Bethnal Green alone accounts for 40 per cent. of heroin seizures in north-east London. What shocks and terrifies me most is that, on estates in my constituency, it is cheaper to buy a hit of heroin than a bar of chocolate.

When that problem is combined with housing conditions that are a disgrace to a modern civilised society and social exclusion that rips communities apart and isolates them within a major capital city, we see the desperate need for a multi-agency approach. I am delighted that the Home Office is one of those Departments that is most ready and willing to look for proactive responses. That is why my hon. Friend the Under-Secretary of State came down to one of the estates in Tower Hamlets: she came to see for herself the link that we both know exists between crime, drugs, poor housing, truancy and lack of education and employment opportunities. Perhaps most important of all is the youth service: if we do not tackle the problems surrounding our youth service and ensure that it is able to deliver, we store up huge problems for the future.

I thank my hon. Friend for coming to see the conditions at Denning Point and for her uncompromising attitude when there—her willingness to knock heads together. We have not got time endlessly to repeat the same arguments in the Chamber. I wonder how many Members of Parliament have to walk their kids downstairs from wherever they live past drug users in stairwells and over disused needles, vomit and silver foil—it is a scandal that anyone has to do so. One Department on its own cannot tackle those problems, nor can one police authority on its own. We all have to recognise that the police were never set up to deal with social problems on such a scale, caused by such a massive increase in hard drug abuse.

I am pleased that the Government have taken those issues to heart and that they have set up the social exclusion unit. However, it is the poorest areas that are hardest hit, so I hope that Home Office Ministers recognise that deprived areas need resources commensurate with the problems we face. The Home Office has given Tower Hamlets more resources for closed circuit television, and we are grateful but we need more.

The bargain strikes both two ways: not only do we need more resources, but we have to make use of the resources and remedies available to us. One of the most important tools provided by the Crime and Disorder Act 1998 is the anti-social behaviour order, which gives police and councils the ability to deal with the proverbial neighbours from hell. Those people will now face a fine or up to five years in prison, or both. I want people to be aware of that—not only Members of Parliament or local councillors, but those who live on council estates.

The other, equally important, approach promoted by the Government is partnership, which must lie at the heart of all our efforts and of a multi-agency approach. In that, the police community consultative groups play an important role: if the new Metropolitan police authority believes PCCGs work well, their existence is secure. But I believe the police must be challenged to ensure that PCCGs are secure; equally, PCCGs must be challenged to ensure that they are working well and effectively themselves.

My local PCCG has given me great insights in certain areas and has, on occasion, filled me with great hope for the future. On occasion, however, our discussions in the PCCG have fallen a little short of their potential. It is up to us all to make sure that we do better. I pay tribute to the individual members of the PCCG and members of the public who attend, enabling us to have a meaningful link between the police and the community.

The police, too, deserve credit and recognition, especially in my area, for their innovative approach. I refer once more to Denning Point. It is a place that returns to haunt me, but not as much as it haunts its residents. They are considering an innovative approach whereby they will seek help from the council to refurbish the garages on the estate. They will then seek private money to secure improvements to the premises and a concierge scheme. Everyone will benefit from that. That approach makes sense, and the police are doing everything that they can to promote it. I hope that the council will do everything in its power to make sure that the work goes ahead as soon as possible. I know that my hon. Friend the Under-Secretary has taken a direct interest in that matter and will shortly be seeking an update from the council.

I return to the subject of resources, which remains one of the most important issues. I am pleased about the extra money allocated to Tower Hamlets as part of the £170 million safer communities package, and the extra £1.24 billion over three years is mostly warmly welcomed.

I note with astonishment that the Tories have described Labour's extra spending allocation as reckless. In conclusion, I shall state clearly what would be reckless. It would be reckless to ignore the need for us all, including all Departments, to tackle the issues of youth crime, which are directly related to poverty and social exclusion, which in turn foster hard drug abuse. It would be reckless in the extreme for us to ignore those issues, and I am glad that the Government will not do so.

1.22 pm

Ms Karen Buck (Regent's Park and Kensington, North): It is a pleasure to follow my hon. Friend the Member for Bethnal Green and Bow (Ms King). I congratulate her on an excellent speech that drew together all the different strands that underpin effective policing and security on the streets of our city.

As many hon. Members have said, this has been a critical year for policing in London, shaped as it has been by the Macpherson report, which was, rightly, a profound challenge to the way in which we police the capital. I strongly associate myself with the remarks of my hon. Friend the Member for Bethnal Green and Bow about the message that has to go out to London's police. It is absolutely right to say that the message is not that all police are racist. Many, if not most, of our police do a splendid job on the capital's streets, but we face a challenge in eradicating all traces of racism and prejudice in the city. That is what the Macpherson report asks us to do, and in partnership with the police, we must do it.

I also associate myself with the remarks of other hon. Members who have congratulated the police on rising to the challenge presented by the tragic nail bombings earlier this year. That situation showed our police at their best, and I know that the many communities involved want to express their heartfelt gratitude to the police for their response.

I warmly welcome the signs of a cultural change in the Met's approach to the policing of the diverse population of the capital, which predated, rather than followed, the Macpherson report. I see evidence of that change in the boroughs of Westminster and of Kensington and Chelsea in my constituency. I have been very impressed by the sincerity and commitment of the borough commanders, Steve Otter in Kensington and Bob Currie in Westminster, as they approach their task of effecting change at every level.

Confidence building will be a slow and painful process. There is profound scepticism among young people of all colours and all backgrounds. I have heard that said not only in the public meetings that were held and led by Deputy Assistant Commissioner Grieve in the wake of the Macpherson report, but by every young person to whom I have spoken—in schools, youth clubs, and so on. Parents, particularly from black and minority ethnic communities, bring to my surgery profoundly tragic cases of the alienation of their young children who have been repeatedly picked up, stopped and searched by the police. I do not apologise for returning to the theme of stop and search; it goes to the heart of winning back the confidence of black and ethnic minority communities in the city.

The disparities between white and black and ethnic minority communities, of which we have heard so much, help to explain the crisis of confidence. Yes, stop and search is a vital tool in the fight against crime; it will and must continue. Yes, it plays a preventive role—unquantifiable but indisputable—over and above the number of arrests that arise from it. However, as has been pointed out succinctly by my hon. Friend the Member for Hendon (Mr. Dismore), the procedure is not well targeted.

As a consequence, a disproportionately high number of innocent black people, as opposed to innocent white people, are stopped and searched. That is not a good use of police resources. Last year 160,000 white people, 70,000 black people and 24,000 Asian people were stopped and searched but not arrested. That creates a reservoir of ill feeling, especially in black communities.

Stop and search is important not only because of the alienation that it engenders among black people but for two other reasons. It has a knock-on effect on the recruitment of black people particularly, and young people in general, to the police. We have heard of the

[Ms Karen Buck]

Metropolitan police's recruitment difficulties, so the problem is significant. The policy also impedes the ability of the police to gain vital intelligence in their campaign to tackle crime in our inner-city communities, further impeding efficiency.

The pilot studies to which hon. Members have referred show that it is possible to bring about dramatic improvements in the targeting of stop and search, reducing the disparity between the black and the white community and increasing the arrest rate, which has risen in the pilot areas from 12 per cent. to 17 per cent. That is to be applauded; it shows what can be done. The issue is not whether stop and search should be used more or less; it is that it should be used intelligently and effectively.

We must be careful not to place all the responsibility for such disparities on the police. The Home Office study, "Ethnic monitoring in police forces: A beginning", clearly showed that many incidents of stop and search result from information given to the police by the public, which in itself is heavily skewed against black and minority ethnic communities. One of the vital pieces of information that we need from the pilot studies is whether the quality of information about black suspects is as good as that about white suspects. That seems fundamental.

I would imagine that when a white person is reported as acting suspiciously at or near the scene of a crime, information is taken about that person's characteristics other than skin colour, such as details of their clothing and hair, which gives the police more accurate information to go on. When a black person is so reported, skin colour is often deemed almost enough information. I hope that the pilot studies will reveal whether that is true, and if it is, that they will discover what can be done about it.

We know that recruitment is a serious issue for the police. One of the handicaps facing the Met is its single, citywide strategy for recruitment and training. We are, rightly, moving towards a more sophisticated approach to employment and careers advice—exemplified by the Government's adoption of the single work-focused gateway designed to provide highly tailored advice to jobseekers on their training opportunities—and our recruitment strategies must be more localised and flexible.

Colleges of further education have a great deal to offer as part of the process, by providing locally based training for people who do not initially feel confident enough to take up a training course at Hendon. I hope that preliminary and preparatory courses can be made available to young people. City of Westminster college is devoting serious thought to ways in which it can mesh in with the police's recruitment and training strategy, and I hope that Home Office Ministers will give that initiative positive support.

I echo other speakers when I say that fears about crime and security remain at or near the top of the list of my constituents' concerns. That is the case especially in large inner-city estates such as the Mozart estate, the Church Street estate and the Brunel estate. Many lives are blighted, not only by crime and the consequences of drug abuse, but by the fear of crime. Paddington police are to be congratulated on having brought about a 23 per cent. reduction in street crime in an area that has been plagued by it. That is marvellous, but perceptions take a long time to change, and unfortunately other crimes, especially crimes of violence, have increased significantly in the same period.

Pensioners are perhaps the most fearful, and often refuse to leave home after dark, but young people are the most at risk. In their early and mid-teens, when they should be enjoying their independence for the first time, many find that even the walk home from school is a time of fear, when they are at risk of being bullied, assaulted and having possessions stolen.

Understandably, members of the public love to see police officers, yet the police cannot be everywhere. Therefore we should welcome innovation and support for the policing role. In Paddington, the police have developed a new team of community safety constables to ensure that areas at risk are controlled more regularly. The local population have strongly welcomed that. The process that has resulted in the community safety plans has also been widely supported. Effective partnerships are being developed within the framework of the Paddington regeneration scheme, to complement and make best use of police resources. That is all excellent work, which has been pioneered by the Government as a result of the crime and disorder legislation.

Closed circuit television is another valuable tool in the armoury for the fight against crime. I greatly welcome the Budget announcement of the £150 million for CCTV schemes as a means of improving security. However, I return to one of the themes of my speech in last year's debate on policing in London. We must be careful to ensure that in inner-city boroughs, the needs of residential communities—such as the large estates and streets with high crime rates in my constituency—are not squeezed out by the need to attend to the pressures of the west end, where the number of crimes is much greater simply because of the daily influx of tourists and commuters. Understandably, residents sometimes feel that when they are bidding for resources for their communities, their chances are reduced because the money is hoovered up into Oxford street and the west end.

I understand that Westminster police and council are thinking of making a bid for money from the Government scheme to enable them to install CCTV in Soho. I do not wish to belittle the interests of the constituents of the right hon. Member for Cities of London and Westminster (Mr. Brooke), but I must say that it is a great shame if the money for that CCTV scheme, however justified it may be in the cause of tackling crime, has to be drawn from the same pot as the resources for which we have to bid to tackle crime and improve security along the Harrow road and on the Mozart estate. I wonder whether we might examine the issues affecting places such as Camden, Westminster, and Kensington and Chelsea, where the existence of the west end and the increased daily population need special attention.

As the Minister is aware, during the past year I have made many representations on the subject of security arrangements at the Notting Hill carnival, and I am extremely grateful to her and to the Minister for London and Construction for their interest. I congratulate the main partners in the management of carnival—Clare Holder, the carnival trust, the local authority and the police—on the excellent job that has been done in recent years. Carnival has been transformed. An event plagued by crime a decade ago is now remarkable for its low level of criminal and anti-social behaviour—although residents do

not always take that view when their front gardens and basements are turned into toilets for two days. None the less, there has been a transformation.

In terms of scale, carnival is the victim of its own success. That has raised real fears about crowd control. It is no criticism of the police or the carnival committee to say that the risks are real and growing, and that the level of stewarding is way below what it should be.

Each year the last-minute scramble for sponsorship limits the capacity of the carnival committee to recruit and train the number of stewards it needs to the standard required. It is not the job of the police to fill the stewarding gap. We are therefore left in a grey area of risk. The scale and importance of carnival as a Londonwide and national event demands proper investment in security. We already spend about £3 million a year on policing it.

I believe that we are reaching the time when we should remove the lottery element from the stewarding and route management of carnival, and devote a small proportion of resources to underwrite a proper programme of recruiting and training people to do the job. They would work with the police, and preferably be trained by the police, too. In partnership, they would help to minimise the risk. The present situation makes me gasp with relief every bank holiday Monday evening.

1.37 pm

Mr. Andrew Dismore (Hendon): First, I should declare an interest. My law firm represents the Police Federation. However, I have not had any contact with the federation in preparing my remarks.

As a member of the Committee that considered the Crime and Disorder Act 1998, I take a particular interest in how my local partnerships have developed. I am pleased that we have had, in our local borough commander, Chief Superintendent Simon Humphrey, a keen officer to develop initiatives. I am pleased to say that my local borough, Barnet council, through its leader, Councillor Alan Williams, and the deputy leader, Councillor Helen Gordon, has embraced the philosophy behind the new legislation. I think that we were very much ahead of the game in developing our community safety strategy.

At the end of last year, I was pleased to attend a conference that the borough organised with the police. It was well attended by people throughout the borough, including representatives of residents associations and ethnic groups, for example. The conference considered many different aspects of policing in the borough and local priorities for policing. I have little hesitation in saying that the partnerships that we have been developing in a coherent, but somewhat pragmatic fashion have thrown up only a few teething problems along the way.

One of the key areas of concern is the provision of resources to enable the partnerships to work. Some people might argue that extra resources should be diverted into partnership approaches to policing, but, although my chief superintendent would not thank me for saying so, I think that he would probably agree with me that resources for reallocation and redeployment exist within most organisations already. It is more a matter of shifting emphasis, and treating crime and disorder as a core business, rather than a bolt-on ancillary work load.

I regret that there have been some difficulties in trying to get together the joint funding and resourcing for community safety, drugs action and youth offending, for example. All three subjects require a contribution from more than one agency. Contributions can come in cash in some instances, whereas in others, it is only tangible things such as people and buildings that can be freed up. Thereafter, attempts can be made to equate those assets with money. The ability of some organisations, including the police, easily to free up money definitely can impinge on progress in developing initiatives.

Joint commissioning is a practice that is being developed within the area of drugs action. It is a useful way of agreeing the apportionment of resources to ensure fairness for each agency. This practice could well be adopted in other areas or implemented collectively at an executive level.

One obstacle is bureaucracy, which must be curtailed if individual organisations are to make effective contributions. They must have much freer access to internal money and resources. I hope that, as we develop more efficiency within the Metropolitan police, some of that freedom can be devolved to local level. Crime and disorder is not a bolt-on ancillary for any organisation. It must be a key component of the business strategy of the police, of local authorities and of all the other partners. It should automatically attract a degree of an organisation's core resources.

We have heard much about the problems that are facing ethnic minorities in the wake of the Macpherson report. I am pleased that, in our area, we have developed, in partnership with the police and other agencies, probably the most sophisticated community safety unit in the Met, working with victims of race and sex offences, victims of hate crimes against gay people and all vulnerable victims. Our community safety unit, which has received much praise locally, is a model for other areas.

Through our partnerships in Barnet, we have also developed a multi-agency racial harassment group, and within the forward-looking three-year crime and disorder strategy, we have started to work on a community reach-out scheme, a resource-intensive programme which has at its heart the notion of inclusion.

No group or individual in society should be left out. There must be early recognition that people will not necessarily feel free to make contact with statutory or voluntary agencies, including the police, for various reasons, including culture. The police and local authorities, assisted by voluntary agencies such as the race equality council locally, can make contact with all groups in the borough and establish clearly their particular needs. I hope that in the autumn, we can start to develop a forum specifically to address the community needs of minority groups.

In any complex society, not everyone will have a representative or form part of a recognisable group, but in Barnet, we could do more to probe the needs of the 60,000 people from ethnic groups in our area, and also look to the needs of the multiplicity of religious faiths, the gay community and all the others. Our approach must promote inclusion for all, rather than focusing attention solely on the visible minorities.

Efficiency savings in the police force are being achieved. The target for the Met this year is 3.5 per cent. My hon. Friend the Member for Harrow, East

[Mr. Andrew Dismore]

(Mr. McNulty) referred earlier to the article today in *The Daily Telegraph*, which I do not think is a comic, by Mr. Massow, one of the potential Tory candidates for mayor. I do not agree with much of the article, but Mr. Massow makes a valid comment when he states:

"The police must welcome the restructuring that every London business had undergone and adopt performance targets and efficiency measures that will give Londoners the confidence that their money is being well spent and their community well protected."

We have achieved that, year on year, in Barnet. Chief Superintendent Humphrey deserves great credit for making our police service effective. However, it will be difficult for him to continue to achieve efficiency savings, having been ahead of the game from the start, if further demands are placed on him.

I agree with the comments of the hon. Member for Uxbridge (Mr. Randall) that in outer London constituencies, our concern is that our resources are not pulled in to feed the centre. The point was also highlighted by my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck). Even in inner London, resources from Paddington are sucked into the west end. The process affects the inner city, but it affects the outer city even more severely. We must make sure that our resources are not distorted in that way.

That applies particularly to the reorganisation of borough boundaries. In our area, that will mean that the Hertsmere division, which is part of the current patch, will be divested to Hertfordshire constabulary. The Hertsmere division has 80 officers, plus the requisite central support. It represents one sixth of the work load, but gets 8 per cent. of the policing. There is a real risk that Barnet and the Met as a whole will be short-changed if the reorganisation of resources consequent on the new boundaries is not carried out on the basis of the national funding formula, reflecting the extra Metropolitan police special elements.

When discussing resource issues, it is important to consider national targets as they are applied to the Metropolitan police. I shall use the investigation of murders as an example. That is a national key priority. The national standards require about 20 officers to investigate the crime, irrespective of the nature of the murder. I do not suggest that murder is not one of the most serious crimes, if not the most serious crime, with which the police must deal, but is that national standard appropriate for the Met? By comparison, for a crime in which someone is seriously injured and placed on a life-support machine, only five specialist officers, who may not be fully trained, are required. That leads to great distress for the relatives. Even fatal road accidents in which several deaths have occurred may be investigated by only one or two officers.

We have to prioritise when we allocate resources and we must ensure that the needs of outer London boroughs are respected; but we also have to ensure that resources are used sensibly. Although national standards and targets are important, we must understand that demand for resources in the Met is increasing and ensure that we have the basic policing resources to deal with those other serious crimes as well.

1.45 pm

Mr. Keith Darvill (Upminster): I am pleased to contribute to this debate on policing in London. Considerable progress is being made in respect of policing and it is significant that a number of partners—the police, local authorities and the voluntary sector, including neighbourhood watch and many more—have contributed to it. Progress has been achieved not least because of the measures initiated by my right hon. Friend the Home Secretary and other measures introduced and enacted by the Government, such as the reduction in youth unemployment through the new deal. We must continue to be tough on the causes of crime.

The evidence of that progress is set out in the Commissioner's report, which is an excellent production. Performance indicators for 1997-98 were published earlier this year by the Audit Commission and they have been supplemented in my area by a local crime and disorder audit report. Its most startling statistic is the reduction in burglary—the level is the lowest in 20 years—and there were 11,277 fewer victims than last year. The objective at the start of the year was to reduce burglary by 7 per cent., but the figure has fallen by 8.3 per cent.

I am pleased to report to the House that my borough—Havering, which is covered by the Havering division of the Metropolitan police—suffers only four burglaries per 1,000 of the population, which is the lowest rate of all the London boroughs. Havering is also bottom of the robbery league, with only 0.46 per 1,000 of the population. The trend for other crimes is also downward: there were 389 fewer criminal damage incidents, which is a fall of 13 per cent.; 364 fewer non-domestic burglaries, which is a fall of 21 per cent.; 226 fewer incidents of shoplifting and retail theft, which is a fall of 17 per cent.; 190 fewer domestic burglaries, which is a fall of 16 per cent.; and 33 fewer vehicle thefts, which is a fall of 2 per cent. However, not all the news locally is good, and there is no room for complacency. There were 45 more thefts from vehicles, which is an increase of 2 per cent., and 20 more assaults, which is an increase of 1 per cent.

A real benefit of the Crime and Disorder Act 1998, which I believe will lead to continued progress, are crime and disorder audits, which involve the collection and presentation of data to identify the key crime and disorder problems in each borough. They involve gathering statistics on crime and other social problems such as truancy and drug usage. Through our audit, the borough and the police have, in partnership, identified the priorities of a community safety strategy, which is being implemented over three years. The audit has also helped to refine the short, medium and long-term priorities of the strategy and that approach, which I strongly support, responds to the views of my constituents and their local representatives.

The audit has also identified the age profile of offenders and the figures for 1997-98 show that 37 per cent. of crimes were committed by people aged between 13 and 19, and the peak age for offending was 16. Those statistics show how important the youth service is.

The data recorded in the audit are essential in helping local partnerships to identify priorities and formulate targets. The audits also build on the work of existing partnerships. I am pleased that the Metropolitan police report highlighted the partnership in Romford, which has helped reduce retail crime. Seventy shops in the town

centre now participate in the initiative and Romford has enjoyed a constant reduction in retail crime since its inception. In November 1998, retail crime was 49 per cent. lower than in November 1997. In 1999, there were 41 retail crime-free days and, for a six-month period, there was no reoffending in partnership stores. Incidentally, the Home Office has recognised that, and is promoting the scheme in other major shopping areas.

As a result of the initiative's success, it is to be extended to other shopping centres in the borough, including Upminster, Harold Wood and Harold Hill in my constituency. The Harold Hill retail area will also benefit from the single regeneration budget funding announced yesterday, which includes many projects for improving community safety and assists with youth projects.

I pay tribute to Chief Superintendent Bob Youlden, who has embraced with enthusiasm the changes made in the Crime and Disorder Act 1998. I also pay tribute to Sergeant Mick Adamson at Harold Hill police station, and his recent successor there, Sergeant Wolford. Both sergeants have diligently assisted me in pursuing matters raised by constituents. I am particularly pleased with the police's recent commitment to recruit four additional police constables to assist with community policing arrangements.

I shall conclude by dealing with a number of pan-London and general issues. First, I wish to respond to the point made by the hon. Member for Ryedale (Mr. Greenway) about borough representation on the Metropolitan police authority, which will be created by the Greater London Authority. The hon. Gentleman ignored the obligation to consult, which is contained in the Greater London Authority Bill. He also ignored the need to get on with the local plans that are set out in the Crime and Disorder Act. He ignored the progressive and far-sighted work of boroughs such as mine in developing community planning forums, and the strategic role that GLA assembly members will play in the policing of London.

Much of what has been said today has been positive, underlining areas of progress. None the less, crime rates are still high, and the fear of crime continues to be a major issue, as highlighted in my area's crime and disorder report. Much needs to be done, particularly about anti-social behaviour.

I very much endorse the remarks of my hon. Friend the Member for Bethnal Green and Bow (Ms King), who expressed her support for the raft of measures introduced by the Government. I am particularly supportive of the plan to introduce civic education, which will bring considerable benefits in the long term. I welcome many of the measures introduced by the Government, not least the increased support for the police service.

1.53 pm

Mr. Tony McNulty (Harrow, East): I begin, as all other hon. Members have begun, by congratulating the Metropolitan police service on all its activities and work in London since we last held the annual policing of London debate.

I had not intended to respond to the remarks made by one Opposition Member, who said that it was 20 months since our last annual debate, but I have asked three questions at Business Questions, at various stages since then, inquiring when the next debate would be. I know from the history books of recent Parliaments that this annual debate has come a lot sooner than annual debates under the previous Government, when debates were biannual at best, but in some cases did not take place for quite a few years. Let us put that matter aside, because I am not one to indulge in petty party politics.

I welcome the fact that the Commissioner's report shows that there has been a downward shift in the number of police officers injured while on duty. However, more than 8,000 officers were injured in some capacity while on duty, causing 2,100 of them to be placed out of the service for the duration of their recovery. The men and women of the Metropolitan police force do a great service for London, of which we should all be proud.

I cannot let pass two items. Perhaps we shall be pleasantly surprised by the hon. Member for Aylesbury (Mr. Lidington) when he winds up the debate, but most Conservative Members who dwelt on policing in London—one or two did not bother to do that, which is a novel approach to such a debate—waxed lyrical on a petty argument about numbers. They know as well as members of our Front-Bench team that there are great hidden complexities behind the numbers game. We might all do well to grow up a little and stop playing that game.

The hon. Member for Ryedale (Mr. Greenway) did not respond when I intervened. Either he was right, and the numbers have fallen considerably, especially during the last five years of the previous Administration, because there was a managerial revolution and a culling of the senior ranks, or, as I said earlier, the clown who is standing for the Greater London mayoralty—I do not mean the hon. Member for Ruislip-Northwood (Mr. Wilkinson), but I cannot remember the other fellow's name—is wrong when he says that the Metropolitan police are run like British Leyland was in the 1970s. They cannot both be right. If I had to guess, I would put my money on the hon. Member for Ryedale. There clearly was a managerial revolution in the Metropolitan police service in the 1980s and certainly in the early 1990s. That does not explain all the figures, but it is part of the process.

I parted company with the hon. Member for Ryedale when he inadvertently offended a great portion of the black community in London. I happily accept that it was inadvertent. I am sure that he has read the Macpherson report and the proceedings of the Macpherson inquiry, but, if he had read it in detail, he would have seen that, on at least half a dozen occasions during the proceedings, the word "coloured" was used to describe someone who was either black or Asian. That rightly caused mighty offence. As my hon. Friend the Member for Hammersmith and Fulham (Mr. Coleman) said, for a Conservative or anyone in the House, not least someone on the Front Bench, to describe people as coloured, especially when we are six months away from the millennium, is a matter of profound regret.

I respect the hon. Member for Ryedale, and I know that his comment was inadvertent, but that is the point. It is not just that he is an ex-police officer, but, as Macpherson showed, in the Metropolitan police there is a deep, latent, racist culture, and they do not know that it is racist. I fully accept that the hon. Gentleman did not mean to be offensive to anyone, but, because he did not mean to be, it makes it all the more problematic. I am sorry that he is not present.

[Mr. Tony McNulty]

I now come to the guts of my comments. The proposals for the Metropolitan police and the borough divisions are to be welcomed. The comments of the hon. Member for Ryedale are nonsense. He is from North Yorkshire: I cannot find it on the A to Z map. It is not in London. It is interesting that the hon. Member for Aylesbury, who will respond to the debate for the Conservative party, is not a London MP. If we cast further afield, of the 11 Conservative MPs in London, perhaps one should have made it as the official Conservative spokesperson on London. Sadly, not. The spokesperson for the Conservative party is from Oxfordshire. What that says about the quality of the 11 London MPs whom the Conservatives managed to get in the last election, I do not know: that is an internal difficulty, and is nothing to do with me.

The police in Harrow are exceptional. Borough commander Ian Carter, who has just joined us, has gone deep down into the bowels of policing and community work in Harrow. Recently, there were two racist murders in Harrow—they were certainly crimes of white on black. I do not want to dwell on the pros and cons of either case. I have known and had plenty to do with both the families involved, and I want to dwell on another aspect.

In the first case, members of the peripheral groups sniffing around for political gain at the Lawrence inquiry approached the family. They almost harassed the family of a recently murdered 14-year-old to get them to come out as anti-police. The family said, "There was a dispute, but it has been resolved. The perpetrators are behind bars, serving their time. We have no complaints about the police." Nevertheless, they were harassed by some trivial, peripheral elements surrounding the Lawrence campaign—not by those directly involved in the Lawrence campaign; I am certainly not saying that. It is to the shame of those involved.

A second case involved a group of independent television producers. I think that they were producing a documentary for Channel 4. They approached the family of someone who had been killed just after boxing day in what was, unlike the first murder, an avowedly racist murder, and particularly horrendous. The television producers wanted to conduct a detailed interview with the family—again, with the aim of getting them to attack the police. They wanted the family to talk about what the police had and had not done, and to undermine the relationship between the family and the police. The family—rather like the first family—said, "We think that the police now have a suspect, and we think that they have acted very diligently. If you want to record an interview with us to that effect, we are happy about it, but if you want us to say that here is yet another family with a murdered black son, wanting to vilify the police, we will not do so. We do not want to vilify the police."

The television production team then went away. The people involved did not want to present the positive side of a particularly tragic and harrowing case; all that they wanted was bad news. That is reprehensible.

Let me make another point about the media. When my right hon. Friend the Home Secretary made his statement about the bombing outrages, I said that I found it deeply offensive and unsatisfactory that the media—as well as some politicians who ought to have known better—rode on the bandwagon whose import was "The Grey Wolves have done it. The British National party has done it." That gave a degree of legitimacy to the existence of those nasty little groups. Hon. Members will recall the huge debate in which we engaged about the resurgence of such groups, and about their strength or otherwise. It turned out, however—this may be sub judice; I cannot remember exactly what progress has been made—that all three bombings were committed by some sad, obnoxious little nutter.

Mr. Dismore: Allegedly.

Mr. McNulty: Allegedly.

If we believed the media, however, we would believe in the existence of a burgeoning underworld of extreme right-wing fanatics, ready to burst forth in some sort of doomsday scenario. The media owe an apology to the wider community, not least the black community. That was deeply offensive.

I am glad that the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) has returned, because I wanted to dwell on his history. Let me do so for a moment, if I may. He may have missed what I said earlier; let me reprise it. Playing number games is not helpful to any serious debate about policing in London. Let me add, now that the right hon. and learned Gentleman—an habitual offender, who constantly broke the law—is present, that policing by conference rant has not been entirely helpful in London over the past 20 years.

During the last, and my first, policing in London debate—I think that an Opposition Member mentioned this—I said "Mea culpa", or rather whatever the plural of that is. I pointed out that, during the early 1980s, some—not all—of the activities of certain London councils in relation to the police were a sheer and utter disgrace. They disgraced this grand party, which is now 100 years old, and I firmly dissociate myself from them. As I have said, I am not talking about all the activities of those councils; I am talking about certain elements of what was done by the Greater London council, and by certain local authorities. It started from the vague premise that the Metropolitan police constituted some sort of oppressive occupation army of the capitalist forces. That was bunkum, and I repeat that it is to our shame.

In 1998, Harrow had a Labour council that pioneered the idea of a multi-agency forum—long before Barnet thought of it, I must tell my hon. Friend the Member for Hendon (Mr. Dismore). The aim was for such forums to tackle racial harassment, and to develop a community strategy involving the police working closely with Harrow's diverse community—not in some Mickey Mouse or cosmetic partnership, but in a genuine partnership.

Yesterday, the borough held a conference celebrating all its assorted partnerships. As I said earlier, borough commander Ian Carter spent the whole day at the conference, and played an active role in all the events. The highlight, of course, was my own winding-up speech.

I say in conclusion—I nearly said Mr. Mayor. I was back at the council. I apologise. Mr. Deputy Speaker—that all sides have made serious points that are beyond politics. Whatever people think of our custody, if you like, of the Metropolitan police over the past two years, if a recruitment crisis is growing or bubbling, it has not

happened in two years. There is one, and we need to do something about it in general terms before we get to specifics.

It is of great concern that black and Asian officers still make up only about 3.55 per cent. of the force. Of as much concern is the almost neutral position over the past year or so: for virtually every black or Asian officer or cadet joining, one leaves. It is the same story with the recruitment of women, which people have not dwelled on unduly. Fifteen per cent. of the capital's police force are women. That is appalling too, and needs to be addressed.

If I were a tad unkind, I would say, never mind anti-racism, the Met still perhaps has a way to go in terms of recognising gender issues and the role of women within the organisation—sadly, there is no time to discuss the matter. Perhaps some at the Met should spend less time at the lodge.

The Metropolitan police service has served us well, despite its politicians—clearly, I do not mean over the past two years. The happiest day with regard to the policing of London will come in the near future when, voluntarily or otherwise, the Home Secretary is sacked from being the police authority for the Metropolitan police. The sooner that that aspect of his job ends—I know that he will agree—the better. As the Home Secretary said, since Robert Peel was a boy, London has yearned for the day when the Metropolitan police authority is set up. When the authority is in place, I shall be very pleased. I am even more pleased that the current Home Secretary is relinquishing that aspect of his role and, not, heaven forbid, the right hon. and learned Member for Folkestone and Hythe.

2.7 pm

Mr. David Lidington (Aylesbury): I am grateful to have the opportunity to reply to a debate that has been wide ranging and, on the whole, good humoured and constructive. As is only right, I pay tribute not only to the professionalism and dedication of the Commissioner, Sir Paul Condon, but to every man and woman in his police service.

The variety of concerns that have been raised by right hon. and hon. Members have reminded us of the broad scope of the responsibilities that we ask the Metropolitan police service to carry out. The hon. Member for Tooting (Mr. Cox) spoke about the pressures that are caused to decent law-abiding people by prostitution, and reference has been made to the problem of the advertising of prostitution. My right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) spoke about the difficulties experienced in the royal parks. My hon. Friend the Member for Uxbridge (Mr. Randall) referred to travellers and growing public impatience with that problem and to the work of the Metropolitan police in countering the traffic in endangered species.

The hon. Member for Bethnal Green and Bow (Ms King) spoke with characteristic force and cogency about the drugs problem in her constituency, about how that brought decent, hard-working families almost to the point of despair and about how their solution required not only police initiatives, but those launched in partnership with many other agencies. That theme characterised many contributions, including that of the hon. Member for Hendon (Mr. Dismore), who referred to several initiatives in his borough to strengthen partnerships between the police and other organisations in society which work for greater public peace and observance of the law. The hon. Member for Walthamstow (Mr. Gerrard) gave us the benefit of his experience of the police fellowship scheme. He also drew our attention to the length of time that police officers may have to spend at the police station after making an arrest. Conservative and Labour Home Secretaries alike have received representations from right hon. and hon. Members and from the police service about lightening the burden of paperwork to the minimum necessary so that the police can stay out doing their job.

As many right hon. and hon. Members have observed, the past year has been overshadowed by two factors—the nail-bombings in Brixton, Brick lane and Soho and the publication of the Macpherson report into the murder of Stephen Lawrence and the ensuing debate about it.

Let me refer first to the bombings which were mentioned by the hon. Member for Enfield, Southgate (Mr. Twigg). Although nothing can erase the horror and tragedy of those crimes, one consolation to those of us who observed from outside was the fact that those outrages sparked the community in London and nationally to draw together. Although the attacks were directed at black people, British Asians and gay people, people from all backgrounds, all walks of society and all political beliefs agreed that they represented vicious assaults on all of us as citizens of this country.

Perhaps that public reaction was sparked by the public reflections on the murder of Stephen Lawrence and the revelations in the Macpherson report. There is a tremendous fund of good will, which crosses party and social barriers, to learn the lessons of that report and apply them in a way that will contribute to building a better and more harmonious society. That theme was reiterated many times in today's debate.

The hon. Member for Walthamstow talked of the need for the police to recruit and retain officers from the ethnic minorities and pointed out the difficulties and challenges involved. The hon. Member for Lewisham, Deptford (Joan Ruddock) complemented what he said by describing a number of innovative ways in which her local police were tackling those challenges. My hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) raised the possibility of relaunching a police cadet scheme, one objective of which would be specifically to draw in new recruits from ethnic minorities.

I do not have time to deal at length with the issues raised by the Macpherson report, but I was glad to hear the Home Secretary and a number of Labour Members agree with its conclusion that the power to stop and search remains essential to effective policing, but that we also needed to reflect on the way in which those powers were exercised. I can say with reference to my constituency that that also applies to forces outside London. The hon. Member for Walthamstow and my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) warned us in different ways of the danger of too simplistic an analysis of the stop and search statistics. The Government should take account of my right hon. and learned Friend's points, keeping under active review the possibility that the police may have reacted to the Macpherson report or to changes in disciplinary procedures by being less willing to exercise their lawful powers, with the consequence that they may be being less effective in dealing with some crimes. The Government should remain alive to that risk.

[Mr. David Lidington]

The hon. Member for Bethnal Green and Bow warned of the need to get away from stereotypes, talking of how the poorest and most disadvantaged people in our society were most likely to live in fear or to be the victims of crime. The Minister represents Vauxhall and may know that my own thinking on these subjects was influenced by my contesting that constituency against her predecessor just over a decade ago. There is no better apprenticeship for a Conservative politician than donning a blue rosette to go canvassing on the Stockwell Park estate. I encountered a tremendous fear of crime among many poor people, and learned of their grave mistrust of the police and the criminal justice system, particularly among the young and people from the ethnic minorities.

We all have a duty to reject racism. All crimes are horrific and should be condemned, but a crime with a racial motivation may go beyond affecting its victims, poisoning all of community life and setting people of one race or neighbourhood against others. The Home Secretary was right to say that tackling such problems can never be a matter for the police alone.

I hope that the Government accept the need for a sensible balance. Legislation will come forward to bring the police within the scope of the Race Relations Act 1976, and I was concerned to read the Home Secretary's recent letter to the chairman of the Commission for Racial Equality, which said that the Government were considering reversing the burden of proof in race discrimination legislation. I ask Ministers to weigh carefully what that would mean to effective policing and morale among the police.

The Home Secretary and the Commissioner have brought us good news on crime. The falls in recorded crime vindicate the criminal justice policies initiated by my right hon. and learned Friend the Member for Folkestone and Hythe. At least in part, and for the time being, Labour Ministers intend to continue with his initiatives, and that is welcome. However, there are warning signs in the crime figures appended to the Commissioner's report. Clear-up rates for burglary and street crime are down significantly over the past 12 months in comparison with the previous year's figures. Car crime, to which the hon. Member for Upminster (Mr. Darvill) referred, rose significantly during 1998–99. As the Home Secretary has set the target of cutting car crime by 30 per cent. over five years, based on the 1998–99 figures, I am sure that he will be alive to the need to deal with that problem.

The Home Secretary talked of resources, but did not mention that the amount going to the Metropolitan police from revenue support grant and non-domestic rates had fallen this year. The council tax payer in London has had to carry the burden of paying for the Met according to page 76 of the Commissioner's annual report. The police have had considerable success in meeting overall efficiency targets, but the figures conceal the facts hidden in the report's detail about the tremendous success in tackling sickness. The Home Secretary rightly alluded to that point in his speech to the Association of Chief Police Officers of England, Wales and Northern Ireland the other day. However, that must be set against the Met's inability to meet the planned efficiency target on several other initiatives. That gives us a note of warning for the future.

I do not want to get into too great an argument with the hon. Member for Harrow, East (Mr. McNulty) over manpower. Much of his speech reflected the best of the Labour party's tradition of public spirit and patriotism. However, his hon. Friends the Members for Hendon and for Regent's Park and Kensington, North (Ms Buck) and my hon. Friend the Member for Uxbridge raised concerns about police numbers in their constituencies. As my hon. Friend the Member for Ryedale (Mr. Greenway) pointed out, not only has the total strength been reduced, but the number of police constables and the number of civilian employees is lower. The annual wastage rate has risen; and there are difficulties with recruitment. As recorded in the Metropolitan police survey, the public are increasingly dissatisfied with the perceived number of foot patrols. There has also been a fall in the number of special constables in the Metropolitan police area. As was pointed out, we now face the fact that some officers will be seconded to forces outside London, with a consequent loss in the personnel resources available to the Commissioner.

The Metropolitan police have achieved a great deal during the past 12 months. The continuing fall in crime is welcome. However, there are warning signs for those who want to read the detail of the Commissioner's report. We shall judge the Government on how well they meet their responsibility to sustain the morale and effectiveness of the police service in London, and to maintain the achievements of the service in combating crime in the years to come.

2.22 pm

The Parliamentary Under-Secretary of State for the Home Department (Kate Hoey): Today's debate has shown the enormous range of issues, challenges, and achievements involved in undertaking the policing of London. I am very grateful indeed for the large number of contributions from both sides of the House. Debates on policing are an opportunity for Members to share some of their personal experiences of policing in their community. We have heard some admirable speeches. It was nice to hear the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), who drew on his great experience as a former Home Secretary to give us his views on the fall in crime, and who told us that he is pleased that we shall ensure that that reduction continues.

The debate has confirmed the major themes identified by my right hon. Friend the Home Secretary when he opened it. Those include the enormous debt of gratitude that the people of London and those of us who are their democratic representatives owe to the vast majority of the members of the Metropolitan police service. They daily dedicate themselves to the preservation of order and safety—often at personal risk—and to the detection and reduction of crime. As my right hon. Friend said, today is especially a day to commend Sir Paul Condon as he comes to the end of his time as Commissioner. I know that he will be pleased to know how many Members have spoken of him. His final year was difficult, but throughout it all he maintained a dignity and statesmanship for which I know that he has been greatly appreciated, not only by the public, but by his own officers.

If I cannot address all the points that were raised, I shall write to hon. Members. The debate has underlined the profound importance of the report of the inquiry into the death of Stephen Lawrence to the Metropolitan police, to the police service nationally and to all of us in society.

We have recalled the deep apology that it was right and necessary to make to Mr. and Mrs. Lawrence and how the best memorial that can be offered for their son's death is to implement the lessons of that report vigorously and fully—in their spirit as well as in their letter.

Vital to that is the determination that our police force is representative of the entire community. My hon. Friends the Members for Tooting (Mr. Cox) and for Walthamstow (Mr. Gerrard) and the hon. Member for Ruislip-Northwood (Mr. Wilkinson) raised the importance of the recruitment targets set by the Home Secretary for ethnic minority officers. The Government and the Met welcome all ideas on what more can be done. We want Members of Parliament for London and elsewhere in the country to be involved in that effort.

The Met's positive action team is involved in a range of measures to address that issue, including target advertising, investing more in advertising, producing literature in different languages, careers conventions, and working more closely in partnership with local communities and with employment services. In addition, we are interviewing those members of ethnic minorities who joined the police force and then left. All of us have a contribution to make and I am sure that we shall all make it.

Intimately linked to diversity is the overarching theme of partnership and co-operation. Now, more than ever, it is clear that the police should not be expected to maintain order and deal with crime on their own. The other side of that coin is that, with the police, we must find ways and develop systems of working together, both to identify the real problems and to create and implement effective solutions.

Many hon. Members have mentioned the good work and innovative partnerships that have already started in their constituencies and boroughs. My hon. Friend the Member for Hammersmith and Fulham (Mr. Coleman) gave a detailed account of the "Standing Together" project on domestic violence; and my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) gave an account of the partnership approach to policing of Millwall football club.

Several hon. Members raised the issue of partnerships at local level, including my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck), who mentioned the Notting Hill carnival. With my hon. Friend the Minister for London and Construction, we shall continue to consider carefully how to ensure that that event is policed safely.

One of the earliest examples of partnership was the establishment of police community consultative groups. I am aware of the concerns about their future felt by members of PCCGs and hon. Members; those concerns were expressed eloquently today. I am confident that the Metropolitan police authority, which will take over responsibility for consultative measures, will not want to get rid of any consultative group that is felt by the community to be working well. However, as my hon. Friend the Member for Bethnal Green and Bow (Ms King) said, the future of PCCGs is, in many ways, in their own hands.

As a Minister, I do not often get to mention my own constituency, but, with my hon. Friend the Member for Streatham (Mr. Hill), I should like to pay tribute to my local community police community consultative group in Lambeth and to its work, especially after the recent bombings. I am sure that both my hon. Friend and I would be extremely upset if the MPA tried to interfere with the working of that PCCG. In the wake of the Macpherson report, the Crime and Disorder Act 1998 and the looming requirement on police authorities under the local government best value programme, consulting all sections of the community about policing has never been so important.

Other than the hon. Member for Ryedale (Mr. Greenway), hon. Members on both sides of the House took a balanced approach to police numbers in London. The hon. Member for Twickenham (Dr. Cable), who has apologised for having to leave before the end of the debate, said that there is no point playing party politics with police numbers. However, I have to tell the hon. Member for Ryedale that the numbers he used are wrong. According to figures provided by the Met, last year's reduction in London was a grand total of 21, whereas he spoke of substantial reductions.

The hon. Gentleman also said that there was a decline in the capacity for front-line policing, but that is not the preserve of constables alone. Senior ranks are involved in, lead and otherwise participate in active, focused and effective policing operations. He also seemed to imply that police resources are reduced because of planned efficiency gains, but, as my right hon. Friend the Home Secretary said, the whole point of the efficiency plan is to find savings that must, in turn, be reinvested in front-line policing—exactly the sort of policing that the hon. Gentleman recommends.

I emphasise that efficiency savings are not, therefore, cuts in overall policing resources. They are designed to promote the better use of those resources. All Members of Parliament need to work closely with their local commander and police force to ensure that resources are used properly.

When we discussed London policing in the proceedings on the Greater London Authority Bill, the hon. Member for Uxbridge (Mr. Randall) expressed concern about the Met's wildlife crimes unit, and I am glad that he drew attention to its excellent work. The poaching of species such as tigers and rhinos thrives because of the demand in places such as London for products made from those animals. Operation Charm, to which the hon. Gentleman referred, is working to stop the demand for those illegal products in London. That operation is recognised by enforcement agencies throughout the world as a brand leader, and it has had an impact on trade in London.

It is interesting to consider that aspect of policing and then to consider the issues raised by the right hon. Member for Cities of London and Westminster (Mr. Brooke), including illegal trading on our streets and the placing of prostitutes' cards in telephone boxes. The number of issues with which the police in London have to deal reveals the scale of the problems that they face and highlights what a good service we have.

My hon. Friend the Member for Enfield, Southgate (Mr. Twigg) expressed the hope that we would bring to crimes against gays and lesbians the same understanding and seriousness that we apply to racially motivated crime. I can confirm that the Commissioner has told me that that is his policy.

In the past year I have visited all parts of the Met, including the specialist units that do not get much mention, such as the mounted police, the river police and

[Kate Hoey]

the firearms unit. There is no doubt that the Lawrence inquiry caused a fall in morale. However, having seen those people in action and talked to them, I believe that they now have confidence and want to move on from the Macpherson report. They want to continue to police and serve London in the best way possible. They know that there are lessons to be learned from the Macpherson report and that changes will come when the Metropolitan police authority is set up. We all look forward to its establishment.

I can assure hon. Members that we shall want to continue to debate the policing of London after the Metropolitan police authority has taken over, and I am confident that the next time we have such a debate, we will be able to report an improvement in the Metropolitan police service. We are well served by the Met and I am pleased that the annual report and this debate have given us the opportunity to tell everyone what a good police service we have.

Mr. David Clelland (Tyne Bridge): I beg to ask leave to withdraw the motion.

Motion, by leave, withdrawn.

Organ Donation

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Clelland.]*

2.33 pm

Dr. Evan Harris (Oxford, West and Abingdon): I am grateful for the opportunity to raise the issue of organ donation and transplantation at what, considering the events of the past few weeks, is an extremely topical time. I am sure that the House is grateful also for the opportunity to debate the matter.

We must remember that, only yesterday, a 15-year-old girl, known only as M, was given a heart transplant at the Freeman hospital in Newcastle. The case reached the news because a judge gave authority for the operation to go ahead without the consent of the minor because it was felt to be in her best interests. It is not for Members to second-guess the views of a judge who is in possession of all the facts, but we recognise how difficult such cases can be for all concerned. I pay tribute to those involved, and our thoughts are with the girl. We wish her a full recovery from the operation and good progress with her transplant.

That case demonstrates how much interest the media take in these issues, which can be a force for good or for harm. We must ensure that no matter what disagreements there may be about how we approach some of the policy issues, the message that we send from the House is that organ donation is a gift of life, and the more organ donations there are, albeit in tragic circumstances, the more lives can be saved. Whether hon. Members support my view or take a different view on the nuances of the issue, we are all agreed that the maximum number of organ donations will mean saving the maximum number of lives in circumstances that are difficult both for the donor families and the families of recipients.

Just last week, there was great media interest in the case of a donation apparently made with the condition that the recipient must be white. The Government have begun an inquiry into the matter. I know that the Minister will be reluctant to comment in detail on the specific case, but some general points can be made.

It should be pointed out, as it has been in the media, that the arrival of television cameras outside the Northern general hospital might have given the impression that the hospital was somehow involved in racial discrimination. If that is the perception, it is unfair because only the contract of the transplant co-ordinator was held by the hospital. None of the clinical staff there were likely to have had anything to do with the apparent acceptance of an organ to which such a condition was attached. I believe that the organ subsequently became available in another hospital and, if used, would have been transplanted into a recipient at yet another hospital.

I put it on record that the members of staff who are unable to comment because of the inquiry—and that raises questions about the freedom of staff to speak out following the announcement of an inquiry by the Secretary of State—can be reassured that hon. Members do not accuse them of any widespread discriminatory practice.

The policy that the Secretary of State has enunciated on the case is correct. We cannot accept organs to which conditions relating to the nature of the recipient are

attached—not because such organs cannot be used to save life, but because that would bring the process of donation into disrepute. If that happens, there will be a negative effect on organ donation, which is the key factor. In all our debates, we must bear in mind that the aim is the donation of the maximum number of organs in appropriate circumstances without inequity or discrimination.

News of such conditions should never reach the transplanting team. Issues of conditionality should be dealt with by the retrieval team and tackled at that point. Such information would put transplant doctors who have a dying patient and a tissue-typed organ in an impossible position.

Guidelines on the retrieval of organs are needed. The Government and, indeed, the system would benefit from a general duty of non-discrimination in the national health service on the grounds not only of race but of age, sex, sexuality and disability—except, of course, where clinically justified. Liberal Democrats tabled amendments to the Health Bill to that effect. Although the Government did not accept them, we look forward to seeing how they will take forward the issue of tackling racial discrimination in the NHS.

In the short time available, I shall raise two substantive issues about how we identify organs for donation and what sort of consent scheme should be used. There are two separate but linked questions. First, there is the right of relatives to give consent, to have their consent sought, or to veto or place conditions on the donation of an organ of a loved one who is in a position to donate. That often concerns young people who have suffered sudden traumatic head injury.

Secondly, there is the question of the nature of consent for the potential donor—whether there should be an opt-in or an opt-out system. The opt-out system is often called presumed consent, and operates in many other countries in Europe. Whether there is an opt-out or an opt-in system, there is still the separate question of the role of relatives, and in tackling that question, we must recognise what a difficult time it is for relatives.

Some relatives feel bad if they are not consulted and organs are taken against their wishes, even though it was the wish of the person concerned. Other relatives, who do not give consent because of the circumstances at the time they are asked, regret it for a long time afterwards because those organs might have been used to save other people's lives. I have never been in that position, and I never want to be. It is hard for Members to place themselves in that position.

I have had long discussions on that issue with John Evans, founder of the British Organ Donor Society, who meets and is in contact with hundreds of donor families. He feels strongly that relatives of a deceased person who is a potential donor have clear rights, and I respect his position absolutely. However, I think that there is a question whether the law in this area is clear. The British Medical Association has long had a policy of questioning whether it is appropriate for the wishes of the owner of the organs, as it were—the person whose organs are in question—to be overruled by relatives.

Last week, in part of the motion that was passed at the conference in Belfast, which I was pleased to propose in my capacity as a BMA member, the BMA reaffirmed that it questioned the ethics of allowing relatives to veto expressed consent, in this case under the current system, although we recognise that that rarely happens.

The law is unclear. The Human Tissue Act 1961 states that

"the person lawfully in possession of"

the body of a potential donor may, if there is an indication that they wish to donate before they are in a position to do so, authorise the removal of those organs for donation. However, in case law it has never been clear who is "lawfully in possession" of the body. It was assumed at the time to be the hospital authorities, and the authority, Clare Dyer, says in her book that she believes that the framing of the rest of the 1961 Act—especially section 1(7), which allows the hospital authorities to delegate certain responsibilities—makes that clear, but custom and practice have led the profession to approach relatives as though they were in possession of the body.

Sooner or later, that confusion will have to be cleared up; otherwise, there may be repeats of some of the difficult situations that occur, where conditions may be attached or where there may be a disagreement among relatives about whether the pre-mortal views of the donor should be respected.

However, I do not believe that the relatives' veto is the key issue, because in cases where there is pre-mortal expressed consent, such as the carrying of a donor card, relatives very rarely refuse. The difficulties of the retrieval team when a distraught set of relatives opposes their actions do not make it worth the candle to pursue organ retrieval. We must remember that the integrity of the whole system is paramount.

Nevertheless, there is a problem. Although we know that very many people would be willing to donate their organs—75 per cent. of the general public express a willingness to donate—only about 17 or 18 per cent. of them carry cards. Therefore, there are many people who could donate whose views are not known, the majority of whom are likely to be in favour of donation. Those people's relatives are asked to second-guess the views of their loved one at a very difficult time, when they are distraught and soon to be bereaved. In those circumstances, donation is refused in about 35 per cent. of cases, although there are regional variations in that, and there may be good practice that could be extended in approaching relatives in such circumstances.

Presumed consent—whereby people are given an adequate opportunity to opt out of donation—may well be a way around that problem. But that opportunity to opt out must be adequate, otherwise faith will be lost in the system. If there is a presumption of consent, the 35 per cent. of refusals may dwindle to the mere handful that occur when there is expressed consent.

The BMA recently changed its position—indeed, it did so last week, in the motion that I proposed—to support lobbying the Government at least to consider a change in practice in this respect. Such a change can be undertaken only if two conditions are fulfilled. It must be felt, on review of all the evidence, that it would make a difference to retrieval rates. I do not believe that it is worth our debating this at length, and debating it again every time an organisation changes its views, if the evidence from other parts of Europe and the likely evidence from this country is that it will not increase the number of available organs.

[Dr. Evan Harris]

There is clear evidence that the matter needs to be examined. Professor Ian Kennedy's paper in *The Lancet* was quite clear. He wrote:

"A change in the law"—

to a system of presumed consent—

"thus achieves the dual effect of increasing the supply of organs and lessening the distress of relatives. Those who have moral objections to it must produce convincing evidence that the harm that would follow such a change would outweigh these clear benefits."

Those benefits are more organs available for transplantation and fewer deaths among those who are awaiting transplants.

Recent figures show that the number of people dying while on waiting lists for heart, liver, lung and other organs has increased from 200 in 1997 to 218 in 1998. That does not include those people who never reach the waiting list because it is felt, given the supply of organs, that they are not the best candidates. It does not include those people waiting for kidney donations who die on the waiting list. The number who do so is more difficult to ascertain but it is felt that it is at least 1,000 each year. A large number of people on dialysis are waiting for a transplant that could save or transform their lives.

There is a lot at stake and the first test is whether a change to presumed consent, if done in an appropriate way that does not scare or worry the public, can result in an increase in the number of organs that are available for transplants. I believe that the evidence is that it can be done.

The recent consensus statement from the Council of Europe takes up this point and the view is that it is a question that should be examined in each individual country. The statement reads:

"Presumed consent laws, when fully accepted, seem to benefit donation . . . It is advisable to ascertain the opinion of the public and health professionals about presumed or informed consent of organ donation before considering legal changes that might be potentially detrimental."

I understand that view. The evidence from Europe is mixed. However, there was a change in the Belgian system in 1986, and a large increase in the number of available organs thereafter. That applied only to the centres which switched to the new system, although those that did not were subject to the same levels of car accidents and of national publicity. It is clear from the evidence that supply increased in Belgium.

If there is evidence that the number of organs that could be used and the number of lives saved would be increased, I think that the Government should explore the matter. However, I accept what the Government have said in the past and may say again. They have said that it would not be worth changing the law until there was near universal support for such a change from the key people involved. It would not have been worth my bringing the proposal to the Government had the BMA, for example, stuck to its previous line and not voted overwhelmingly in support of change. I recognise that the Royal College of Nursing is not at present convinced of the need for change. The public would need appropriate education so that such a scheme became acceptable.

At the same time, there is a change in the view of patient-recipient groups. The National Kidney Federation voted by 7:1 in Blackpool only last weekend to press the Government at least to review the situation publicly and openly so that we can achieve consensus and consider a move to presumed consent. It must be recognised, however, that the surgeons may not share that view. The view of the recipient side has to be kept at arm's length in these considerations because there are vested interests for recipient patients and their surgeons.

I ask the Minister whether he will at least consider exploring this country's data once again and build on the research and review that has been carried out by the Council of Europe. I ask him to consider, for example, whether the Belgian system could be usefully transferred to the United Kingdom to increase retrieval rates. If that view came from a consensus group, he might consider consulting wider groups, including the public, to ascertain whether a change in the system would be considered acceptable and would not have counterproductive effects that we do not want. People are dying while waiting. I hope that the Government will give urgent consideration to these matters.

2.49 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Hutton): I congratulate the hon. Member for Oxford, West and Abingdon (Dr. Harris) on raising the subject of the debate this afternoon, and on the general tenor of his remarks. He raised a number of issues of general policy on organ donation, and I shall come to those in a moment, but he referred at the beginning of his remarks to two particular cases. It may be helpful if I start by dealing with those.

The hon. Gentleman mentioned the case of a young girl who recently underwent a heart transplant operation against her declared wishes. It is not usually appropriate for a Minister to comment on particular cases in detail, as I am sure the hon. Gentleman understands, but under the existing law, the refusal of treatment by a young person may be overridden by parental consent or by the courts. The court will always give considerable weight to the child's views, but the paramount consideration must be the best interest of the child. I am sure that the hon. Gentleman would accept that in the case that he mentioned, the issue was not so much the donated organ as the child's ability to consent or not. That issue was resolved by the court in its decision.

The hon. Gentleman also referred to the recent case involving a kidney donated at Northern general hospital, Sheffield, which was highlighted in the press. The relatives of the deceased stipulated that they did not want the organ to go to anyone who was not white. The Government's view is that organs should not be accepted with conditions attached. As far as the Government are concerned, donated organs and tissues are a national resource available to anyone who needs them, regardless of race, religion, age or other circumstances.

We would expect that policy to be explained to potential donors or their relatives. Organs and tissue should not be accepted unless they are freely donated without any conditions attached. The NHS organ donor register, as the hon. Gentleman no doubt knows, specifically excludes any donor who wishes to attach conditions to his donation in terms of potential recipients. The only restriction allowed is on the organs or tissue that can be retrieved.

The hon. Gentleman mentioned his concerns about racism. The NHS is not exempt from the provisions of the Race Relations Act 1976. Racism and racial

discrimination have no part in a modern and dependable NHS or in modern social services. Ever since the Government took office, we have made clear our determination to tackle racism and racial discrimination whenever it occurs. That means investigating and acknowledging problems where they occur, and taking tough action to remedy matters.

As the hon. Gentleman knows, an investigation has been set up to discover what went wrong in that incident, and to recommend any further action that may be necessary to ensure that such an incident never happens again. My right hon. Friend the Secretary of State has made it clear that if legislation is needed to keep racism out of organ donations, the Government will introduce it.

In his wide-ranging remarks, the hon. Gentleman covered substantial policy issues relating to organ donation. From his own experience, he is aware that transplantation is usually the best and most cost-effective treatment for organ failure. We know that each year in the UK, about 2,500 organs are transplanted, but there are more than 5,000 people on the transplant waiting list. However, there is a world shortage of organs, so the problem is not unique to the UK.

Paradoxically, the success of other policies has exacerbated the problem. The main source of organs is from people who have died from sudden brain injury, such as a stroke or as a result of a road accident. The UK now has one of the lowest rates of road traffic deaths in Europe and that, together with advances in neurosciences, has resulted in a reduction in deaths from intra-cranial haemorrhage by about two thirds since 1970.

In answering the hon. Gentleman's points, I shall explain first how the current organ donation system works, in terms of the legislation and in practice. The legal position is quite clear. Under the Human Tissue Act 1961, if a person has recorded his wish to donate his organs, those organs may be taken when that person dies. If an individual's wishes are known, the hospital can authorise removal of the organs. The 1961 Act does not require the relatives or any other person to be consulted in those circumstances.

If the person did not record his wishes, the organs may still be taken if it has been established that the deceased, or his surviving relatives, do not object to that. There are a number of ways in which people can make their wishes known. They can carry a donor card, put their name on a computerised register or, most importantly, make sure that their relatives know their wishes. Ideally, each individual should make his or her wishes known in one or more of those ways.

In the United Kingdom, doctors will ask relatives if they may use the organs whether or not the individual had a donor card or was on the register. There are sound practical reasons for that. It is important to ask the family detailed questions about any aspects of the donor's health or life style that would make him or her an unsuitable donor. Those might include questions about sexual behaviour and any history of drug taking. Transplant co-ordinators say that, having put such difficult questions to extremely distressed relatives, it is often very difficult to ignore their wishes if they object to the donation.

Ignoring people's wishes provokes strong responses in families and, in turn, can damage short and long-term donation rates. For example, in France, which has opt-out legislation, a public outcry was followed by an alarming drop in donations when a couple discovered that their son's eyes had been removed against their express wishes. That incident, which received widespread coverage in the media, was followed by a 20 per cent. drop in organ donation and a 30 per cent. drop in corneal donation. It took three or four years for the donation rate to recover. To reassure the public, the law in France was amended to require that relatives be approached when the wishes of the donor are not clear.

The hon. Gentleman argued that the current system allows the family to overrule the wishes of the donor and implied that many organs that could be donated are lost because of that. That is not the case and refusal is almost unknown when relatives know that their loved one wished to donate. I understand that there are refusals in less than 1 per cent. of cases.

Dr. Harris: I should put it on record that I made it clear that overruling is extremely rare when express pre-mortal consent has been given, and I certainly accept the Minister's figure of 1 per cent. or less.

Mr. Hutton: I am sorry if I have caricatured the hon. Gentleman's argument. I did not intend to do so, but I thought that he was implying that requiring relatives to state their position on the donation somehow places an unnecessary burden on the present system. My point to him is that it is not a burden and refusal rates are less than 1 per cent. in those cases in which the deceased person has made his or her wishes known.

Potential donations are much more likely to be lost when families do not know the wishes of the deceased relative. For the reasons I have outlined, families must be consulted. Potential donors are usually those who have died unexpected, traumatic and sometimes untimely deaths. Some families find solace in the thought that their relative's organs will give life to others. I must emphasise that the majority of families—three out of four—agree to donation. If a minority find the idea abhorrent, do we really feel that the hospital should add to their distress by insisting on removing the organs? I am sure that the hon. Gentleman would not want to go that far.

Additionally, opt-out as it is run in many European countries does not exclude consulting families. In most countries, whether they have an opt-in or an opt-out system, hospitals will not take organs if the family of the deceased person objects. The consulting of relatives is, therefore, not a distinction between opt-out and opt-in systems of organ donation. I have to say to the hon. Gentleman that I am not convinced that introducing an opt-out system would solve the organ shortage in this country. Far from it; the most important factor in any donation system is public confidence, to which he referred repeatedly. All organ donor schemes depend on public support, whether they operate within an opt-in or an opt-out system. As he rightly said, there is no consensus on that issue among the public or the professions.

A survey undertaken in May on behalf of my Department asked which of those two systems people would prefer to have in the United Kingdom. It found that 50 per cent. were in favour of the current system, but only 28 per cent. were in favour of an opt-out system. There is a 22 per cent. net preference for the current system.

[Mr. Hutton]

The rest of the sample—22 per cent.—expressed no preference at all. That is clear evidence that currently there simply is not public support for an opt-out system.

Dr. Harris: I recognise those figures, and I have seen the poll. Given that bald question, that is the public's position at the moment, but if it were shown that such a change in the system could increase the number of organs donated—that is the key question—and therefore save lives, and if the question were restated in those terms, supported by a professional consensus, the figures might change. Had transplantation not been allowed 30 or 40 years ago only on the basis of a public opinion poll, a million or so lives might not have been saved worldwide through transplantations. Those figures should therefore be treated as a basis, not as an end.

Mr. Hutton: I shall return to that point in a second.

Professional support is also crucial. Although the British Medical Association voted recently in favour of opt-out, the transplant field is clearly divided over the issue. Those who are most intimately involved in transplantation from day to day—those, for example, who ask the bereaved families, such as the members of the United Kingdom Transplant Co-ordinators Association and the Intensive Care Society—remain opposed to an opt-out scheme.

People in the field say that it makes little measurable difference what legal system is in place. Opt-out would not, in practice, make a difference to how families are approached about organ donation. It would not mean that organs would simply be removed without the knowledge of relatives. It would not mean that, where donors had not registered an opt-out, their organs would simply be automatically removed without talking to their relatives. The incident in France illustrates why a system that operated in that way would be unpalatable to the British public.

I agree that retrieval rates are affected by a range of issues and approaches. The fact that the legal position is not the crucial factor in high donation rates is illustrated well by those countries that have introduced opt-out legislation. Different cultural attitudes to the disposal of bodies, greater provision of intensive care beds, more aggressive procurement policies, the number of transplant co-ordinators and road death rates all play an important part. Therefore, opt-out alone is not a solution to organ shortages.

In Austria, it was only when doctors were employed as full-time transplant co-ordinators to organise procurement at peripheral intensive care units that the donation rate increased substantially. It rose from 17 per million population when the scheme was introduced in 1986 to 37.4 per million population in 1990. In Belgium, the donation rates increased dramatically when opt-out legislation was put in place, but, prior to that, there had been virtually no donation system. It is also worth noting that both Belgium and Austria have at least double the road deaths that we have in the UK. In 1996, for example, Austria had 12.7 road deaths per 100,000 population, while the United Kingdom had 6.4.

The Spanish have one of the highest donation rates in Europe. It is widely accepted that that is because of the success of their transplant procurement system. That system has been adopted with equal success by several other countries. Finally, Italy, which has opt-out legislation, has a lower donation rate than the UK. In 1997, Italy had 20.7 kidney transplants per million population compared with 25.6 in the UK.

The numbers who register as not wanting to donate in opt-out systems are not insignificant. In the Netherlands, where an opt-out system was recently introduced, 9.3 per cent. of the population registered that they did not wish to donate. There will always be a proportion of the population, whatever system of organ donation is in place, who do not wish to donate their organs.

The aims of the Government's current campaign to maximise the number of organs available for transplantation—

The motion having been made after half-past Two o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at three minutes past Three o'clock.

House of Commons

Monday 19 July 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

European Security

1. **Mr. Denis MacShane** (Rotherham): What recent contacts he has had with his opposite number in Russia to discuss issues of European security. [90196]

The Secretary of State for Defence (Mr. George Robertson): I have recently written to Marshal Sergeyev, the Russian Defence Minister, to reinforce a long-standing invitation to visit the United Kingdom. I very much hope that we will soon be able to discuss European security issues face to face. Meanwhile, NATO and Russian troops co-operate closely in Kosovo.

Mr. MacShane: Does my right hon. Friend agree that Russia was, is, and will be a great European power, so we need the warmest of relationships with that country; that we must continue ministerial and military contacts with our opposite numbers in Russia at the highest level, to build that relationship; and that, over the long term, we must find a way of building Russia into the European security architecture? The Government can deliver that, unlike the Conservatives, with their puerile hostility to anything to do with Europe, who have absolutely no locus standi in the matter. That was not Russian, by the way.

Mr. Robertson: I am grateful for my hon. Friend's interpretation. I agree that it is important to build Russia into the crucial future relationships in our continent. Contacts at the highest level may be temporarily on the wane, but I hope that they will shortly recover. Thanks to your initiative, Madam Speaker, we had the International Affairs Committee of the Russian Duma here, and its members visited me at the Ministry of Defence. The Duma's Veterans Committee visited my hon. Friend the Under-Secretary, and I met Mr. Vladimir Lukin, Chairman of the Russian Duma's International Affairs Committee, when he attended the opening of the Scottish Parliament on 1 July. All those contacts are invaluable, as indeed are the initiatives for which we have been responsible.

Mr. Michael Colvin (Romsey): I want to tempt the Secretary of State still further on the amalgamation of the Western European Union with the European Union. If such a policy proceeds, where does that leave Russia as a member of Partnership for Peace, with its association with NATO; where does it leave the 28 associate members of the Western European Union that are not full members of the EU or members of NATO; and where does it leave the four neutral countries—Austria, Sweden, Finland and Ireland—whose neutrality, which they are determined to preserve, will be forfeit if the WEU is amalgamated into the EU? What is the Government's clear policy?

Mr. Robertson: We are not talking about amalgamation. The EU, through a strengthened common foreign and security policy, will be better suited to the present climate if it has a better military capability that allows it to take effective decisions with a military connection. That may mean that the WEU's political elements are brought more within the orbit of the EU. In the military sphere, NATO will retain primacy, and the military elements of the WEU might well find a home within the European security and defence identity of NATO, but we have made it absolutely clear that there will be no discrimination against those powers that are part and parcel of the European security family. Finding a place for the EU powers that are not in NATO and for the NATO powers that are not in the EU, and dealing with Russia, will be among the bigger challenges facing us in the future as Europe comes to terms with the challenges ahead.

Shoeburyness

2. **Sir Teddy Taylor** (Rochford and Southend, East): What area of land will become available for development in consequence of the sale of the Shoeburyness barracks and the reorganisation of the New Ranges in Shoeburyness. [90197]

The Parliamentary Under-Secretary of State for Defence (Mr. John Spellar): The whole of the Old Ranges and Horseshoe barracks, Shoeburyness, including Gunners park, will be sold later this year. The joint planning brief approved by Southend-on-Sea borough council is not specific in terms of areas to be allocated for development.

The Defence Evaluation and Research Agency has let its new partnership contract for the New Ranges to SERCO Ltd. Under the contract, both parties will work together to identify and introduce new businesses that can co-exist with the continuing range activities. We do not currently anticipate releasing any of the existing estate as part of the process.

Sir Teddy Taylor: As the land available for development will be substantial and there will be a dramatic effect on the community in Shoeburyness, will the Minister do what he can to ensure that the local community is kept advised of developments? In particular, will he consider making it a condition of the sale of the barracks and of the contract with SERCO for the New Ranges that there should be full public consultation and possibly public meetings, simply to let the community know what is planned and what is likely to happen?

Mr. Spellar: We certainly want to ensure community participation. That is precisely why we have had

discussions with the local council, which has made some useful suggestions. It would obviously be for the council, along with ourselves, to undertake wider public consultation and spread information, which is very desirable when, as the hon. Gentleman rightly says, major changes are taking place as a result of the change of use in the area.

Eurofighter

3. **Mr. Paul Flynn** (Newport, West): What is his current estimate of the total United Kingdom contribution to the Eurofighter project; and what was the estimate when the project was first commissioned. [90198]

The Parliamentary Under-Secretary of State for Defence (Mr. John Spellar): The UK's estimated share of the procurement cost for Eurofighter at the start of development in 1988 amounted to £13.5 billion at current prices, and the present estimate is £16.1 billion, also at current prices.

Mr. Flynn: Does my hon. Friend recall that the Select Committee on Defence said that the Government's control of large projects was financially weak in every respect? The overspend on the Eurofighter project alone amounted to £1.5 billion in January—half the total overspend on large projects of £3 billion—and now my hon. Friend has identified a further overspend on it of £3 billion. The project has been successful as a job creation programme, but the aeroplane might be only as successful in operation as the Apache helicopters were in Kosovo.

Is not it time to reconsider the project? Given that the new German Government appear to be having second thoughts about it, will my hon. Friend live up to his statement, made in the booklet "Modernising Defence", that every pound should count? Will he apply the same financial control to the Eurofighter project as he does to smaller projects? Will he assure the House that, if Germany pulls out of the project, Britain will not take on any additional financial share, and that no commitment will be made to building any more than the 232 fighters already commissioned?

Mr. Spellar: First, my hon. Friend should not believe every report in the newspapers, not least because Germany has a production contract. We believe that Eurofighter is the aircraft best suited to our needs, in terms both of cost and operational effectiveness.

Secondly, with regard to the increasing costs, I draw my hon. Friend's attention to the National Audit Office report on major projects. It stated:

"Most of the costs escalation is not new, having occurred in the earlier stages of the development programme, and the cost escalation has slowed as the development programme has matured."

With smart procurement, that trend will continue.

Mr. John Wilkinson (Ruislip–Northwood): The conflicts in the Falklands, Iraq and the Balkans have demonstrated that air superiority is the crucial determinant of success in modern warfare. Will the Minister confirm that the Royal Air Force will still procure 232 Eurofighters, and that there will be no degradation of the aeroplane's specifications? Will he also confirm that the Eurofighter will be given the most modern air-to-air weapons at the earliest possible date?

Mr. Spellar: I can certainly confirm the orders that we have placed. Also, we consider that the Eurofighter will be a major addition to the capability of the Air Force. As the hon. Gentleman knows, we are at present holding a competition to ensure that our Eurofighters—and those of our partner nations—have the most effective equipment and weapons systems.

Mr. David Borrow (South Ribble): Is my hon. Friend aware that, at the general election, the Conservative party stated that a Labour Government would not go ahead with ordering the Eurofighter? Is it not a tribute to the fact that the Government keep their promises that the order has gone ahead?

Does my hon. Friend recognise that 14,000 jobs will depend on the order, and that the Royal Air Force is satisfied with the aircraft's capability and is convinced that it is needed by the UK military?

Mr. Spellar: I thank my hon. Friend, and congratulate him on his hard work for those of his constituents who work for British Aerospace. I recall the scare stories put about at the time of the election, and the sterling work undertaken shortly after we came to power by my right hon. Friends the Secretary of State and the Prime Minister to ensure that the Eurofighter contract was signed. Production work is now proceeding satisfactorily: when the aircraft is in service, it will provide a welcome addition to the Air Force's capability.

Mr. Mike Hancock (Portsmouth, South): Will the Minister give the Eurofighter's in-service date? In view of the German Government's obvious wobble with regard to the Eurofighter project, what does he suggest would be the minimum number of aircraft that need to be built to maintain the programme's viability?

The Horizon project has been cancelled already, thus ending the joint frigate initiative. The state of the Eurofighter project casts further doubt on whether there really is a European commitment to defence, and puts all the eggs back into the basket that is the American defence industry. Does the Minister agree that Secretary-General Solana should be given the resources to carry out a comprehensive, Europe-wide defence review to determine the respective commitments of Britain and Europe to NATO in the future?

Mr. Spellar: I find that question extraordinary. We expect the project to be delivered to the Royal Air Force in mid-2002. In spite of earlier difficulties, the project is working well. There have been serious expressions of interest from Norway and Greece, and a major platform is being developed in European countries. The project is a success of European collaboration, and I am surprised that the hon. Gentleman's attitude is so negative.

We must consider how best to achieve the cost benefits of collaboration in defence procurement, and how to act consistently with the principles of smart procurement. That is the route to success on a European defence initiative, both in policy and military terms, and for the European defence industry. That is why we signed the

statement of intent, and why we are progressing sensible programmes, such as the pan-European programme. We are also considering how to draw on work already done in order to advance further successful programmes, as with the type 45.

Mr. Richard Ottaway (Croydon, South): Given that senior politicians in Germany have expressed doubt over their future participation in the Eurofighter project, does the Minister believe that tomorrow's launch by the UK and Italian Governments of a bid to speed up creation of a pan-European defence force is a touch premature? Does he accept that, unless there are firm commitments for increased expenditure by our European partners, plans for European defence co-operation will be ineffective and meaningless because we will still have to rely on American assets for our operations?

Mr. Spellar: I am not sure whether the hon. Gentleman wants the Eurofighter project to succeed or fail. We want it to succeed, and that is why the Secretary of State, the Prime Minister and others made such intense efforts to ensure that the production contract went ahead. We believe that matters are moving well, and we have had no indication from the German Government of any change to the contract that they have signed. The European security and defence initiative is vital to Britain and Europe playing their parts in an effective NATO alliance, and it is welcomed both here and in the United States.

Cadet Forces

4. **Mr. Bob Russell** (Colchester): If he will increase the level of funding for cadet forces. [90201]

The Minister for the Armed Forces (Mr. Doug Henderson): The Government are fully committed to the cadet forces. As I have already announced, we are increasing our expenditure on the cadet forces by £3 million over the next four financial years. Up to £12 million is also being made available to provide necessary alternative accommodation for those units affected by Territorial Army restructuring.

Mr. Russell: Does the Minister accept that there has been a steady decline in the number of cadets in recent years? Does he accept that in real-terms funding, £3 million over four years is not a lot? Does he agree that the cadet movement is a recruiting ground for the armed forces? As recruitment is not currently hitting the required targets, does he agree that more investment in our cadets would mean more people entering our armed forces, as well as dovetailing with the policies of the Secretary of State for Education and Employment on the new deal and on wider education, and with the Home Secretary's policies on tackling youth crime, as it would provide young people with more productive ways to occupy their time?

Mr. Henderson: I am glad to hear the hon. Gentleman identify exactly the position reached by the Government in the strategic defence review. We recognise the historic importance of the cadets, the value of continuing their activities and recruitment, and the need to add extra money to the cadet budget so that the service may develop for the good of both the community and the armed forces.

Mr. James Gray (North Wiltshire): The Minister seems content to believe that the closure of 87 Territorial Army centres across Britain will have no effect on the cadet force. On 31 March 1998, there were 124,752 cadets in the UK. How many are there today?

Mr. Henderson: I will be happy to look at the precise figures. I again assure the House that, when the Territorial Army restructuring was introduced—that exercise was widely welcomed and has been a success—an absolute guarantee was given that the same level of provision for cadets would be available after the restructuring as before it.

Iraq

5. **Mr. Clive Efford** (Eltham): How many British service personnel are currently involved in helping to patrol the no-fly zones in northern and southern Iraq. [90202]

The Secretary of State for Defence (Mr. George Robertson): We currently have just over 1,000 British service personnel involved in the mission in support of United Nations Security Council resolution 688 to prevent Saddam's air force from persecuting the Kurds and Shi'a Muslims of northern and southern Iraq.

Mr. Efford: Does my right hon. Friend agree that we should not forget the very difficult task that those Air Force pilots are performing in protecting the no-fly zones? Will my right hon. Friend assure the House that every check and balance has been put in place to ensure that pilots are targeting only those targets that would secure the no-fly zones, and that every effort is being made to protect innocent Iraqi civilians and Air Force pilots?

Mr. Robertson: I can give that assurance. British and American responses to attacks on alliance planes are strictly limited to proportionate defensive action against Iraqi weapons and facilities that pose a threat to our aircraft.

Let me be blunt: Saddam is out to kill our pilots and navigators. That has been his relentless intention since the end of Operation Desert Fox. More than 190 Iraqi aircraft have violated the no-fly zones and there have been more than 260 other direct threats against our aircrews, including missile attacks and heavy anti-aircraft artillery fire. Saddam has even offered a bounty for shooting down an aircraft. So long as Saddam and his forces continue to threaten the lives of our aircrews, we reserve the right to take action in self defence—and we will continue to do so.

Mr. Robert Key (Salisbury): In turning once again to this important unfinished business, will the Secretary of State confirm whether there is any intention to withdraw British forces from the operation? Does he agree that it is in Britain's national interest that there should be stability in the area? Does he further agree that, in addition to targeting British pilots, Saddam and his regime are responsible for killing large numbers of Iraqi people on the ground—and that is why we are there? Given that Saddam is still killing—indeed, executing—100 people a week in southern Iraq alone, does that not justify our continued presence in the area on behalf of the United Nations?

Mr. Robertson: The hon. Gentleman is absolutely right. We have no intention of giving up what is an

essentially humanitarian mission to protect people who have been relentlessly attacked by Saddam in the past and who would be attacked again in the future if we were to leave the area.

Our aircrews patrol the no-fly zones daily in the humanitarian interests of the people on the ground and, day by day, our aircrews are under attack. They take their lives in their hands when they conduct those missions. Our aircrews exhibit professionalism and skill, and they should receive the backing of the whole country—as I am sure they do.

Mr. David Winnick (Walsall, North): If the reports are true, one certainly regrets the loss of any civilian lives arising from the attacks. Can more be done to get the point across in the middle east about why we are involved in the no-fly zones, why the patrols began and why it is necessary that they continue? Is it not the case—as the Opposition spokesman, the hon. Member for Salisbury (Mr. Key), pointed out—that Saddam Hussein is a most notorious mass murderer and is about the last person on earth from whom we should take lectures about the loss of innocent lives?

Mr. Robertson: We take great care over the targeting that is involved in these missions. We would regret any loss of civilian lives, but we should treat with great caution reports emanating at any time from Saddam's propaganda machine about possible civilian casualties. In fact, Saddam has resorted recently to indiscriminate fire using surface-to-surface rockets as improvised anti-aircraft weapons and is putting civilians on the ground at risk. Some of the casualties that he has reported occurred on days when allied planes did not fly, and they were undoubtedly caused by some of his troops on the ground. As I say, when he stops trying to kill our aircrew, we shall no longer have any reason to act against the missile sites that cause the problem.

Dr. Julian Lewis (New Forest, East): The Secretary of State is well aware that I support the Government's tough line on Saddam Hussein, but I am doubtful about the efficacy of air power alone in combating his chemical and biological warfare capabilities. In the light of the lessons of the conflict in Kosovo, and the limitations shown by that conflict as to the ability of air power alone to ensure the destruction of individual, hardened targets, has the Secretary of State made any reassessments? What lessons has he drawn on the efficacy of using air power alone to degrade Saddam Hussein's chemical and biological warfare capabilities?

Mr. Robertson: The campaign in Kosovo showed the potential of air power and the potential of the precision attacks that took place there. In many ways, those precision attacks were modelled on what we had to do in the no-fly zones when allied aircraft came under attack. We have to combine the policing of the no-fly zones with a robust diplomatic offensive. That is why Britain has tabled a draft resolution in the United Nations Security Council, co-sponsored by Argentina, Bahrain, Brazil, the Netherlands and Slovenia. That shows how the UN could respond, and respond robustly, to the three reports that were commissioned by the Security Council—the first on a re-engagement with Iraq; the second on humanitarian help to the Iraqi people; and the third on the more serious attention that should be given to those people from Kuwait who are still missing after the Gulf war.

Aircraft Carriers

6. **Ms Rachel Squire** (Dunfermline, West): What progress has been made in his Department's plans to procure two new aircraft carriers. [90204]

The Parliamentary Under-Secretary of State for Defence (Mr. John Spellar): Bids have been received from two industrial teams for the next phase of the programme, which will develop overall design proposals. The bids are currently being evaluated and contract placement is planned for this autumn. The procurement strategy thereafter sees bids for the demonstration and manufacture phase scheduled for 2003; contract placement will then take place in 2004, following ministerial decision. As part of that, on 16 August, Mr. Ali Baghaei will be appointed as the integrated project team leader for the project. We have made it clear to the teams that the ships will be built in British yards. We will be in a position to make a further statement on the project in the autumn.

Ms Squire: I very much welcome my hon. Friend's statement that future carriers will be built in a British yard. Will he confirm that Kvaerner Govan will be able to compete, along with other UK yards, for the work to build those carriers? Does he agree that, until those carriers are built, it is vital that we maintain the present condition of our aircraft carriers? Will he join me in praising the high standard of workmanship of the work force at Rosyth royal dockyard, who are currently carrying out a refit on HMS Ark Royal? Is that not a clear lesson that it is in the interests of the people of Scotland to remain part of the United Kingdom if they want to secure a future for their yards?

Mr. Spellar: I thank my hon. Friend for that well-made last point. I join her in welcoming the announcement last week on the future of Kvaerner Govan and the tremendous work that is being undertaken by the work force, the companies and our colleagues in the Scottish Office. She rightly drew attention to the fact that Kvaerner Govan is one of the potential yards for the future carrier. However, I must mention that there are other contenders—Harland and Wolff, Barrow, Cammell Laird at Birkenhead and Swan Hunter.

I join my hon. Friend in her tribute to the work at Rosyth on the refit of Ark Royal. That demonstrates, once again, the considerable shipbuilding and ship-repairing skills of this country; they will provide a strong future for the industry and for the Royal Navy.

Mr. Edward Garnier (Harborough): The Minister will recall that, under the strategic defence review, the Government announced that the Invincible class carriers would be replaced with two new carriers in 2012 and 2015. Is that still the Government's intention? What sort of aircraft is it intended to fly from those carriers?

Mr. Spellar: Yes, I can confirm that that is still our intention and that it is consistent with the dates I announced previously. There are several potential

contenders for the aircraft: the joint strike fighter, an updated Harrier, a Rafale, a navalised Eurofighter or an F18. All of them are currently being evaluated for a future decision.

Mr. Syd Rapson (Portsmouth, North): You will be aware, Madam Speaker, that I represent part of Portsmouth where we have a great interest in the two new aircraft carriers—not in building them, but in maintenance and berthing. Is my hon. Friend the Minister aware of the excellent facilities in Portsmouth? He will know of the firm FSL—Fleet Support Ltd.—which he managed to formulate by a shrewd decision early last year involving Vosper Thornycroft and GEC. We are very capable of looking after the carriers in the long term and we wish good luck to the company that gets to build them.

Mr. Spellar: Perhaps, Madam Speaker, you would like to add to your duties that of chief auctioneer receiving bids on this matter. My hon. Friend the Member for Dunfermline, West (Ms Squire) and my hon. Friend the Member for Portsmouth, North (Mr. Rapson) rightly draw attention to the excellent facilities and the supremely skilled work forces in both their local facilities and others around the country. We are lucky to have them, and they will all be evaluated in future for construction, maintenance and refit purposes.

Kosovo

7. **Mr. John Bercow** (Buckingham): What assessment he has made of the effectiveness of European defence co-operation during the Kosovo campaign. [90205]

15. **Mr. Tim Loughton** (East Worthing and Shoreham): What assessment he has made of the effectiveness of European defence co-operation during the Kosovo campaign. [90214]

The Secretary of State for Defence (Mr. George Robertson): Throughout the campaign, European defence co-operation was excellent and Europeans are now providing 85 per cent. of KFOR personnel. However, Kosovo has highlighted areas where European collective capabilities can and should be improved. The European defence initiative that we launched last autumn foresaw those requirements and is intended to address them.

Mr. Bercow: I am grateful to the Secretary of State for his answer: the lessons of Kosovo are clearly crucial to the future of European defence co-operation. Does he agree with Jamie Shea that NATO knew about the nuclear bunkers and deception tactics used by the Serbian army, the effect of which was to protect much of its equipment from the effects of the NATO air strikes? Given that the battle damage assessments that were made public at the time were widely regarded as over-optimistic, and in light of the knowledge that Jamie Shea claims NATO possessed, what effect did NATO's private assessment have on its judgment of the situation on the ground?

Mr. Robertson: It was not only Jamie Shea who knew about the bunkers and the deceptions practised by the Yugoslav troops: it had been known for many years that they were part and parcel of Tito's tactics against any potential Warsaw pact invasion, so it was hardly news that they were in use. However, the fact is that, if the tanks were hidden and only decoys were on the surface, there would be much less violence against civilians and property. The relentlessness of the attacks by allied air forces increasingly drove the Serb troops into the bunkers where they could cause far less damage than if they had remained on the surface.

As for battle damage assessment, we divulged at the time what we knew—what was apparent to us from the distance at which we had to operate. There is currently a NATO team in the area evaluating the damage, and it would be wiser to wait and see what it produces than to jump to any conclusions now. The answer to the question of how much damage we caused to Milosevic's military machine can be summed up in one simple word: enough.

Mr. Loughton: From a rather intriguing document, "Preliminary Thoughts on Kosovo", which represents a recent speech by the Secretary of State, we learn much about history: we learn about what NATO did not do and how NATO came through the Kosovo conflict strengthened, despite public opinion in Greece and Italy; and we learn how wonderful the Germans were. However, we skim over the fact that more than 80 per cent. of the air power was provided by the United States.

What sort of operation does the right hon. Gentleman think that Europe could have carried out without the United States, given that he says in the document how far Europe has come in responding to conflicts on its doorstep? Secondly, what exactly is he looking for when he mentions that we have some way to go before we have as robust a European defence policy as he would like?

Mr. Robertson: The answer to the second question is the answer to the first one. I hope that we would not need the Americans to supply more than 80 per cent. of our air power in such a situation. They were generous and we should give them appropriate credit for their presence and willingness to take on the expense and risks. That is clearly one of the lessons that we must learn in considering how Europe might build its capabilities for the future.

Collectively in Europe, we have far too few air systems that can deliver precision-guided weapons, which are the weapons for the future. The European defence initiative must clearly address itself to that.

I did not skim over what Europe needs to do. It is one of the fundamental planks of the European defence initiative, on which we feel very strongly but which, it appears, the Opposition think is simply part and parcel of a European crusade.

Ann Clwyd (Cynon Valley): Amnesty International claims in a letter to me that the United Kingdom Government are planning to deploy 17-year-olds as part of the international peacekeeping force in Kosovo. I do not know whether that is so, but the United Nations guidelines are very clear. They say that the minimum age for peacekeepers should be 18, and preferably 21. Is this really the policy of the Ministry of Defence?

Mr. Robertson: The UN guidelines make it clear that they apply only to conscripts and not volunteers. We seek parental permission for those under the age of 18 who might be deployed as peacekeepers. The British armed

forces recruit at that age because we hope to train the youngsters and give them the professionalism and skills for which our troops are known, although we are very sensitive to possible deployments. I repeat that the UN guidelines, to which my hon. Friend draws attention, apply to conscripts and not volunteers.

Mr. Dale Campbell-Savours (Workington): Have all the offers of troops for KFOR been fulfilled?

Mr. Robertson: Increasingly, they are being fulfilled. Not all of them are in place, but very large numbers of troops are moving into position and, as times goes on, I have no doubt that they will replace British troops. A wide range of countries, inside and outside NATO, are offering troops. We will gradually build the force to 50,000 by autumn, which was the KFOR-plus target established by NATO.

Mr. Gerald Howarth (Aldershot): Given that this is the last Defence questions before the likely disbandment of the 5th Airborne Brigade, may I take this opportunity to invite the Secretary of State to pay tribute to it, its leader, Brigadier Adrian Freer, and the 1st Battalion Parachute Regiment, which has done a very effective job in Kosovo?

Will the Secretary of State recognise the grave outrage in Aldershot at the idea that young paratroopers who are trying to enforce peace in Kosovo may be charged with murder? Finally, is he really convinced that the new 16th Air Assault Brigade will be able to do the job that the 5th Airborne Brigade would have been called on to do had it been required to fight in Kosovo?

Mr. Robertson: Yes, of course. The component parts believe that they will be able to do so, and with renewed strength. Of course I pay tribute to the 5th Airborne Brigade and the headquarters, which were present for the initial search inside Kosovo, but are now back home. I pay tribute particularly to Brigadier Adrian Freer, who attracted international attention with his discussion with Russian troops at Pristina airport. No one who saw the pictures of the Paras, the Gurkhas and the Irish guards going into Kosovo on 12 June, on the day of the Queen's official birthday parade in Horse Guards, will ever forget that moment. No one who has flown by helicopter across that route and seen the dangerous circumstances into which they went will doubt their courage and professionalism. No one who met them in Pristina, performing a range of duties will question in any way the versatility of the paratroopers, or of any of those who are serving with KFOR in the British sector.

Mr. Tam Dalyell (Linlithgow): Are we wrong to suppose that NATO went to war, and a mighty army was deployed, all in the cause of combating ethnic cleansing? Therefore, what can be done about the brutal ethnic cleansing currently going on of Serbs and gypsy people? What on earth is to be done about that?

Mr. Robertson: The 19 countries of NATO took military action because there was no other alternative in stopping the systemic genocidal killing being perpetrated by the Serb military inside Kosovo—which had led to the expulsion of almost 1 million people of Kosovar extraction from Kosovo itself. I regret it if some of the Kosovar Serbs are being intimidated into leaving their country. I understand that the number of Kosovar Serbs leaving their country has declined, and that some people of Serb extraction are now going back to Kosovo—as they are encouraged to do.

As distinct from the killers among the Serb battalions who drove the Albanians out, the forces of NATO—KFOR, under General Jackson—have made it absolutely clear that they are evenhanded and will treat alike those who are intimidating the Serbs and those who are intimidating the Albanians. That is the standard that we have established, and I hope that it is a standard that will survive for a long time to come.

Mr. Iain Duncan Smith (Chingford and Woodford Green): The Secretary of State seems to be in danger of contradicting himself. During the campaign, he said quite clearly that a part of its purpose was to debilitate or even to destroy Milosevic's war machine in Kosovo and elsewhere. However, just now, in answer to my hon. Friend the Member for Buckingham (Mr. Bercow), the Secretary of State said that everyone in NATO, including himself, had known about the Serbs' nuclear bunkers and various techniques to hide their equipment and create decoys, so that NATO aircraft would strike the wrong targets. If they knew all that, why did NATO—with the Secretary of State's approval—raise expectations during the conflict of success in destroying Serb army targets, such as tanks and artillery?

Mr. Robertson: We were aware of possible techniques that might be used by Serb forces inside Kosovo. However, from the very beginning, we spoke about NATO's objectives being very precisely to disrupt the violence going on inside Kosovo and to weaken the military machine that was causing that violence. From day one of the conflict, and throughout it, that is what we sought to do. Ultimately, as a consequence of the action that we took, Milosevic capitulated. All of the Serb troops—over 40,000 of them—and all of the armour that they had in Kosovo was taken outside Kosovo. The refugees are back home; NATO is in there. That is a success by any standard that one might care to mention. I wish that all those—the dismal Jimmies—who are determined to drag defeat from the jaws of victory would recognise that.

There may well be lessons to be learned—there will be lessons learned—but there has been a huge success, as any person of Albanian extraction inside Kosovo will be happy to tell the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith).

Mr. Duncan Smith: The Secretary of State is very quick to refer to anyone who asks questions as a dismal Jimmy, but surely the point is that the Government seem incapable of accepting that there are questions legitimately requiring an answer. The Government behave as though they are utterly infallible and incapable of any difficulties or problems. However, the Secretary of State will have to answer those questions.

A report, for example, states that NATO's ramped-up target and achievement levels appeared at about the time that the No. 10 Downing street press secretary and other political spokesmen arrived at NATO. Will the Secretary

of State say, once and for all, whether there was any connection between the upping of achievement levels and the need to win a propaganda war?

Mr. Robertson: The hon. Gentleman takes the conspiracy theory to a ludicrous extent if he suggests that Mr. Alastair Campbell was single-handedly in charge of the achievement levels inside Kosovo. We shall see in due course what damage was done to the Serb army. I can only tell the hon. Gentleman, as General Jackson would tell him, that we did sufficient damage, whether inside Kosovo or inside Yugoslavia generally, to cause Milosevic to capitulate and to take out all of his troops.

I do not deny the hon. Gentleman the right to ask questions. Indeed, he has every right to do so. There are questions that we shall ask and lessons that we shall learn from events in Kosovo. Some of them will be in the defence White Paper that will be published in the autumn. Some of them will emerge from the reviews that will take place by the Select Committees on Defence and on Foreign Affairs. I am not afraid about that.

However, instead of nit-picking over how many tanks we killed, we should reflect on the fact that if tanks were being hidden or substituted by decoys that were blown up, they were not causing the violence which, in the early days of the conflict, led to thousands of people being killed and even larger numbers being expelled.

Bosnia

9. **Mr. Steve McCabe** (Birmingham, Hall Green): How many British troops are currently deployed in Bosnia. [90207]

The Secretary of State for Defence (Mr. George Robertson): The UK contributes about 4,500 personnel to SFOR, of whom about 3,500 are based in Bosnia.

Mr. McCabe: Does my right hon. Friend agree that the only way in which we can reduce overstretch is to reduce the level of our overall commitments? When does he hope for a reduction in Bosnia, which is now relatively peaceful? When does he hope to announce a cut in numbers in Kosovo now that KFOR is virtually in place?

Mr. Robertson: My hon. Friend is right to point to the success in Bosnia, which I hope will allow us to draw down some of our troops later this year. That will have an impact on the present strain on our armed forces. My hon. Friend is right also to say that we must examine carefully our commitments to Kosovo. The improvements in the security situation there and the continuing arrival in theatre of troops from other nations make it possible for me to announce some further withdrawals of British troops from Kosovo.

Between August and October, we shall be bringing home the 1st Parachute Regiment, the 1st Royal Gurkha, Rifles and the Irish Guards battle groups, together with their supporting elements. These withdrawals, along with withdrawals of units of the Royal Air Force and the Royal Navy which were announced last month, will go a long way to help relieve the overstretch in the armed forces. Further withdrawals, including that of the headquarters of the Allied Command Europe rapid reaction corps, will of course follow.

Mr. Julian Brazier (Canterbury): Will the Secretary of State confirm that even if all the withdrawals that he mentioned go ahead, welcome as they are, there will still be substantially more service personnel in the Balkans now than there were 18 months ago? Will he further confirm that the Government when in opposition having attacked the levels of overstretch that pertained at the end of the previous Government's administration, tour intervals in the infantry, the engineers and the cavalry are now at the worst levels since data began to be collected?

Mr. Robertson: I confirm that there are more troops in the Balkans now than there were 18 months ago. That is pretty well self-evident. Troop numbers were quite high in Bosnia and we have put extra troops into Kosovo. I do not think that anybody among our armed forces or anyone in the House would suggest that because we had a degree of over-commitment before we should not have risen to the challenge that Milosevic posed in his genocidal violence inside Kosovo.

We must now move rapidly to reduce our commitment in as many areas as practicable, and that is precisely what I have said. We look to bringing more troops out of Bosnia because of an improvement in the security situation there. We shall reduce the number of our troops in Kosovo. All of that will contribute to bringing back the problem about tour levels to a position that will be more satisfactory for our troops and for us in the Ministry of Defence. Those are of enormous priority to us. They not only impact on our fighting forces and their efficiency, but they affect the individuals themselves and their families and, having met a number of service families recently, I know how important that is. That is why we are making it an absolute priority when we study the commitments that we have taken on and that we should have taken on.

CHURCH COMMISSIONERS

The hon. Member for Middlesbrough, representing the Church Commissioners, was asked—

Church Land

33. **Mr. Paul Flynn** (Newport, West): What is his estimate of the income from rental for Church land for each of the last two years for which figures are available. [90232]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): Income from the Church Commissioners' agricultural and mineral holdings was £8.6 million in 1997 and £9.9 million in 1998. A large part of the increase was due to accounting changes. Those relate to the commissioners' insurance provision for their agricultural estates.

Mr. Flynn: Is it not a matter of thanks and congratulations to hon. Members that, for ethical reasons, none of those sums will in future be invested in British Aerospace—something that hon. Members have requested for several Parliaments? In addition, are any Church lands under cultivation for genetically modified foods or will they be?

Mr. Bell: I am grateful to my hon. Friend. Since the inception of the commissioners' ethical investment policy

in 1948, they have never held shares in a company whose main business is defence. In view of the proposed sale of Marconi Defence Systems Ltd.—the defence arm of GEC—to British Aerospace, the Church of England's ethical investment working group has recommended to the central investing bodies that they should not retain the shares that are acquired in the new British Aerospace as a result of the sale, as its main business is defence.

On the second question, the growing of genetically modified crops requires, by law, a licence from the Ministry of Agriculture, Fisheries and Food. No licences have to date been granted to grow such crops on the commissioners' agricultural land, but it would be difficult in practice to stop our farmers growing GM crops should they wish to do so. All our farmers have freedom of cropping and any attempt by the commissioners to prevent a tenant growing GM crops might be challenged in the courts.

Sir Sydney Chapman (Chipping Barnet): As the hon. Member for Newport, West (Mr. Flynn) mentioned genetically modified crops, does the Second Church Estates Commissioner agree that it is important to find out whether GM crops have any deleterious effect on people's health or any adverse effects on the environment? Therefore, it is important to have test crop trials to find out the results. While it would be wrong to introduce the commercial growing of GM crops now, test trials organised by licence through the Ministry of Agriculture, Fisheries and Food would be perfectly ethical whether on Church land or not.

Mr. Bell: I am grateful to the hon. Gentleman for his question. The issue is indeed complex and requires careful and reasoned evaluation. We have received from MAFF a proposal to lease land from the commissioners to research the growing of GM crops under closely controlled conditions. Due to the circumstances surrounding the lease of that land, the decision about the proposed use will rest with the commissioners. The ethical investment working group, on which the archbishops' council is represented, will consider that proposal at a meeting later this month. The points that the hon. Gentleman made are those that will be fully considered at that meeting.

PUBLIC ACCOUNTS COMMISSION

The Chairman of the Public Accounts Commission was asked—

Archway Tower

35. **Mr. Jeremy Corbyn** (Islington, North): What discussions he has had with the National Audit Office on the resource implications of examining public expenditure on Archway tower, N19. [90235]

Mr. Robert Sheldon (Chairman of the Public Accounts Commission): The commission meets regularly with the Comptroller and Auditor General to discuss the adequacy of the resources allocated by Parliament to the work of the National Audit Office. The Comptroller and Auditor General audits the accounts of the property advisers to the civil estate, which is the agency responsible for the management of Archway tower and other vacant government property. In 1997, he published a report on the agency's management of vacant office accommodation throughout the United Kingdom, which recommended various ways of minimising the costs incurred. Although that report did not specifically examine the agency's management of Archway tower, I would be happy to pass on any concerns that my hon. Friend may have on that subject to the Comptroller and Auditor General.

Mr. Corbyn: I am grateful to my right hon. Friend for his reply and for what he said about passing information on to the Comptroller and Auditor General. I am concerned that a building that has been leased by the public sector—on a long lease to the Department of Social Security at a rent of £1 million a year—after being built by it has been empty for at least the past five years. The net cost to the public has been £1 million a year and, although £5 million has now been spent on refurbishing the building, I understand that the expected rent income will not meet even the existing cost to the public sector of that rent. The public sector has been ripped off and we are throwing good money after bad.

Will the Comptroller and Auditor General seriously consider the massive waste of public money on a building that is unsuitable and disliked locally? It would be better to pull down this expensive white elephant and turn it into something much more useful.

Mr. Sheldon: I can confirm that the Comptroller and Auditor General naturally is interested in the matter. Negotiations on the terms of the lease have been protracted, but they are to be concluded shortly. There will be some sub-letting, which will of course provide some income to offset some of the costs to which my hon. Friend refers.

Mr. Mike Hancock (Portsmouth, South): While the Chairman of the Public Accounts Committee is looking into the issue of the Archway tower, will he look into the issue of the Millennium tower at Portsmouth—

Madam Speaker: Order. This is a specific question.

CHURCH COMMISSIONERS

The hon. Member for Middlesbrough, representing the Church Commissioners, was asked—

Ethical Investment

36. **Mr. John Bercow** (Buckingham): If he will make a statement on the effectiveness of the Church Commissioners' ethical investment policy. [90236]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): The Church Commissioners' ethical investment policy, which has been in operation for more than 50 years, is directed at raising standards in corporate life and encouraging business to develop codes of practice that place high standards of ethical excellence at the heart of corporate vision, thinking and strategy. While following that policy, the commissioners'

investment returns have over the past five years exceeded their financial targets and significantly outperformed the pension funds world market all-funds benchmark.

Mr. Paul Flynn (Newport, West): The wages of virtue.

Mr. Bercow: I am grateful for that reply. Can the hon. Gentleman assure the House that the Church Commissioners have no current investments in any country that has been severely criticised in an Amnesty International report which it has neither rebutted nor addressed? If he cannot give me and the House such an assurance, what steps are they taking to ensure that in future their hands are entirely clean?

Mr. Bell: The wages of virtue have been mentioned; they are certainly greater than the wages of sin. Labour Members, and the Church Commissioners, are happy to be on the side of the angels. I will give the hon. Gentleman a written reply on his specific question. However, the commissioners' present policy excludes about 10 per cent. of the United Kingdom stock market and a smaller proportion of world markets. To exclude a greater proportion could imbalance the portfolio, incurring increased risk as well as adversely affecting financial performance. The question of the export of defence equipment to various parts of the world is often raised. When the Prime Minister raised it and took a question about East Timor on "Question Time", he had a sandwich thrown at him. The House is a little bit more decorous in that regard and I shall give the hon. Gentleman a full response to his specific point.

Mr. Dennis Skinner (Bolsover): I wonder whether the ethical investments of the Church of England are being more closely monitored than the ethical investments of the Tory party, which is getting drug money from Belize.

Madam Speaker: Order. That was a good try. I have stopped one question; I am stopping that one.

Cycling

37. **Mr. Anthony Steen** (Totnes): What the Church Commissioners' policy is as regards cycling on Church Commissioners' land. [90237]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): The commissioners are always prepared to consider sympathetically requests for cycling on their land, provided that that is not detrimental to the interests of their agricultural or fishing tenants. They would also wish to take account of any nature conservation implications. I am grateful to the hon. Gentleman for his question because, from my reading of *Hansard* at 4 o'clock in the morning when I cannot sleep, I know that he has been asking similar questions since 1992.

Mr. Steen: Is it the policy of the Church Commissioners to refuse to allow the building of a cycle track along the banks of one of the most beautiful stretches of the River Dart between Totnes and Buckfastleigh, preferring to net whacking great profits from anglers who wish to fish there? Is that consistent with the cardinal and temporal virtues?

Mr. Bell: I am grateful to the hon. Gentleman for referring to the beauty of the River Dart. He will know that I have spent a considerable time on this question. There are always important wildlife habitat questions to be answered, and we must see whether habitats along the river will be disturbed and whether local hostility will be provoked. When my predecessor answered such questions in the past, he said that we should look at alternative routes. The commissioners recently approved the sale of their fishing rights along the river, but we still have no great enthusiasm for cycle paths, for the reasons that I have now given.

Orders of the Day

Railways Bill

Order for Second Reading read.

Madam Speaker: I should inform the House that I have selected the amendment in the name of the Leader of the Opposition.

3.30 pm

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): I beg to move, That the Bill be now read a Second time.

A year ago we published a new integrated policy. Ours is a transport policy, not just a policy for roads, which appears to be the policy of new Conservatism after the debate last week. Our aim is to improve choice. We want people to have greater choice, rather than a greater dependence on their cars. That means providing a better, more reliable public transport alternative.

The Bill is about providing a more punctual, reliable, accountable railway system as part of an integrated transport system. *[Interruption.]* The right hon. Member for Wokingham (Mr. Redwood) is still making silly remarks. I should have thought that he had had enough of that this weekend.

Madam Speaker: Order. If hon. Members wish to contribute to the debate, they should seek to catch my eye before doing so.

Mr. Prescott: The British Railways Board and the franchising director are already working closely together as the shadow Strategic Rail Authority. The Bill is about taking the "shadow" out of the title and putting in more powers to enhance the effort already being made on behalf of passengers in developing our national railways.

The Bill meets our manifesto commitment and the policies described in our transport White Paper. It is consistent with the excellent report and recommendations of the Select Committee on the Environment, Transport and Regional Affairs. The Committee's all-party report on the Strategic Rail Authority and regulation said:

"We support the Government's plan for a Strategic Rail Authority as a practical way of addressing the problems of the restructured railway."

The Select Committee also said:

"The proposal for a strategic body was universally welcomed by our witnesses."

Anyone reading that report will see that the proposal was universally welcomed by the range of people who will be affected by the authority's activities. Indeed, the other day, the right hon. Member for Wokingham was arguing on the "Today" programme with a representative of a rail users consultative committee, who was advocating the establishment of a Strategic Rail Authority.

Mr. Patrick McLoughlin (West Derbyshire): The Secretary of State has just said that the Bill is in line with the recommendations of the Environment, Transport and Regional Affairs Committee. Why, then, is he using this procedure to send the Bill, which he says has been drawn up following the Select Committee's report, back to the Select Committee before it makes further progress?

Mr. Prescott: Those are the new procedures that the House has developed to provide an opportunity for Select Committees to examine Bills. As the Select Committee in this case has reported on the Bill in a most comprehensive manner, I should have thought that it would welcome the opportunity of this debate and of further examination of the Bill. The new procedure treats our Select Committees very seriously.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): May I point out that my Committee not only warmly welcomes the chance to examine the Bill but believes that, because it is founded on the work that we have done, in those very few areas where we shall want to raise the odd omission we can contribute something more to the discussion?

Mr. Prescott: I am grateful for that statement of support. If a Bill like this is presented to a Select Committee, it involves hon. Members in serious examination of legislation—sometimes much better than the examination carried out in Standing Committees. Although I may claim from the Dispatch Box that the Bill is consistent with the Select Committee's recommendations, it will be better to listen to what the Committee has to say once it has examined the Bill in detail. That is right and proper, but I believe that the Bill is broadly in line with the Select Committee's recommendations.

More recently, the support that I claim exists from the industry was confirmed by the Director General of the Railways Forum, David Morphet, who said:

"This Bill is good news for the railways and good news for the transport industry as a whole. As well as forming the basis for a genuine strategic partnership between the Government and rail companies, it ensures Britain's railways are at last at the top of the political agenda."

I do not think that anyone could deny that.

Mr. David Heath (Somerton and Frome): Will the authority's strategic role in promoting the railways explicitly extend to rural areas, not only preserving small stations but reopening some of the ones that we have lost in the past 20 or 30 years?

Mr. Prescott: Very much so. The authority is concerned about the network and can recommend enhancements of the railway system. It has certain funds available to do that. That is one of the reasons why we have given it a strategic role. That will be an important advance in the powers that are available to develop a far better railway system.

Mr. Michael Colvin (Romsey): My question follows on from that of the hon. Member for Somerton and Frome (Mr. Heath). As the right hon. Gentleman knows, long-haul civil aviation works only where we have good feeder routes and a through-ticketing system. When it comes to renew the franchises for long-haul railway services, will the new Strategic Rail Authority take into account the extent to which those companies are able to provide the feeder services? At the moment, people in my

constituency are fortunate in having a bus service from Romsey to Winchester, but that is the only one that they have. Otherwise, they have to resort to the car. Track has been laid. If we do not make full use of that existing track to provide feeder services for long-haul services, they will not work. That is why I wish such services to be a criterion when the authority comes to renew licences, which should be for longer than seven years.

Mr. Prescott: Enhancement of the system is very important, as is how the franchise negotiations take place. There will be some statements about that later, but we have to keep it very much in mind that we do not have to take the traditional patterns but should look at how we may enhance the railway system itself. That is one of the purposes of the Strategic Rail Authority—to take those points on board.

The Central Rail Users Consultative Committee said—

Mr. John Bercow (Buckingham): Will the right hon. Gentleman give way?

Mr. Prescott: May I give the quote? Then I will give way.

I have said that the Select Committee has endorsed the Bill and will examine it further and that the industry has welcomed it overwhelmingly. The Central Rail Users Consultative Committee has said—I quote from the deputy chairman, Stewart Francis:

"At last passengers will see the benefit of strategic rail planning, leading to focused investment to enhance the network. We have long campaigned for effective performance and the incentives and penalties in the Bill should start to deal with these concerns".

Therefore, the industry, the Select Committee and consumer representatives fully support the Bill.

Mr. Bercow: Will it be possible for passenger representatives to become members of the Strategic Rail Authority? It is not clear from clause 2 whether that is so. The right hon. Gentleman nods from a sedentary position; I take that as welcome evidence that they will be able to be so represented. Will it be possible, in the spirit of choice and of competition, for the rail authority itself to bid for franchises?

Mr. Prescott: On the first point, consultative bodies can be represented. I intend to have them on the board of the Strategic Rail Authority, but not the chairmen of consultative bodies. I wish to keep the independence of rail consultative bodies, but they will keep a watchful eye on the role of the Strategic Rail Authority and will have direct representation in it. That is a proper balance, keeping that independence and accountability.

With regard to whether the Strategic Rail Authority would have the power to bid for the franchises, it would not be involved in bidding for such franchises, but it has to reserve the power to do so. If there were a breakdown in negotiations, or a failure of a company, there would have to be an operator of last resort and that would be the authority. As anyone would know from examining the Bill and from debates in the House, that was the role that we gave the franchising director. As we are transferring the functions of the franchising director to the Strategic Rail Authority, the Bill does not change what was already in legislation.

Mr. Dale Campbell-Savours (Workington): My right hon. Friend has spoken of the importance of enhancing the system. Does that include the infrastructure and, in particular, stations? Has my right hon. Friend seen the condition of some of the great railway stations of this country? They are dilapidated; they are falling down; rubble is strewn across areas surrounding tracks. They were never like that in the old days of public ownership. *[Interruption.]* No, they were not. There has been a marked deterioration in the standard of stations throughout the United Kingdom, which any traveller will notice on the north-west line. Has my right hon. Friend anything to say about that?

Mr. Prescott: The Bill is about raising standards. There has been a growing disparity between the state of our major stations, which have received massive investment and have improved considerably over the past few years, and that of stations that are used less often—and, indeed, some that are often used—and have been allowed to deteriorate. That disparity has prompted concern about investment. The Bill is about enhancement: it is about raising standards in the service, and seeing it as a national service rather than the fragmented privatised service that we inherited.

Mr. Jeremy Corbyn (Islington, North): I welcome the broad thrust of the Bill, which deals with the planning of investment and with ensuring that the railways work effectively in an integrated transport network.

Under clause 10, the Strategic Rail Authority will, ultimately, be empowered to run services if no other contractor or train operating company wishes to do so. What concerns me is the relationship with Railtrack, which is seeking a large amount of public money for its network improvements: some £11 billion is included in its proposals. Does the Bill provide any opportunity for even a proportion of Railtrack to become publicly owned so that the company—which, potentially, is to receive such a vast amount of public investment—can be made accountable to the public for the money, rather than money being passed to the shareholders in the form of the considerable profits that Railtrack is currently receiving?

Mr. Prescott: The money given to the rail industry is given to the train operating companies, not to Railtrack. Railtrack raises its own resources and receives no public money except through access charges, which are subsidised. As the money does not go directly to Railtrack, the question of Railtrack's accountability for public money does not arise.

An entirely different question is whether Railtrack should be accountable for network services and for the promised development of the infrastructure. One of the first things that I did when I took office was talk to the regulator, who told me that he did not have sufficient powers to force Railtrack to deliver on the promises that it had made about network services. That is why there is a new regulator, and why there are new powers for enforcement. The Bill will strengthen those powers, to ensure that Railtrack is accountable to the public for what is basically a public facility run in a privatised way.

Sir Teddy Taylor (Rochford and Southend, East): Will the Secretary of State say something positive about the railways, instead of all these negative things? It should be borne in mind that the number of passengers has increased dramatically over the past four years, that fares have been

[Sir Teddy Taylor]

cut in real terms, and that subsidies have been cut. If the right hon. Gentleman is in any doubt about the massive change that has taken place, let him visit Southend. We used to have a terrible railway line there, which has now been improved dramatically.

Some very negative comments have been attributed to the right hon. Gentleman. Will he now give us some of the facts about the railways? They are much better and far less subsidised, and fares have been cut in real terms.

Mr. Prescott: The problem with allowing so many interventions at an early stage is that it leads to criticism of that kind. I intend, later in my speech, to give due credit for the fact that the increase in passengers did not begin on the day that the Labour Government came to office, but was under way two years before that. That is in my speech.

Ms Margaret Moran (Luton, South): Will my right hon. Friend give way?

Mr. Prescott: I will give way one last time, and then get on with my speech.

Ms Moran: I thank my right hon. Friend.

My right hon. Friend has spoken of the accountability of Railtrack. Will he ensure in the Bill that Railtrack property development services are brought within the rules of accountability? Is he aware that the Luton railway interchange in my constituency—an excellent example of the linking of rail services and airports in an integrated way—is being held up because of protracted negotiations between Railtrack and its property development side? That is preventing a valuable part of the integrated transport system from opening, at the time when it is most needed.

Mr. Prescott: That is yet another example of Railtrack's failure to live up to its promises and to take account of our integrated investment priorities. That is why we believe that a Strategic Rail Authority and a powerful regulator could play an important part, not only in establishing network investment but in ensuring that it is carried out.

We often hear public statements by Railtrack about the many billions of pounds that it intends to invest. The previous regulator's complaint to me was that although those promises had been made, he could not ensure that they were kept. That was a weakness, and it is a reason why we have proposed a Strategic Rail Authority that will do much more to ensure that we have a network better than the one about which my hon. Friend is complaining.

When we took office we found a fragmented railway that was all too ready to pass the buck when things went wrong.

Mr. John Redwood (Wokingham): Will the right hon. Gentleman give way?

Mr. Prescott: Very well, but this must be the last intervention because I want to get on with my speech.

Mr. Redwood: The Secretary of State is being generous in giving way. My point relates to the one that arose in the previous exchanges. Given his dislike of Railtrack's standards of service, will he now rule out giving Railtrack an inside track on one of the tube contracts? Will he now promise to open up that contract to proper competition? I read in a newspaper that Bechtel, rather than Railtrack, will be brought in on that contract. Is that correct?

Mr. Prescott: There is nothing new in that proposal. I made that proposal for the channel tunnel rail link. If the previous Government had done the same for the Jubilee line extension, I would not be facing an extra £1 billion cost on a lousy contract that was not implemented properly. I brought Bechtel in on that contract to improve and tighten up the Jubilee line facilities and production, which it has done. I invited Bechtel to become involved in the channel tunnel rail link operation and I asked it to restore that operation following the contractor's request for an extra £1 billion as a result of the lousy contract entered into by the previous Administration.

I learned from that experience to ensure that there is a good project organiser. That is why I have made it clear that I would not leave the tube contract solely in Railtrack's hands and that I expect a project management company to be involved. I have said that from the beginning; it is nothing new. The need for a good project organiser is the lesson that I learned from the inadequacies of the previous Administration's contract negotiations. They were part of the inheritance that I was faced with when I first began to renegotiate some of those contracts.

We found that after an initial improvement in services following privatisation, there was an unacceptable deterioration two years later, which caused great concern. We found that disgruntled passengers did not know who to turn to when their trains were late, cancelled, dirty or overcrowded. We found a rail freight industry that was eager to expand but held back by red tape and underfunding. We found a lack of investment throughout the network and historical underfunding, and parts of the industry felt no sense of urgency about making up lost ground.

In the first 12 months, the franchising director and the Rail Regulator told me that their sanctions were unwieldy and lacked teeth, so they could not enforce them and make the rail companies live up to their promises. Finally, we found that the passenger's voice was neglected.

We took stock of that inheritance. We assessed the problems and the different solutions and then took decisive action. We set the franchising director new objectives, instructions and guidance to ensure high standards of punctuality, reliability and the protection of the passenger's rights. I made it clear that I expected a passenger dividend from franchise changes such as a change of control of a franchise company.

With my encouragement, the Rail Regulator negotiated a voluntary change, called condition 7, to Railtrack's licence to ensure that Railtrack meets the reasonable demands of train operators and funders such as the Office of Passenger Rail Franchising and passenger transport executives.

The new franchising director and Rail Regulator are working closely together, but I would prefer them to do so in the new, powerful framework that the Bill will provide. Last November, I made it clear to the rail

industry that performance was unacceptable and that I would call its representatives to a summit the following spring to report on the commitments that they made.

The rail summit in February was a turning point. The Prime Minister and I made it clear to the industry that things had to change. To its credit, the industry has started to respond. At the summit, it committed itself to year-on-year improvements in quality, particularly punctuality, which is what passengers value most. The industry committed itself to renewing half the entire rolling stock fleet by the end of 2002, and it is recruiting 800 new drivers. Having got rid of thousands of drivers, the industry found itself to be desperately short, which caused great delays. It has now started a recruitment programme. It has also set up a hit squad to tackle the 50 worst black spots in the railway system.

The shadow Strategic Rail Authority started on 1 April, in the form of the franchising director and the British Railways Board working together under new leadership to get a grip not just on short-term performance, but on long-term planning.

The Office of Passenger Rail Franchising will, from tomorrow, operate under the title of shadow Strategic Rail Authority. The franchising director and the British Railways Board will, of course, continue to exist as separate statutory entities with their own functions and responsibilities.

The shadow Strategic Rail Authority is monitoring delivery of the summit commitments. It has also started the process of franchise renegotiation to put in place the high standards that the last Government sacrificed in their dash for cash and privatisation. The shadow Strategic Rail Authority is also developing a proper strategic plan for the railways, planning for the growth of freight as well as passenger traffic. We have revitalised the freight grants scheme, with awards totalling £60 million over the past two years—double the amount given by the previous Administration.

The new Rail Regulator has already started asking some very searching questions of Railtrack: about the robustness of the statements in the network management statement about freight; about the absence of costed options for the freight routeing strategy; and about the robustness of proposals for gauge enhancement. He has asked for answers by 13 August. Railtrack will have to demonstrate that its investment plans are up to the task of creating an expanding railway.

We have achieved a great deal within the constraints of the framework that we inherited. However, only primary legislation can remedy the fundamental flaws that I described earlier.

I turn now to the Bill's main provisions. Part I of the Bill makes provision for the Strategic Rail Authority, and clauses 1 to 4 provide for its establishment. Clause 5 sets out the primary purposes of the Strategic Rail Authority: to promote the use of the railway network for the carriage of passengers and goods; to secure the development of the railway network; and to contribute to the development of an integrated system of transport of passengers and goods.

Clauses 5, 6 and 7 impose a new duty on the Strategic Rail Authority to develop a strategy for implementing these objectives in consultation with the regulator.

Clauses 8 to 17 confer on the Strategic Rail Authority the various powers, in the form of functions, which it can use to work towards its purposes and to achieve its strategies. It must use these powers in the manner best calculated to balance various considerations as listed in clause 7, subject to directions and guidance from the Secretary of State, and any payments which it makes must achieve value for money.

Mr. Colvin: When will we see the new guidelines to the authority for the issuing of new franchises? Will any provision be made for the ending of existing franchises in the near future, or for renewed, extended franchises—perhaps for a 10-year period—to encourage the operating companies to invest in the new rolling stock required? I gather that some 7,000 wagons are possibly on order, but my constituents—like many others—are fed up with being treated like cattle and want to see the new rolling stock. The investment in rolling stock ought to be a criterion in granting the new licences.

Mr. Prescott: The criteria to be considered in the renegotiating of franchises have been spelt out, and it is a pity that those criteria were not put in the earlier franchise agreements—the hon. Gentleman would not then be complaining to the House. My complaint is that promises were made but were not written into contracts. One of the advantages of having a contract is that those concerned can be held to it. If the contract makes no requirement for new investment, there is a difficulty.

One of our major changes will be to consider the extension of franchises, although that does not necessarily mean that they will be in exactly the same form. However, the commitment to investment, quality and value for money for the taxpayer will be put in guidance to the Strategic Rail Authority for the negotiations, which are in their final stages. When these are completed, I will let the House know. As we said at the summit, that would be our broad approach to the renegotiation of franchises.

Many of the franchises are set at seven years and they will all be up for renewal in one rush, a few years into the new millennium. I want the franchises to be spread out, so we can negotiate them individually to secure not only what is best for the passengers and for investment in the railway system but best value for the taxpayer, who is constantly involved in one way or another.

If the hon. Gentleman waits for the guidance, he will see that it is very much in line with what he wants. It is a pity that such guidance was not issued in the first place, but the franchises were rushed through without any such requirement, and he voted for that. I am happy to say that we will do what we think is necessary to produce a good-quality railway system. That is what the Bill and the powers are about.

I assume that the Opposition will support the Bill, although I cannot be sure what line new Conservatism will take. I know what old Conservatism did. I do not know whether the hon. Member for Croydon, South (Mr. Ottaway) is new or old Conservative, but he said:

"Such a complex privatisation needs constant fine tuning."

That is certainly true. He continued:

"The previous Government would have concluded that a strategic rail authority was necessary during this Parliament."—[*Official Report*, 25 March 1998; Vol. 309, c. 452.]

That was old Tory; I await with interest to see whether new Conservatism is the same.

Clause 8 gives the authority the power to give grants, loans and guarantees and to enter into agreements with third parties to secure railway investment. The guarantees

[Mr. Prescott]

can be backed by the Government, and the authority may borrow within prescribed limits. The borrowing limit is £3 billion, which is the limit inherited from the British Railways Board. Before anyone rushes in to ask whether that amount is available, it should be realised that almost £1 billion of British Rail debt is to be transferred to the authority.

I shall want to consider precisely how the debt is to be managed. The previous Administration set up the changeover, and the debts and liabilities of the British Railways Board will be transferred accordingly.

Mr. Eric Pickles (Brentwood and Ongar): I understand that the budget for the Strategic Rail Authority has not yet been determined. We will not hold the Secretary of State to the odd £10 million, but could he give us a rough idea of the figure?

Mr. Prescott: The current Opraf expenditure will remain, as the body is transferring to the Strategic Rail Authority. We estimate that the extra cost for the authority will be about £5 million a year. That is why the House is to consider a money resolution.

Clause 9 gives the authority the basic power to secure or provide railway services. That preserves the capacity to run services in the public sector in the last resort, as identified in our integrated transport White Paper. Clause 10 makes it clear that if there are no bids for franchises, or if the bids received are unacceptable, or in the event of a failure, the authority will become the operator of last resort.

Many of the authority's powers, of course, will be inherited from the franchising director, the British Railways Board, the regulator and the Secretary of State. All the franchising director's functions and all the British Railways Board's property and liabilities will transfer. Transfers from the British Railways Board will include responsibility for the British Transport police.

The shadow authority has considerable powers to do much of what is being done in the Bill, although perhaps in a different way. We do not have to wait for the Bill to be enacted to get on with modernising the railways.

Mr. Bill O'Brien (Normanton): Will my right hon. Friend give way?

Mr. Prescott: Yes, but can I make this the last time?

Madam Speaker: The right hon. Gentleman has been very generous. He has taken about 10 interventions in 15 minutes. I have them written down here.

Mr. O'Brien: I appreciate the co-operation that my right hon. Friend has shown to Back Benchers.

I am concerned about land in the ownership of the British Railways Board and the fact that, under the previous Administration, instructions were given to sell that land as quickly as possible. It is important to retain the land because we may need to open lines, especially in the north where we often travel east-west rather than north-south. I hope that my right hon. Friend will seriously consider requiring the Strategic Rail Authority to retain the land in case further development is required.

Mr. Prescott: It will indeed, and I have given instructions to that effect. Some land contracts have already been let, but I have made it clear that land that could be used for expansion of the rail system should be retained.

The powers that the authority will inherit include those of the franchising director and the British Railways Board, and they will be sufficient for it to begin work. The authority will also acquire responsibilities for consumer protection from the regulator, and for administering freight grants. The office of the franchising director, and the British Railways Board, will be abolished.

All staff who transfer to the SRA will do so with their existing conditions of service preserved. Staff transferring are also assured that there will be full protection of pensions. Nothing in the Bill will override the statutory protection for pensioners in the Railways Act 1993, for which we fought so hard in opposition. The SRA will also assume responsibility for the continuity of the rail industry staff concessionary travel schemes.

Part II of the Bill amends the regulatory regime set up under the Railways Act 1993. Clause 17 allows the SRA to ask the Rail Regulator to direct facility owners to provide enhancements to existing station and rail facilities—a point raised by my hon. Friend the Member for Normanton (Mr. O'Brien). That power could be used to achieve greater rail capacity in the network or even to secure new network.

The 1993 Act has left the regulator acting in isolation, because the Secretary of State's power to give guidance expired in December 1996. I am pleased that the new regulator and the shadow SRA have already begun to work more closely together, and the Bill will confirm that. I have said already that the authority will need to consult the regulator on its strategies, and clause 18 provides for the regulator to facilitate the SRA's strategy. As Secretary of State, I will also have the power to give general guidance to the regulator. The measures will ensure that a coherent railway policy can be decided and then carried out consistently by the SRA and the Rail Regulator.

Mr. Redwood: I am grateful to the Secretary of State for giving way, but I think that my question will help our deliberations. If the plans go ahead as described, will he say how much of the borrowing limit of £3 billion will be available in the first full year?

Mr. Prescott: I have already made it clear that debts of about £1 billion will remain after the transfer. However, the right hon. Gentleman has asked a proper question, and I intend to make a statement shortly about how the debt will be managed and about the borrowing powers available to the Strategic Rail Authority.

Clause 18 also provides that the duty on the Rail Regulator to promote competition will now be balanced by a requirement that competition must be for the specific benefit of railway users. The Rail Regulator needs to balance competition against the public interest of network provision. We are not concerned solely with the promotion of competition.

The previous franchising director and Rail Regulator complained about the weakness of their powers to enforce the promises of train companies and Railtrack. The enforcement regime is tightened by the Bill. Monetary penalties, which must be of a reasonable amount, will be payable for all contraventions of licence conditions, franchise requirements and contraventions of orders made to secure compliance with a licence or franchise agreement.

The Government have agreed in principle that the Strategic Rail Authority will be able to retain income from penalties and to reinvest it in the railways. I hope that the industry and the House will welcome the fact that that income will not be returned to the Treasury. That innovative approach is a one-off exception to the normal rules for such income. We are currently developing the details of the arrangement.

It will be of interest to the House that clauses 21 and 22 amend the closure provisions, including some dealing with major closures. The Rail Regulator's functions are to be transferred to me, as Secretary of State. I, or any future Secretary of State, will be responsible for determining major closures, so I will be accountable to the House. I am sure that the House will welcome that approach.

The definition of minor closures is extended to include the track involved in a minor closure. Under clause 23, the remit of the rail users consultative committees, whose sponsorship will pass to the SRA, is widened to cover all passenger services. The committees' independence will be maintained, and I referred earlier to the welcome that the independent central users committee has given to the Bill.

Part III makes provision for the devolution of some functions to the Welsh Assembly and to the relevant Scottish Ministers. That provision delivers parts of the agreed settlement for devolution. Other elements have been handled by orders under the Scotland Act 1998. Part III also makes provision for the consequential amendment and repeal of other Acts. We will need to add to those provisions in due course.

In conclusion—

Mr. Geoffrey Clifton-Brown (Cotswold): Will the Secretary of State give way?

Mr. Prescott: No, I am in my final stages.

The way in which British Rail was privatised was a national disgrace. Our Bill brings public accountability back to the railway industry; it will allow the new SRA to plan for an expanding network; it will require those who own the network to meet their obligations; and it will require train operators to fulfil their franchise agreements.

The railway industry has had plenty of well-deserved criticism but there are now positive signs of a revival of Britain's railways. Passenger traffic is rising. Over the past five years, passenger kilometres have increased by approximately 20 per cent., and roughly 14 per cent. of that growth has occurred in the past two years. Around 1,000 extra services are being run each day to help meet that growth.

Rail freight is also increasing, and is up by roughly 20 per cent. in the past two years. The industry has promised that by the end of 2002 half the passenger fleet will have been renewed. Some 433 station car parks will soon have video camera surveillance. Twelve stations have been opened since May 1997, and four more are due to open this year. All that is part of the agreement that the previous Government failed to achieve with the industry. There is a new spirit of co-operation and responsibility in the industry, and a new attitude that we need to restore a national railway in the public interest.

The Bill will reinforce those trends. It will create a new guardian of the public interest—the Strategic Rail Authority. It will plug the loopholes in the last Government's rail legislation, to provide tougher enforcement and to protect the passenger.

I commend the Bill to the House.

4.6 pm

Mr. John Redwood (Wokingham): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

"this House declines to give a Second Reading to the Railways Bill because the introduction of this Bill now, when it will inevitably fall due to lack of legislative time and will have to be reintroduced in the next Session, is not the best use of the time of this House and represents a new definition of pre-legislative scrutiny which the Government is using as a way of side-stepping its own decision-making responsibilities and covering its doubts and internal divisions about the wisdom of the measures which the Bill contains."

I am grateful to the Secretary of State for making some of my speech for me. He concluded with sterling words about the successes of the privatised railway industry. I agree that there has been welcome progress over the past five years, and it was good of him to state that we had enjoyed the advantages of the privatised industry over that period, which takes us back to before the change of Government.

Over the past four years, the number of passenger trains has increased by 14 per cent.—one extra train for every seven previously running. Passenger miles have increased by a quarter. We all want freight to transfer from road to rail wherever possible, and freight tonne miles have risen even more impressively—by 35 per cent. during the past three years. Those are impressive figures, but we are not yet satisfied. Privatisation has many more achievements to come, provided that the Government work with the industry rather than get in its way or mess it up.

My worry is that the Bill has been drawn up by Ministers who do not like the privatised industry and who are secretly trying to find ways back to nationalisation. They do not seem to understand that the beginning of a transformation in our railway industry has occurred under Governments of both parties and as a result of privatisation. The industry never worked when it was nationalised, whether under Labour and Labour-Liberal Governments in the 1970s or under Conservative Governments in the 1980s. During the 1990s, it is beginning to work, and the Labour Government must not impede the progress of a very good Conservative policy.

Mr. Corbyn: Before the right hon. Gentleman finishes his eulogy of the privatisation of the railway network, will he comment on the increase in the number of complaints against individual train operating companies, and on their inefficiency since privatisation began?

Mr. Redwood: People think it more worth while to complain now than they did under nationalisation because

[Mr. Redwood]

there is a proper complaints system and it is more likely that something will happen. As a train user myself, I know that services in my area have improved, but also that they are not yet good enough. I want further progress to be made as a result of more investment and more enlightened attitudes. Services are a great deal better than they were 10 years ago, although considerable room remains for improvement. As the Secretary of State has often pointed out, performance around the country is patchy. We would welcome anything that could sensibly be done to raise the performance of many operators to the performance of the best.

Mr. Matthew Taylor (Truro and St. Austell): The right hon. Gentleman should be wary of saying that services are a great deal better than they were 10 years ago. The passenger figures to which he referred followed a dramatic drop during the recession engineered by the previous Conservative Government. The numbers have risen merely back to where they were before that recession.

Mr. Redwood: My point was well made from my own observation of standards of service in my local area. It can be borne out by many of my constituents, who recognise that there have been improvements in punctuality and reliability, but that there could be even more.

Mr. Geraint Davies (Croydon, Central): Does the right hon. Gentleman accept that the sale of Railtrack for £1.9 billion—it is currently valued at more than £8 billion—is a clear example of how the British taxpayer was ripped off by privatisation? Does he further accept that giving away Railfreight for £240 million of taxpayers' money, just so that people would take it off our hands, is a complete disgrace? Any idiot could have predicted the increase in freight transportation under Governments of either political persuasion. This Government have advocated constraining the growth of road traffic, and everyone wants to see more rail freight and greater profitability in that industry.

Mr. Redwood: I remember how the then Labour Opposition succeeded in doing everything that they could to undermine the rail privatisation and sale. Labour did everything it could to damage the sale price and to lower the proceeds. We warned at the time that Labour was doing damage, and that is what occurred. The shareholders of that company are now benefiting from its success. It has picked itself up after that unwarranted criticism—and in the face of unwarranted criticism from the Secretary of State on bad Tuesdays—and has developed a much better business.

Mr. McLoughlin: Will my right hon. Friend assure the House that, if the Government produce privatisation plans—they tell us occasionally that they will do so, as is the case with air traffic control—he will not call from the Opposition Front Bench for renationalisation? Will my right hon. Friend enable the Government to secure the true market value of the industry concerned—unlike Labour did to us?

Mr. Redwood: My hon. Friend can rest assured that I am unlikely to call from this Bench for renationalisation. He will also be well aware that I am always in favour of taxpayers getting a good deal. Conservative Members will do everything in their power to encourage a fair—even a good—valuation of any assets that the Government wish to sell.

Mr. Prescott: I recall that a previous Administration nationalised Rolls-Royce—but I shall leave that aside. Does the right hon. Gentleman remember that when the then Opposition attacked the then Government's privatisation programme for British Telecom—there was concern about the share price—the Government did what we advocated with regard to Railtrack: they waited until after the general election and then brought forward the proposal so that the taxpayer did not lose out in terms of the share price? The previous Government could have done that with Railtrack, but refused—presumably because they thought that they would lose the election.

Mr. Redwood: We thought that we needed to get on with it because the railway industry deserved privatisation. We have seen that the results of the privatised industry are much better than those achieved under the nationalised regime.

Mr. Bercow: Does my right hon. Friend agree that the hon. Member for Croydon, Central (Mr. Davies) has a brass neck to level the charge that he has just made? The twenty-fourth report of the Public Accounts Committee on the flotation of Railtrack, which was published on 13 July 1999, underlines precisely the point that my right hon. Friend has made—namely, that political opposition to the flotation undermined investor confidence and the share price. Does my right hon. Friend think that the hon. Gentleman should do his homework before contributing to the Second Reading debate?

Mr. Redwood: My hon. Friend is right, but I must now make some progress.

The Secretary of State began by saying that "A Fair Deal for Motorists"—a popular policy that we launched last week—represents the sum total of our policies in this area. He should know from our debate last week that our fair deal is popular, but it is only part of our transport policy. We also have exciting policies to promote more rail, tube and bus travel to ensure that people get out of their cars and on to the buses and trains. The Government still do not seem to understand that most people do not live by a bus stop or a train station. We need to make it easier for motorists to get to the bus stop or the train station and be able to park when they get there. That is a truly integrated transport policy—rather than the disintegrating policy over which the Secretary of State is presiding.

Mr. Clifton-Brown: Is my right hon. Friend aware that the Public Accounts Committee report, to which my hon. Friend the Member for Buckingham (Mr. Bercow) referred, revealed that an unprecedented four pages of Labour's policy document spelling out what it would do with the railways should it be elected depressed the price

of the sale by well over £100 million? Therefore, the Secretary of State cost the flotation of Railtrack more than £100 million.

Mr. Redwood: My hon. Friend has admirably strengthened my point.

Dr. Alan Whitehead (Southampton, Test): Is the right hon. Gentleman aware of one of the key findings of the PAC report? It states that:

"The timing of the sale was a factor in the poor value achieved, and the Department themselves acknowledge that the large increase in Railtrack's share price since flotation was because it had been undervalued and sold in haste"

Does that not completely undermine the case that the right hon. Gentleman is making?

Mr. Redwood: It reinforces my case. The main reason for any undermining was because Labour made matters as difficult as possible by putting the accent on all the negatives and on none of the positives—as they were so good at doing in respect of privatisation policies and much else.

The Secretary of State said that the other day I was on the radio arguing with a train operating company representative over railway policy. He clearly did not listen to the broadcast. As I made clear on that programme, my argument is with the Secretary of State himself: it is his policy that has miscarried; it is his inability to persuade the Treasury to give him the money that he needs in order to do up public transport facilities; it is his transport policy that is falling to bits—clobbering the motorist but not providing a better alternative. I hope that the right hon. Gentleman will listen a little more carefully the next time that I am on the radio.

Mr. Prescott: I am grateful to the right hon. Gentleman for giving way. As John Humphrys pointed out, we were talking about the Strategic Rail Authority—we can listen to the tape if the right hon. Gentleman cares to do so. The train operating company's representative made it clear that the operating companies fully supported the authority. That was his point. It was also John Humphrys' point—even though the right hon. Member for Wokingham wanted to talk about anything but the SRA.

Mr. Redwood: My worry about the way in which the Government have presented the Bill to the public and to the House is that, until today, they have concentrated on only two clauses—those that relate to the power to fine companies that do not perform—and have ignored the wide-ranging powers contained in the other 32 clauses. Those powers will greatly strengthen the hand both of the Secretary of State and of his creature, the new quango. I have repeatedly made the point that that is a dishonest spin on a massive piece of legislation; it is a backdoor nationalisation measure, which would give the Secretary of State extremely wide-ranging powers to play at trains exactly as he sees fit.

Today, the Secretary of State comes to the House unable to answer the most fundamental and obvious question: how much of the £3 billion in the borrowing limits outlined in the measure will be available as new money to spend on buying shares, making investments in railways, running train services and setting up new tramways? The Bill will give massive powers to a new quango and to the Secretary of State so that they can play at trains and tramways and provide all kinds of public transport facilities, but we do not know to within £1 billion or £100 million how much money the right hon. Gentleman will have to play with. How on earth can we treat the matter seriously?

Mr. Prescott: The previous Administration gave exactly the same powers and resources to the British Railways Board—they already exist, and will be transferred to the Strategic Rail Authority. In respect of financing facilities, we have made it clear that it is not our intention to renationalise the railways. We made that judgment before we came into office. We want to make the system work. It is not necessary to have the borrowing powers to which the right hon. Gentleman refers. I said that I would report back on reconstruction because, as we know from the experience of the British Railways Board, whenever the debts were reconstructed, there had to be a report to Parliament.

Mr. Redwood: I take that to be some kind of reassurance that the provisions will be used only for existing debts and not for new debts. However, that is not how the Bill reads. The Bill gives extremely wide-ranging and open powers; it leaves open the large amount of money—well in excess of what is needed—to handle the existing debts. The Secretary of State himself told us that about £1 billion of inherited debt had to be dealt with under the measure. We are entitled to ask why he needs a £3 billion borrowing limit for the body, when he thinks that the problem is about only one third of that amount. That is most suspicious.

Mr. James Gray (North Wiltshire): Is my right hon. Friend aware of paragraph 73 of the Government's response to the PAC report? On the question of whether they would be interested in renationalisation, it states

"we have made clear that renationalisation would be . . . expensive, and cannot be a priority."

Am I right in presuming that, if it is not a priority, it may be somewhere further down their agenda?

Mr. Redwood: My hon. Friend has drawn out an interesting point—it is an interesting exchange. If the Bill is passed unamended, it will give the Secretary of State all or most of the powers that he would need to renationalise portions of the railway, and to set up a new nationalised railway or tramway system—or both—in parallel with the existing privatised industry. The measure offers no guarantees as to fare competition. There is nothing about fare levels and the rate of return that would have to be earned in order to secure fair competition. Some people in the industry are extremely worried by these wide-ranging powers. This whole piece of legislation has been dogged by controversy and trouble.

Mr. Andrew F. Bennett (Denton and Reddish): Is not the right hon. Gentleman's argument that the Bill needs careful scrutiny rather odd given the reasoned amendment, which complains about the scrutiny process?

Mr. Redwood: I was just coming to our reasoned amendment. We believe that today's debate shows that the Secretary of State has failed to carry his colleagues. The Bill was cancelled last year and delayed this year and

[Mr. Redwood]

it might—if the right hon. Gentleman is lucky and we are unlucky—arrive late in the next parliamentary year. Today's debate is therefore a misuse of the House's time. We would be happy to have Second Reading and go straight into a Standing Committee in which the Bill could be given the detailed scrutiny it needs. If the Secretary of State is willing to proceed in that way, my right hon. and hon. Friends and I are more than willing to sit on such a Committee, starting as soon as possible, to give the Bill the necessary scrutiny. However, the right hon. Gentleman is no position to deliver. He has obviously been vetoed by the Prime Minister and other members of the Government, so the Bill has been shunted off into a siding and cannot make proper progress.

Mrs. Dunwoody: As the Chairman of that particular siding, may I ask the right hon. Gentleman one simple question? Are we to take it that he does not approve of Select Committees performing a pre-legislative function, or is it simply that he objects to my Committee performing that function?

Mr. Redwood: I have no objection to the Committee considering the Bill, and may it take a good long time: there is much in the Bill that is disturbing, and I am not the one trying to rush through those provisions. However, let us look at matters from the perspective of the Secretary of State, who tells us that the Bill is crucial to his strategy and that he cannot have an integrated transport policy without it. If that is so, why are we having a Second Reading debate now, but no Standing Committee to follow? Why cannot the right hon. Gentleman get the Bill through more quickly?

Why is the Bill being offered to the Select Committee? If the scrutiny that the Select Committee is to give it is truly pre-legislative, why have Second Reading? Why not have proper pre-legislative consideration in the Select Committee, whose members are wise and whose scrutiny would be useful? Then, the Government could amend the Bill and return to the House with a proper Bill that had been properly considered, on which we could then have a Second Reading debate. That would be far more welcome to us than the bodged approach that is being taken today.

Mr. McLoughlin: The Secretary of State never addressed one of the points raised in our reasoned amendment. Why is the Bill being treated differently from all the others, which have been referred to Select Committees before Second Reading? Is it not the case that the process being used is a panic measure, initiated by Downing street to cover up the botch job that the Secretary of State has made of transport policy?

Mr. Redwood: That is the only possible explanation. There has obviously been a compromise: the Secretary of State said that he must have his Bill, but the Prime Minister said that he could not have it, so they hit upon the ridiculous compromise—a camel instead of a horse, with everyone getting the hump—of the Bill being given Second Reading and then going off to the Select Committee, rather than through a proper Standing Committee.

Mr. Prescott: I have made it clear on several occasions that the real problem with the legislative timetable is what happens in the other place, not what happens here. The other place is starting its recess later and returning earlier than this House. We can argue about who is responsible, but the fact is that legislation has to pass through both Houses. Under the new procedures arising from the modernisation process, Bills have been sent to Select Committees and Special Standing Committees for different forms of examination. The process adopted for the Railways Bill is simply another new way of proceeding.

It will be useful to hon. Members and to people outside to know the House's opinion on the powers contained in the Bill. I hope that the House and the Select Committee will give the Bill an overwhelming endorsement. The right hon. Gentleman has not yet said whether or not he supports the Bill, and it would be useful to know that. If the House expresses its support in a vote today, it will be clear that the current actions of the shadow Strategic Rail Authority are consistent with the will of the House.

Mr. Redwood: In that spirit, I shall press on to address the Bill itself, even though my right hon. and hon. Friends and I still think that we are following an odd procedure—one that tells us more about the divisions in the Government than about the need for proper scrutiny—or the need for a Railways Bill, which the Secretary of State has urged on his colleagues for many months.

The Opposition are worried that the powers in the Bill are too wide ranging and lack specific drafting through which they can be controlled. I draw the House's attention to several of the important clauses. The purposes of the authority have already been read out to the House by the Secretary of State. They are extremely wide ranging and should be read in conjunction with the powers to borrow, direct, invest and spend money. The authority is allowed to promote the use of the railway network, to secure development of it and to contribute to the development of an integrated system of transport.

Mr. Tony McNulty (Harrow, East): Will the right hon. Gentleman give way?

Mr. Redwood: I will not give way to someone who has not been present throughout the debate. The hon. Gentleman should listen a little more before intervening. I have given way to everyone else.

The wide-ranging purposes are backed up by the most enormous powers, which would leave the Secretary of State and his creature—the quango—free to run a railway within a railway and to buy up chunks of the existing network. Under clause 6(3), the Secretary of State is the person pulling the strings. The quango may be apparently independent, powerful, expensive and all such wonderful things—many millions of pounds will be spent on it—but the Secretary of State can be in charge if he so wishes. He can give the authority directions and guidance over all its strategies, stipulating what should be covered by them,

"the issues to be taken into account . . . the strategy to be adopted in relation to any matter",

and how to update such strategies. That is extremely comprehensive. The Secretary of State wants to buy a train set to play with, and this Bill gives him the crucial powers.

Mr. Geraint Davies: May we have clarity? Does the right hon. Gentleman agree that there should be a

Strategic Rail Authority—yes or no—particularly given the words of the hon. Member for Croydon, South (Mr. Ottaway), who thought that there should be one? If there is a Strategic Rail Authority, should it have any budgetary powers? If so, which powers and how will it be accountable to Parliament? The right hon. Gentleman is very unclear.

Mr. Redwood: I shall be crystal clear, as I have been on the powers and the conduct of these proceedings. The Opposition believe that there is a role for sensible regulation of the railway and support good regulation of it for as long as there continues to be monopoly elements and the power to use fares as surrogate taxation. It is most important to have a regulatory power. We do not support the creation of this regulator with these massive powers because the Secretary of State is trying to create not just a regulator but an actor, an investor and a business as well. In my experience, when the role of a regulator is muddled with that of someone providing services or interfering with service provision, one gets into difficulties, which can damage the taxpayer and the passenger or customer.

Mr. Graham Stringer (Manchester, Blackley): Does the right hon. Gentleman accept that it was a great mistake not to regulate the rolling stock companies when the railways were privatised? One witness told the Select Committee that ROSCOs were receiving a guaranteed income stream and profit under contracts that did not require them to invest, which led to their sale at double the price that the public got for them and their making a third of their capital value in profit? Does he accept that that was a huge mistake of the Conservatives' privatisation?

Mr. Redwood: I am not sure how that problem is covered by the Bill. Perhaps the Committee disagrees with the Government in that area. We have already discussed at some length the history of privatisation, to which the Labour party, with its clumsy intervention, did much damage.

Clause 8 sets out the functions. It states that the authority may

"make grants, make loans, or give guarantees, for any purpose relating to any railway or railway services."

"Railways" for these purposes include tramways, and in certain conditions, bus and taxi services too. So this body will be enormously powerful and wide ranging. The grant, loan or guarantee may be subject to any conditions as the authority considers appropriate:

"The Authority may enter into agreements for the purpose of securing the provision, improvement or development of any railway services or railway assets."

The powers are even stronger in clause 9, which states that the authority may provide

"services for the carriage by railway of passengers and goods as the Authority considers desirable."

In other words, the Bill creates not just a regulator but a body that can take public money, with the Secretary of State's consent, and run passenger and goods railway services. Clause 9 states that the authority may include in that the provision and operation of

"network services, station services and light maintenance services, entering into agreements . . . for . . . carriage . . . acquiring the whole or any part of an undertaking, and storing goods and consigning them from any place to which they have been carried by rail."

That is the kernel of our case—the power is a very wide-ranging one, allowing the backdoor—or frontdoor—renationalisation of the railways, should the Secretary of State be so inclined, and should he be able to persuade the Prime Minister and the Treasury of the need to do so.

Mr. Pickles: On the combined provisions of clauses 8 and 9, but especially the provisions of clause 8, surely the Strategic Rail Authority will not really have the expertise to second-guess the investment decisions of both Railtrack and the train operators. Essentially, the consequence of the provisions would be that those who make the investment decisions will not be able to raise necessary capital, as there would be no certainty that the Strategic Rail Authority will not change all the terms.

Mr. Redwood: I certainly agree with that statement in the light of the fact that the Secretary of State would be pulling the strings and providing the advice.

Mr. Prescott: No.

Mr. Redwood: Perhaps the right hon. Gentleman would like to explain.

Mr. Prescott: We propose transferring already existing powers. The regulator is already able to require Railtrack to invest in the public interest, as that was a condition of the licence. If the regulator is not satisfied that Railtrack is meeting its requirements, he is able to enforce those requirements. Therefore, under powers created by the previous Administration, the regulator is able to act by asking for further investment. The powers are already there.

The right hon. Gentleman should say what new extra enforcement powers he thinks could be created for the regulator. The complaint about both the previous and the current regulator is that, although powers were available to them, they did not use them. However, this one intends to use them.

Mr. Redwood: The proposed power is a very new one, and it is much wider and stronger. It is one thing to say that a regulator is able to instruct a private sector company to make a bigger investment because it is in the regulated sector, but it is quite another to give a power to an authority to do anything that it considers desirable for the purposes of the provision of railway services. The proposed power is extremely wide ranging—

Mr. Prescott: No.

Mr. Redwood: I hope that the Secretary of State will look again at the drafting, because that is not how it reads in the Bill. He may now be claiming that his intentions are rather more modest than they seem to be in the Bill. I therefore hope that he will re-examine that point.

In Committee, the burden of the Opposition's argument will be that we wish to narrow the regulator's powers to that range of limited powers that the Secretary of State says that he wants and are necessary, so that the regulator—the authority—falls short of playing trains on a huge scale—which I still believe it would be entitled to do under the provisions of this very wide-ranging legislation.

[Mr. Redwood]

If the Secretary of State would like to look at clause 16, he would see how the powers are emphasised and underlined still further. The clause states that

"The Authority may do anything which it considers—

(a) is necessary or appropriate for or for facilitating . . . its functions.

In particular, the Authority may

(a) enter into agreements,

(b) acquire or dispose of property,

(c) invest money,

(d) form bodies corporate or acquire or dispose of interests in bodies corporate, and

(e) promote or assist in the promotion of publicity."

That gives the authority the power to run railways, to buy assets, to build stations, to own track, to own rolling stock and to run services. I do not see how the Secretary of State can deny that.

Most sinister of all—but then it is the little bit of new Labour creeping in—is the power to spend public money, collected by the authority and borrowed by the Government, on spinning at the taxpayer's expense.

Mr. Prescott: I am grateful to the right hon. Gentleman for giving way; he is generous with his time. However, is he really arguing that, if a private company were not prepared to continue the franchise or were offering a very bad deal, that the public sector should not, in the taxpayer's interest, have the right to maintain and run that service? The previous Administration accepted that argument. In their legislation, they gave the British Railways Board the right—which the Bill will be transferring—to intervene to secure such services. Such an intervention would be made by the public sector when the private sector failed to produce promised services.

Mr. Redwood: We have now, at last, teased out of the Secretary of State the power's importance. In Committee—if the Bill reaches that stage—we shall be pressing hard to try to limit the power rather more than he has done.

Currently, the power is far too wide ranging, and the Bill does not make it clear that it will be used only in extremis, after something has gone horribly wrong—something far worse than has yet happened in the privatised industry. I think that it is very unlikely that something will go wrong on that scale. If the Secretary of State saw fit, the power could be used in totally different conditions—and it is to that that I and my right hon. and hon. Friends shall be objecting. I hope that the Secretary of State now has a clear understanding of the Opposition's view of the Bill. We believe that it needs a fundamental rewrite. We are all in favour of sensible regulation, but we think that the Bill goes far too wide.

Mr. Matthew Taylor: I am still not absolutely clear about the official Opposition's position. Do they wish to keep the present regulatory structure as set up at the time of privatisation, or do they accept that that has proved inadequate and that there needs to be a strengthened regulatory structure, albeit not the one presented today?

Mr. Redwood: We would be happy to examine a sensible revision of the structure. It is always possible to improve things in the light of experience. However, I do not think that the Bill presents the right approach. It is clear that it goes considerably further than the Railways Act 1993, for example. The powers of that Act are expressly amended by provisions set out in the Bill. It is proposed to make things tougher and to give the regulator more wide-ranging powers to intervene and to interfere in the running of the railways.

We are suspicious of the costing of £5 million per annum for the authority. That may prove to be an underestimate given the enormous range of strategies and functions that the authority will have foisted upon it. We wish to return to the question of £3 billion. It is most important to know how much of that money will be available to do the sometimes worthy things that are demarked in the Bill.

We are worried about the length of franchises and we believe that decisions are pending. These decisions have been delayed for many months and this is becoming an impediment to proper investment and success in the railway industry. I have heard complaints from those in the industry that decisions have been sitting in the Secretary of State's "in" tray for many months. That is a great pity. I thought that there was cross-party support for the idea that the privatised industry should be given its head to make the necessary investments. We are all impatient to see new rolling stock and better services.

The Opposition urge the House to adopt our reasoned amendment to the procedure for the handling of the Bill. An enormous mess and muddle has been revealed at the top of Government, a huge row between the Prime Minister and his deputy and obvious second thoughts around the ministerial table about the wide-ranging powers that are being offered through the Bill to the Secretary of State and to the quango creature that is being established beneath him. If this were the world of "Thomas the Tank Engine", this would be the Bill to make the Fat Controller wax lyrical at night at the great strengthening of his powers.

We shall be offering strong scrutiny of the Bill. It is not the right Bill at the right time. The Secretary of State should concentrate on better tube investment, better car parks at stations and easing the flow of cars to stations. We could then have an integrated transport policy. We see chaos and disintegration surrounding the Secretary of State. There is a lack of ability to win the investment that he needs for public enterprises from the Treasury and a willingness to get in the way of sensible investment by the private sector. The Bill will not help and that is why we are opposing it tonight.

4.38 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): The Strategic Rail Authority is the first intelligent attempt to bring together a proper planning system for the future of a new and modern railway system, and is a long overdue recognition of the fact that the privatisation and fragmentation of the railway system unfortunately resulted in the passenger receiving a far from acceptable level of service.

In its report on the Strategic Rail Authority, the Transport Sub-Committee made it clear that there were considerable problems if a modern railway was to be worked in the disorganised and disorientated manner that had ensued with privatisation. It made it clear also that we

would not be able to remedy the situation without some reintegration of the various companies and an acceptance of the fact that some of the powers handed to both the franchising director and the Rail Regulator were not sufficient to cope with the lacunae that had appeared in both the administration and operation of the railways.

Today's debate is not only extremely welcome, but long overdue. My Committee warmly welcomes the opportunity to examine the Bill in considerable detail. We believe that it contains many aspects of policy that we have already examined in such detail, but inevitably there will be areas where the Committee will want not only to make suggestions but to consider the wording.

Given the way in which, in recent years, some legislation that has been put before the House has not been in its final form, it is tremendously important to use such a Committee to consider the detail, as a pre-legislative Committee can do. Far from the Select Committee delaying the passage of this legislation, it can, if need be, produce a polished Bill and perhaps even a better formulation—if my right hon. Friend the Secretary of State will forgive me for saying so.

Mr. Gray: Am I right in thinking that the hon. Lady's Select Committee, on which I serve, reserves the right to make possibly trenchant and fundamental changes in the Bill, or will it merely be a rubber-stamping operation?

Mrs. Dunwoody: I do not know to which Select Committee the hon. Gentleman is referring. If he seriously thinks that any Committee that I chair would be known as a rubber-stamp Committee, I can only assume that his frequent absences from the Committee have been such that he has forgotten what goes on.

My right hon. Friend the Secretary of State will have noticed that the business motion on the Order Paper suggests a date by which the Select Committee's examination of the legislation will conclude. That is helpful. By next Session, the legislation will have been considered and extra evidence will have been taken. Points that need to be made by the operating companies or various other elements, including passengers, will be not only welcomed but registered in a way that ought to be constructive and useful.

The Bill contains tremendously important provisions. Railtrack will now have to comply with investment requirements not simply by producing a number of wish lists, but by demonstrating that it is serious about its investment programme. I do not want to digress by discussing some of the more interesting recent developments, but I would mention the network statement, for which Railtrack got the support of consultants who said that they had not checked any of Railtrack's figures but could nevertheless project them into the future to produce particular results. That is not the sort of expertise or, frankly, detailed work that my Committee finds acceptable.

Clearly, Railtrack must not merely talk about what it intends to do but demonstrate that it means to do it. It must produce concrete plans that are not just based on extra money from the taxpayer. If Railtrack is to fulfil its responsible role, it has to get on with a programme to deal with its very old infrastructure. Railtrack has known for a long time about the problems of pinch points, for example, and of some track that needs considerable maintenance and improvement. It knows of the need for reinvestment in lines such as the west coast main line. The sooner it makes those changes rather than talking about them, the better the passenger will be served.

Mr. Lawrie Quinn (Scarborough and Whitby): I know my hon. Friend's constituency well. As she is aware, I spent some time as a railway engineer maintaining bridges in and around Crewe. Will she tell the House whether Railtrack has delivered on its promises and commitments on bridges in the relatively small area in and around her constituency; and will she tell us how detrimental its failure to produce has been to the immediate economy of her constituency?

Mrs. Dunwoody: I do not want to get diverted, but people who enter my constituency have to cross antique rail bridges; indeed, three of the main roads are on rail bridges. The previous time one of them was examined and modernised, it managed to sink 11 inches during one night, so I am somewhat sensitive to the difficulty arising from trying to rebuild an ancient system. Not only will working on bridges be an urgent part of Railtrack's work, but it will have to work closely with others to provide a properly programmed advance in the provision of proper infrastructure.

Mr. Bernard Jenkin (North Essex): Will the hon. Lady at least admit that investment expenditure under Railtrack is more than double what it was under British Rail? If British Rail had not been privatised, where would her Government be getting that money from, given that public investment in transport, for which the Deputy Prime Minister is responsible, is being cut?

Mrs. Dunwoody: I am getting pretty bored with these absurd interventions from Conservative Members. The whole of the west coast main line would be modernised today and there would not be such poor standards if the money that was spent on privatisation—including that which was identified by the Public Accounts Committee as going directly to people whose only contribution was making the most absurd suggestions about how particular contracts should be framed—had gone into the railway system. Rail companies certainly would not be adding 10 to 15 minutes to every timetable in the pretence that services are getting somewhere near their original arrival times. I am bored with all that and the time for going over and over such absurd suggestions is gone.

The Strategic Rail Authority will be able to retain fines, rather than pass them back to the Treasury, and spend them on the infrastructure. That is not only a sensible development, but one that will soon be seen to be advantageous. I believe that the acceptance of a public sector benchmark, which will provide for the assessment of all franchise bids, is not only long overdue, but will mean that the passenger will be much better served in future. The Strategic Rail Authority will have responsibility for publicising rail services—not, if I may say so, for providing beautiful posters at conferences saying what a wonderful investment programme there will be in the next 30 years. It will tell rail travellers, "In future, you will be able to travel safely, cleanly and punctually." At present, all those "minor" points are not taken seriously by many of the companies.

[Mrs. Dunwoody]

I believe that open access and the changes proposed in the Bill will make a difference. Companies will not only have to face up to the real problems of competition, but seriously consider what to do in order to attract more passengers. Some aspects of the Bill, such as the permission to promote light rail, will transform a lot of other railway services. People want clean and comfortable access to various forms of rail transport and they believe that an integrated system means getting on a train at their chosen station, comfortably and safely, and getting off where they want to be—not a considerable distance from their ultimate destination.

Mr. Corbyn: When my hon. Friend's Committee examines the Bill and other developments in railways legislation, will she look enthusiastically at the possibility of reopening a large number of mothballed, underused or unused lines so that we can develop properly integrated local transport systems? We should bear it in mind that some lines would be loss makers initially, but over time integration would encourage people off the roads and on to the rail system, which they are not attracted to at present because they live too far from the main lines.

Mrs. Dunwoody: I hope that the Strategic Rail Authority's powers to borrow will enable it to look forward to means of developing the network; it should not simply rest on the present system. Although my hon. Friend specifically mentions services that may have been mothballed, there are all sorts of other developments. For example, many of us look forward to a real increase in freight once lines are available. If there were a new freight line through the centre of England, we would begin to see a serious movement of large amounts of freight off the roads and on to the railways, where it belongs. That would not only promote a better environmental response in many areas but would demonstrate efficiency and represent something that people genuinely want. Part of the SRA's powers will be to consider such schemes and the occasions on which investment should be made in them, and to encourage others to take up new and more imaginative schemes.

Mr. Pickles: Will the hon. Lady give way?

Mrs. Dunwoody: Yes—for the hon. Gentleman, I shall of course give way.

Mr. Pickles: The hon. Lady is most gracious. If she is right in suggesting that investment will be considered for light railways and the reopening of disused lines, might not we have to consider a considerably higher budget than the £5 billion that the Deputy Prime Minister mentioned in answer to my earlier question? The central railway line alone would take £5 billion, plus some change.

Mrs. Dunwoody: As the hon. Gentleman knows, many people would be interested in such a development and might be prepared to talk seriously to the SRA about how it could be financed.

Mr. Geraint Davies: Will my hon. Friend give way?

Mrs. Dunwoody: I am trying to make a shortish speech, but I am getting so much help.

Mr. Davies: Is my hon. Friend aware that, in Croydon, the Tramlink project that is due to be completed at the end of this year involves both private money—to the tune of £75 million—and public money? Moreover, it uses a disused railway line to create a new commuter link, which is proving popular. We have the finance, and I hope that my hon. Friend will come to Croydon at the end of the year when we open the line.

Mrs. Dunwoody: My hon. Friend tempts me into all sorts of interesting debates about how passenger transport authorities' and local authorities' transport plans can be fed into the plans for a shiny new railway system. That is what I look forward to in the next millennium, but I do not wish to speak for too long today.

My right hon. Friend the Secretary of State would not expect me simply to tell him that the Bill is absolutely marvellous, because it has left out some of the bits that I think are important, and I shall want to ask him a number of questions in the future. I hope that the SRA will have the power to prevent another round of rural closures. Many of us who have lost railway stations know that that directly contributes to a drop in the number of passengers in some areas. Some of the stations that are now being warmly welcomed by the Opposition were paid for by local authorities, which got absolutely no credit and were then told by Railtrack that they would have to pay towards the maintenance.

Mr. Prescott *rose—*

Mrs. Dunwoody: Oh—I am most honoured to give way to my right hon. Friend.

Mr. Prescott: Perhaps I can satisfy my hon. Friend by saying that, when the closure of a line is requested, the decision will no longer be dealt with by the regulator but will come directly to me as Secretary of State. It will be a decision for which I shall be answerable to this House.

Mrs. Dunwoody: I welcome that tremendously important development; passengers will want not only to see it carried through, but to have an input into any decisions that are taken.

I hope that the public borrowing figure for the SRA, which seems pretty generous to us, will be fairly secure and that the whole question of whether the SRA can borrow on the open market will be discussed. If the SRA is to create public sector comparators for franchise bids, that will be helpful, but if for any reason the franchises collapse—I am afraid that, if we are not careful, privatisation will create a two-tier railway system in which some companies can run well but others will come perilously close to being non-viable—the SRA may need to assess accurately exactly what should happen to their bids. It will therefore need a base so that it can consider whether it can run those services as the owner of last resort.

I take the point that my right hon. Friend made earlier in the debate about the absurdity of the Opposition objecting to the transfer of powers that were in the hands of the British Railways Board before the introduction of this Bill. One aspect, however, has not been transferred. I am a bit anxious about it. My Committee made it clear that it thought that BRB should not sell rail land before decisions that could have an impact on the railway system. The Secretary of State knows better than anyone that, in

the previous century, railway companies were extravagant in their acquisition of land. It would be extraordinary if we were trying to plan for a new system but, because of a hangover from previous legislation, the BRB was selling sites. There will always be some bits of land that it is happy to let go, but it is important that strategic decisions be taken in relation to particular land before it is put on the open market.

I know that the Select Committee will want to examine the difference in the powers between Wales and Scotland. It will also want to examine the role of the London mayor and whether, in the Bill, the mayor's powers should appear transparent to the voters.

I was glad that the Secretary of State mentioned that he wanted passenger representatives to be on the Strategic Rail Authority. It is extraordinary that we all talk about the internal debates between the operating companies, Railtrack and Ministers, but that, even with the only slightly improved passenger rail authority set-up, we still do not hear the voice of the passenger as strongly or as usefully as we should. It is vital that passengers, freight users and railway employees should have a direct input, so that their views are heard. I am not suggesting that they should automatically be given precedence over other aspects of rail policy, but unless their voice is heard there will be a real worry. One hopes that the new consumer structures will be broader than existing ones.

I hope that, somewhere in the legislation, we can look at the whole question of rail safety. Despite its age, the railway system is very safe. People are carried safely, but there are still problems about some of the slam-door stock and the speed at which it is being replaced. There are worries, too, about the signalling system and about its age.

Without being unkind about it, if Railtrack feels that it is necessary to issue a notice to its contractors saying, "Please do not touch the signalling because the wiring is so old it may automatically go wrong," we have to worry about some aspects of the working of the system. We need to look at them closely.

Will the Strategic Rail Authority have the right to say to companies, "We do not want you to carry on with some of the rolling stock—certainly, mark one rolling stock—and we want it to be replaced as quickly as possible"? The Government so far do not seem to have told us exactly how many train operating companies they believe should be in existence. It is possible that, at the end of the franchise renegotiation, there will be no need for quite so many companies. It would be helpful to know exactly what my right hon. Friend has in mind for the future.

I am concerned about the tension between competition policy and the integration of a railway system. We know that, once there is privatisation, there is a need for regulation. Those two things are likely to grate against one another. The arguments advanced by individual operators are the sort of arguments that have been used by some Conservative Members today: when it comes to the crunch, the shareholder and profit-maker must take precedence over the passenger and the need to run the system. That is not in anyone's interests. I hope that it will not be the case when the time comes for a renegotiation.

Mr. Gerald Howarth (Aldershot): Will the hon. Lady give way?

Mrs. Dunwoody: No. I am coming to the end of my speech and many hon. Members are waiting to speak.

I welcome the opportunity that the Secretary of State has given my Committee to look closely at the Bill. It is long overdue. It has tremendous opportunities for every one of us. It is the first time for many years that any senior Minister has come to the House with a plan for the future that is optimistic. My right hon. Friend's plans relate to the future, not the past—whatever that murky and unhappy place may be. I assure my right hon. Friend that we shall play our part in the passing of the legislation, and the securing of the examination, on time. I trust, however, that he will not expect us to work at quite the same pace for the rest of the current Parliament; if he does, we may have the odd thing to say.

5 pm

Mr. Matthew Taylor (Truro and St. Austell): I am glad that at long last—more than two years after the general election—some transport legislation is before the House. I have repeatedly offered the Secretary of State our support for the passage of the Bill at the earliest possible opportunity, and I am disappointed that it will clearly not be enacted until some way into the next Session. The travelling public will be disappointed as well: they have not seen the improvements that they may have expected following the change of Government. Those improvements are vital, and we will do what we can to ensure that the Bill is passed sooner rather than later. The Secretary of State's role has, I think, been to do all that he can internally, within the Government, to speed up the process.

Mr. Gray: How does the hon. Gentleman intend to give the Bill a fair wind, given that no member of his party serves on the Select Committee on the Environment, Transport and Regional Affairs which will consider it?

Mr. Taylor: We have negotiated to enable the sole Liberal Democrat member of that Committee to work on its Transport Sub-Committee in this instance, for the very reason that the hon. Gentleman has given. I personally feel that, if Select Committees are to be split into two sections—as not only this Committee but at least one other has been—they should have enough Liberal Democrat members for our party to be involved in both parts of their work.

Mrs. Dunwoody: As the hon. Gentleman will know, we have agreed to the provision of a place for his colleague for the purpose of consideration of the Bill. I am sure he will understand, however, that the Committee of Selection—on the basis of the rules of the House—decides how many Liberals should be on a particular Select Committee. If I may say so without being immodest, the Select Committee that I chair has done an enormous amount to try to ensure that there is a balance. I hope that the hon. Gentleman is not suggesting that the addition of another Liberal to the Committee would solve the problem; in fact, it would cause some difficulty.

Mr. Taylor: I do not think that you will allow me to proceed much further with that subject, Mr. Deputy Speaker. I must say, however, that, although the Committee of Selection is responsible for the numbers on Select Committees, it is not responsible for decisions made by those Committees about the division of their work. We should consider whether Select Committees

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should be all-party or not, and whether all-party reports should be published. I personally feel that they should be—although I am delighted to say that on this occasion the problem does not arise. That is the answer to the very reasonable question asked by the hon. Member for North Wiltshire (Mr. Gray), and, indeed, asked by me at an earlier stage.

Although the Bill is welcome, I do not think that we can pretend that it will solve all the industry's problems. Those problems can be traced back a long way: the railway industry has not had an easy time for most of this century. Opposition Front Benchers seem to forget that nationalisation was not carried out on an unwilling private industry, and that it was intended to rescue an industry that was rapidly going bankrupt.

The privatisation conducted by the Conservatives caused problems. We argued that it would, and so did the Government, when they were in opposition. I listened with interest to the Conservative Front-Bench spokesman, who skirted around the issue, as he and his colleagues do in their amendment. Do they believe that the system of regulation and the system for co-ordinating the development of the rail industry are inadequate, or do they believe that they got them right? They skirt around those questions in their amendment, which simply says that they are not in favour of the way in which the Bill is being introduced. They do not say that they do not like the proposal in its own right.

The right hon. Member for Wokingham (Mr. Redwood) argued that the Conservatives do not like this particular proposal but that they are not necessarily opposed to taking action. That is about as near as the House is likely to get to an admission from those on the Conservative Front Bench that something must be done. They were not prepared to state that, however, and they were certainly not prepared to apologise. Once again, the Conservative spokesman needs to listen to his leader, who said that Conservative Front-Bench spokesmen should be willing to apologise for the mistakes that they made in government. The right hon. Gentleman should not, therefore, feel embarrassed about doing so.

The right hon. Member for Wokingham admitted, however, that regulation of the industry needs to be more robust. It will be interesting to see whether the Conservatives can bring themselves to make any constructive proposals to achieve that. Privatisation has not been the success that they suggested it has been, and if they listened to passengers for one moment, they would understand that passengers do not believe that it has been a success.

As the economic cycle dipped, passenger numbers fell, and as it recovered, they increased. When I have met rail executives, they have said that they are pleased with what they have achieved, but they have admitted that the increases in passenger numbers are largely equivalent to a recovery to pre-recession levels and no more. They do not know, any more than the rest of us do, whether the same decline would occur if there were another recession, causing severe problems to the industry's investment plans.

The punctuality figures show no sign of improvement and those on reliability remain below the desired level. Complaints continue to soar. The Conservative party, therefore, has reason to acknowledge that there needs to be an improvement in the strategic co-ordination of the industry and the powers of regulation and enforcement. The regulators have asked for that improvement, and it is noticeable that the Association of Train Operating Companies, rail operators and Railtrack are not opposed to the principles behind the Bill.

Liberal Democrats should have preferred a more comprehensive Bill to implement the entire transport White Paper. I hope that before too long there may be legislation to tackle the wider issues raised in the White Paper. We should have preferred the Bill to set up an authority with a role similar to, but not as great as, the proposed Strategic Rail Authority to resolve problems in the bus industry. The current competition authorities in that industry are far too slow to tackle effectively many of the problems, including anti-competitive practices which are not in the interests of the consumer.

We want the proposed authority not only to co-ordinate rail, which is just one part of an integrated transport strategy, but to draw up plans for all public transport within that strategy. The Secretary of State could consider those plans and the House could debate them.

Will the House have a chance to debate the authority's annual reports? Will any strategic proposals that are made be reported to and debated by the House? There is a proper role in that process for the Secretary of State, but there is also a role for the House in a wider debate on transport.

Mr. Prescott: I believe that those matters should be debated in this House. I want a public debate about the strategic network, and the approach adopted by the Strategic Rail Authority should be debated by the House. I am sure that that will happen.

On the integration of bus services, the hon. Gentleman is right to criticise the competitive forces and the slowness in dealing with the deregulated bus industry—a major issue, requiring legislation. However, the integration can be achieved within the local transport plans that I have asked local authorities to produce and for which I have found £800 million to enable that work to start now. They are producing those plans; that does not require legislation.

Mr. Taylor: That is half the answer, but not the full one as it does not allow the regulator to tackle problems. Bus privatisation saw a massive decrease in the level of bus services, particularly in rural areas such as my own. In contrast, passenger use in London has increased—partly, at least, because there is an effective co-ordinated and regulated network. I am not arguing for the formal regulation of every single bus route, but we need a body with the ability to crack heads together, given some of the appalling anti-competitive and anti-passenger practices of some of the bus operators.

Mr. Gerald Howarth: The hon. Gentleman suggested earlier that the train operating companies are not opposed to the Bill, although they have expressed some comments. Perhaps one reason why they are not being too vigorous in their opposition is that whereas, previously, the renewal of their franchise would have been the responsibility of

the franchising director, under the Bill it will be the responsibility of the Secretary of State. Therefore, the companies do not want to upset him.

Mr. Taylor: The hon. Gentleman may be right, but given the poor public service record of some of the companies, the public might rather welcome the idea that they will be cowed into submission.

With the train operating companies' subsidies set to fall over the coming years, real questions arise about how we get the investment that is needed in rail infrastructure so that the second if not third-class travel conditions that passengers have too often suffered are improved and match the first-class returns that shareholders have enjoyed. I hope that the Strategic Rail Authority will be able to address directly the high levels of profits, the high returns for shareholders and the high levels of pay for some of the bosses in the rail industry, as well as the low returns to the travelling public.

Mr. Tom Brake (Carshalton and Wallington): Does my hon. Friend agree that however the Strategic Rail Authority is established, it should not impact upon existing projects such as the revamp of Sutton station—a joint venture by the British Railways Board, Connex and the local authority, which should proceed smoothly and quickly?

Mr. Taylor: I hope that that will be the case, although there will be a number of investment decisions that perhaps will be a little harder for the companies than that one.

At the moment, Connex is likely to be told to replace the slam-door trains—something that was not negotiated in the original contract, wrongly. The Government have also refused the franchise extension where that was offered—I think rightly, because I am not keen on franchise extensions that are not open to competition. It is difficult for the Government necessarily to get the best deal if they do not know the other available offers.

There may be other ways in which to allow companies to protect their capital investment when it comes to the handover of one franchise to another rather than simply extending the existing franchise. A new franchisee should be subject to the right contractual requirements to take on some of the obligations agreed with the Government, because that would be better than a simple franchise extension. Over the next few years, resolving some of those issues will be extremely difficult for the Government as they face pressure from some operating companies to exchange or extend franchises without proper competition and without seeing whether others can offer a better deal.

Mr. Jenkin: The hon. Gentleman betrays a lack of knowledge about the existing franchise system. The trains are owned by rolling stock companies—finance companies—precisely because the train leases are transferable, so if one franchisee loses a franchise, the rolling stock can be transferred to the new franchisee. It is erroneous to suggest that one needs to extend franchises in order to encourage investment, although if the company has its franchise extended it obviously has a bigger stake in the long-term performance. There is no financial or legal barrier to the transfer of the operation of the leases.

Mr. Taylor: The hon. Gentleman betrays more ignorance of what is happening in practice than I did of the legislation. The ROSCOs have not been making that investment unless companies have been prepared to underwrite it. The issue is precisely whether the operating company is prepared, either itself or through offering guarantees, to underwrite the investment, and companies do not want to do that when they do not know their franchise extension position and they have no protection.

I am suggesting a solution that would overcome the practical problem, and explaining why the people who originally bought the ROSCOs walked away with enormous profits at the taxpayer's expense. The Government of the day failed to regulate the ROSCOs effectively and prevent that from happening.

We have heard much from Conservative Front Benchers about the increase in the cost of motoring. Between 1974 and 1996 that cost fell in real terms, but over the same period the cost of rail travel went up by nearly 75 per cent. and bus fares rose by nearly 60 per cent. The people who have had a really bad deal are those travelling by train or bus in the past couple of decades.

Companies may well want to increase prices further to provide the enhanced services that are needed. I hope that both the Secretary of State and the regulatory authority will play a robust role in ensuring that that does not happen. The present planned decline in public investment in the railways may have to be reconsidered.

There is serious doubt whether the proposals for cuts in support negotiated by the Conservative Government will allow the less viable lines to keep going. There are ominous signs. In my area, Wales and West Passenger Trains has cut a substantial number of local train services on the branch lines because it is not under a specific obligation to run them.

That has happened in Cornwall and Devon, and similar cuts have happened elsewhere. The companies have not made the investment in increasing passenger numbers that we were originally told they would make; instead, they have simply cut services, decreasing the overall viability of rural lines and putting on pressure for their closure.

The most worrying sign from the Government came when the Under-Secretary, the hon. Member for Hampstead and Highgate (Ms Jackson), said that the Government do not rule out "bustitution"—the substitution of rail services with buses. That has been a disaster before and it would be a disaster again. It would be terribly short-sighted of the Government to allow the companies to go down that route.

We want clarification on many specific issues, including the relationship between the regulator and the authority; the need for direct accountability; and the ways in which Parliament will scrutinise the authority's workings. I am grateful for the Secretary of State's comments on that a moment ago. I hope that we will have the chance to debate both the annual report and the strategic proposals.

We want clarification on resource allocation and the authority's role in it, as distinct from direct support to the rail operators, which I notice is an issue about which Railtrack is concerned. We are concerned about the safety of users and how the Bill will improve rail services for women, disabled people and pensioners. What role will the authority play in considering the safety aspects of private operation, which the Labour party rightly raised in opposition? The unions have highlighted real concerns about cuts affecting safety. Another important question

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has to do with the way that the one-stop-shop public transport information system that the Government have promised will work in practice, and the role that the SRA will play in that.

We believe that the SRA should have responsibility for overseeing the co-ordination of the national timetable. Problems with the timetable mean that passengers are dropped at stations when no train is available for them to complete their journeys. That problem is especially acute when a train run by one operator is late and the operator that runs the connecting service chooses to let its train leave on time to avoid a fine.

Mr. Pickles: Will the hon. Gentleman give way?

Mr. Taylor: I cannot, as I have spoken for too long already.

The SRA should also be required to oversee improvements in the rail network. Although the Bill implies that responsibility, much detail is needed to explain how that will happen.

The SRA should play a key role in the renegotiation of minimum passenger service requirements. That may be one of the answers to the problem of maintaining rural lines, although the toughening-up process involved would be difficult.

We believe that the SRA should be empowered to ensure that Railtrack and train operators do not earn excessive profits, and to set targets for the growth in passenger numbers for each franchise. It should also be charged with improving access and safety for all passengers, and with conducting an immediate examination of existing freight-only lines to determine the potential for new passenger services. Also, the SRA should undertake an immediate re-examination of the potential for building new stations, for reopening lines and for developing new ones.

We need growth in the rail industry to avoid the road traffic congestion that would be the consequence of failure. It is vital to have an effective rail system, and the Bill is a first step in the right direction, albeit a limited one. I look forward to the introduction in the near future of a bigger Bill implementing the major proposals in the White Paper. That is what is needed to make this Bill the success that it should be.

5.21 pm

Mr. Clive Efford (Eltham): I welcome the Bill, and the fact that it will be examined by the Environment, Transport and Regional Affairs Committee, which has a great deal of expertise in transport matters. Its deliberations and advice will help to improve the Bill considerably.

A strategic approach to all forms of transport, including the railways, is vital if we are to achieve an integrated transport system. Such a system seemed to be a mythical beast under the previous Administration, when investment in rail services was cut. An example of that process from my area is what happened with the channel tunnel rail link, when the previous Conservative Government tried to blight communities stretching from Kent to London.

The reduction in the value of the housing stock meant that the cost of introducing the link was lower. However, even in Kent's leafy suburbs—the strongholds of many Conservative Members—people banded together to oppose the Conservative Government's outrageous approach to providing an essential transport link between one of the Europe's major capitals and the continent. It was left to this Government to pick up the pieces of that failed strategy and to press ahead a project whose benefits we should have enjoyed for years already.

Sir Teddy Taylor: I was in the House when the Channel Tunnel Act 1987 was passed. At the time, the House was assured that the channel tunnel would be such a wonderful financial success that there would be no need for Government funding for rail links. I disagreed and was one of the minority who voted against that legislation. Does the hon. Gentleman accept that the channel tunnel rail link has not in any sense been a huge financial success, and that all the assurances given at the time have been broken?

Mr. Prescott *rose—*

Mr. Prescott: May I say that the contract between France and Britain was a problem that Labour inherited? I opposed the contract when the House dealt with it, so I understand the concerns expressed by the hon. Member for Rochford and Southend, East (Sir T. Taylor). However, we have changed the contract, and all the signs are that the venture is likely to be successful.

Mr. Efford: I am grateful to my right hon. Friend. I should take this chance to point out the approach taken by the French Government towards compensation for people who had to relocate so that the rapid transport link could be built between Paris and the channel tunnel.

Mr. Nick St. Aubyn (Guildford): Would the hon. Gentleman aid our debate by telling us when, during 40 or more years of nationalised railways, a rail project was delivered by the Government of the day on time and within budget?

Mr. Efford: We are talking about the provision of public transport, not about whether the channel tunnel rail link should be a public or private service. The Conservative party has promoted privatisation as a panacea for rail problems, but it has proved to be the opposite, as thousands of commuters who travel to and from London every day—often through my constituency—would vouch.

The Conservatives published a new plan for transport last week. The Strategic Rail Authority and—via the rail regulator—the rail companies, Railtrack and the rolling stock companies must achieve a more co-ordinated approach to public transport and the growing problem of traffic congestion. We must provide a strategic approach that gives people choice. We are not anti-car, nor do we want to tax people off the roads.

Mr. Jenkin: Do not do it then.

Mr. Efford: Your own transport policy was predicated on introducing road--

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Let me remind the hon. Gentleman to address other hon. Members in the third person.

Mr. Efford: The hon. Member for North Essex (Mr. Jenkin) forgets that his Government's public

transport policy included the possible introduction of road and congestion charging, and that a great deal of money was spent on investigating the possibility of introducing such charges. We need take few lectures from the Conservatives on that subject.

In fact, the Conservative policy on the future of road transport is about as anti-car as it is possible to be. It offers a free-for-all on road transport, suggesting little more than car parks near stations—something we would all support. It does little to promote public transport, and nothing to increase capacity on public transport or provide more integrated transport to address traffic growth.

In a parliamentary answer, the Department of the Environment, Transport and the Regions told me that it expects a 50 per cent. increase in traffic over the next 30 years. The speed with which traffic can move is expected to reduce by 10 per cent., and by 14 per cent. in the area around London. The previous Government significantly reduced their own road building programme because they realised that it was not possible to build our way out of the problem as new roads generate traffic.

Mr. Gray: What has all this to do with the Railways Bill?

Mr. Efford: The hon. Gentleman's sedentary question shows why the Conservatives came up with their policy. Rail transport is essential if we are to address road traffic congestion. Ask any commuter to London—whether he or she drives a car or is squashed in as a pixie, a passenger in excess of capacity, on a train—whether trains have anything to do with the issue of road transport and reducing traffic congestion.

We need a strategic approach to providing transport—whether it is trains, buses, light rail, guided buses or taxis—in order to make public transport attractive to people. People must consider whether it is in their best interests to use their cars. That is not an anti-car policy; that is a sensible policy for the environment and for the convenience of the travelling public.

Mr. Quinn: I know of my hon. Friend's great personal experience as a driver in and around the London area. Would he care to share with the House his experience of the excessive freight transport that moves around the London area? What role does my hon. Friend think that the Strategic Rail Authority should play in easing the problems caused by excessive freight movements on the capital's roads and in our inner cities?

Mr. Efford: I am grateful to my hon. Friend for giving me the opportunity to consider that matter. The increase in axle weight introduced by the previous Administration has had a dramatic effect on my constituency. It is situated at the junction of the A20 and the A2 which leads from the channel ports, and there has been a massive increase in the number of heavy goods vehicles polluting and congesting local roads. It is clear that we must adopt a strategic approach and shift that freight from our roads and onto the rail network.

Mr. Pickles: Given the hon. Gentleman's expertise in this matter, will he give the House an estimate of what percentage of freight should be carried by rail within the next 10 years?

Mr. Efford: The hon. Gentleman tempts me to hazard a guess when I do not have the statistics that enable me to do so, but let me give him an example to illustrate the problem.

It is projected that the completion of the expanded development at Ebbsfleet is likely to put about 23,000 extra heavy goods vehicles on the south-east road network. We should make immediate plans to address that enormous injection of road traffic in that area. The Strategic Rail Authority and an integrated approach to dealing with transport issues would address such matters. I point out to the hon. Gentleman that the previous Administration had 18 years in which to deal with the problem but all we got was jam on our roads and jam for the privatised rail industry.

The travelling public—and certainly the commuters who travel through my constituency—want the Strategic Rail Authority to deliver a more effective way of imposing sanctions on the transport operating companies that fall foul of their contractual obligations. Only last week, Connex, which serves my area, suffered severe delays on three consecutive days. On Monday, there was a broken-down train at Kidbrooke. On Tuesday, a broken-down train at Welling delayed my journey from Eltham to Charing Cross, which took an hour and a half—a journey that should take 25 minutes at the most. On Wednesday, there were significant delays to trains travelling to Victoria—at least, the train on which I was travelling was delayed.

The travelling public in south-east London are suffering enormously. As I have said before, people from south-east London, north Kent and East Sussex rely heavily on the commuter train network to travel to and from London because we have no other forms of public transport. We do not benefit from the London underground in south-east London. The bus is not yet seen as a reliable alternative to the train, mainly because the roads are so heavily congested. Improvement in rail services from the south-east to central London is essential; the working day is disrupted for thousands of people because of delays on those services. That is not acceptable and we must ensure that the SRA brings about an improvement.

Mr. Gray: Will the hon. Gentleman tell us which clauses will put right those problems?

Mr. Efford: The Strategic Rail Authority will be given powers to require—through the regulator—investment that would bring improvements to public transport services. I think that clause 18 introduces that power.

Mr. Jenkin: Clause 17.

Mr. Efford: I accept that correction from a sedentary position.

It causes me some concern that the regulator must be satisfied that any such investment would bring about a return for the train operating company. The explanatory notes point out that we are shifting the emphasis from the need for the train operating companies to show a return for their investment to the need to provide improved services to the passenger. That element of the Bill should be strengthened. There is a lack of investment—for example, in improving the door-locking mechanisms on the networker trains, which cause enormous delays every day. Railtrack has also failed to invest, and it has become more of a property-owning company than a rail-operating one. The company needs to invest more in signalling systems in order to improve efficiency and the frequency

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of trains; an investment in new technology for such systems is long overdue. There is certainly the potential to increase capacity on the south-east network, but improvements are blocked because of the signalling system.

Mr. Jenkin: Will the hon. Gentleman clarify how the insertion, under clause 17, of 16A after section 16 of the Railways Act 1993 will work? He rightly says that the regulator can be directed by the authority to require new investment, provided that the investing company will make a return. If a company can invest for a return, why would it not be investing anyway? The great increase in investment in the railway that has already taken place came about precisely because companies can invest for a return. The problem arises when the Government, and other people, require investment where there ain't no return. How does the clause deal with that problem?

Mr. Efford: Two points arise from the hon. Gentleman's question. The first is that sometimes investment in public transport is designed to provide a service from which sometimes there may be no return. However, the second point is that there are times when the train operating companies invest in their existing services rather than considering long-term planning and the strategic role of the transport system. They do not plan or invest for the longer term. That disease of short-termism was encouraged under the previous Administration. It related to the provision of all kinds of public service and investment. If we are to deliver a strategic transport policy, at times it may be necessary for the train operating companies, the ROSCOs and Railtrack to be eased along the path to integrated transport.

A strategic approach to our rail network is long overdue and we need greater accountability among our train operating companies. Two years ago we inherited a lack of investment, no co-ordination and above-inflation fare increases for rail travellers. Over the past two years, those problems have been overcome and a significant increase in the number of people using public transport has been recorded. However, today's reality is that, under the current system, without the Strategic Rail Authority, passengers will continue to suffer every time the profits of the privatised rail operators are threatened. Since the powers of the Secretary of State to control the companies were removed, the situation facing many of those who rely on rail services has worsened, so a return to the Secretary of State being able to provide guidance to the companies is welcome. I believe that the Strategic Rail Authority will bring about a better integrated transport system, which is long overdue.

5.41 pm

Sir Teddy Taylor (Rochford and Southend, East): I have been in a minority in the House on many occasions and I am afraid I am again today, because I am one of the few who are not looking forward to the Strategic Rail Authority and who believe that, because of its excessive powers, it will undermine the good performance achieved by the railways since privatisation.

The hon. Member for Eltham (Mr. Efford) offered several generalities, but we should try to work out the truth. He said that privatisation had resulted in increased fares, but the information I have received from what I regard as a reliable source is that, although fares consistently went up under nationalisation, there has been a reduction of 1 per cent. in real terms since privatisation. That is either true, or it is not.

Mr. Efford *indicated dissent.*

Sir Teddy Taylor: The hon. Gentleman might disagree, but he should go along to the Library of the House of Commons, get some impartial information and see for himself.

Mr. Efford: I seek clarification: in respect of fare increases, is the hon. Gentleman talking about fares as they stood in May 1997, or as they stand today?

Sir Teddy Taylor: I am talking about what has happened since privatisation, which is a fair way to look at the question.

Mr. Efford: Would it not be fairer to talk about what has happened since the election of the Labour Government, who have required a better public transport service? Would not that provide a more accurate interpretation?

Sir Teddy Taylor: Not at all. We have to look at the facts, not try to make points about what has happened since election day.

Mr. Pickles: My hon. Friend is quite right. It is wrong of the hon. Member for Eltham (Mr. Efford) to try to claim credit for the fact that privatisation set up the mechanism whereby fare increases were restricted to 1 per cent. below inflation. That has nothing to do with the Labour Government or with changes made since the general election. It is about time that Labour Members understood that life did not begin in May 1997.

Sir Teddy Taylor: My hon. Friend is absolutely right. He is, as usual, spot on—his observations are the most accurate in the House of Commons. However, I am not trying to make a political point, but merely trying to get across some of the facts.

I travel a great deal by train. Because I have unusual views, I get invited to speak in unusual places all over the country, to which I travel by train. There is no doubt that, however one looks at it, there has been a substantial improvement in rail transport. Let us take the subject of investment. We all knew that investment was deplorable when British Rail ran the network. That was not its managers' fault—they were nice people—but trains were getting old and signalling systems wildly out of date, so the service was becoming infinitely worse. Since Railtrack was established, investment has increased by 85 per cent.—not because its managers are nice people but because of the change in the system, Some might say that Railtrack talks too much about what it wants to do or what it might do, but the fact is that that increase has occurred.

A further point that my colleagues often forget is that there has been a substantial reduction in the public subsidy. There has been a massive cut. Since privatisation, the subsidy has fallen from £2 billion to £1.3 billion.

It would probably have gone up a great deal if privatisation had not gone ahead. The subsidy per passenger mile has decreased by 41 per cent. We know that the number of passengers has increased substantially, that the number of freight miles has increased dramatically, that the subsidy has fallen, that investment has risen and that services have been bettered.

Mr. Brake: Is the hon. Gentleman aware that about £600 million worth of investment is outstanding on slam-door mark 1 rolling stock, which is one third more dangerous than the modern equivalent?

Sir Teddy Taylor: I can talk only about my line, the Southend line. As he represents the Liberal Democrats, the hon. Gentleman will know that although there are no Liberal Democrats in my constituency, there are many in the next one, who I am sure have used the line. The line to Southend was the most dreadful line. I travelled on it and it was appalling; it was known as the misery line.

Mr. John Cryer (Hornchurch): Notwithstanding the point that the hon. Gentleman is making, does he agree that there is still a predominance of slam-door mark 1 trains on the London-Tilbury-Southend line, four years after privatisation and about a year after we were promised that there would be new trains?

Sir Teddy Taylor: I had a meeting with LTS just this week about that. There was a press conference in Room W3 to which about 14 hon. Members were invited, although I was the only one who turned up—*[Interruption.]* I am the only one, apart from my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles), who always turns up for meetings to do with Essex and whose commitment is an example to us all. He will confirm the full story that the new rolling stock is to arrive from September.

As the hon. Member for Hornchurch (Mr. Cryer) is well aware, we were told that investment would not be forthcoming while the line was nationalised, and now it is forthcoming. That is not because people who run privatised companies are nice and those who run nationalised industries are nasty—far from it. It is merely that investment comes through the capitalist system; the Government save a great deal of money in subsidy and, by and large, services are improving.

There may be one or two terrible services. I am told that the Virgin line—wherever that goes—is deplorable, although I travelled on it once and it was fine. If the Government are trying to run an industry as complicated as the railways, which is a very difficult industry to run, why the blazes can they not just admit that there are some failures and some successes, and start naming the success stories? I am not in any sense pushing LTS, although it has been very successful. I am asking why, for the sake of the industry's morale, we cannot say that things are getting better instead of constantly bashing the rail network. The Government have a duty to try to help the image of the railways, especially when it comes to attracting people to the industry.

Some professions, such as teaching which is a perfect example, have a bad image. My third child is just finishing university and has no thought—nor have my other children or their friends—of going into teaching. It is unfortunate, but many say that teaching is not the way to make big money and get on. That is wrong. I am afraid that the same is true of the railways. Because they have a bad image, many people will not work for them. I happen to think that the railways are doing well and that we should encourage them.

Mr. Quinn: As someone who worked for the railway industry since 1979 until I entered this place, I am very pleased that the hon. Gentleman has commended all the many members of the railway community. For the assistance of the House, will he please explain the damage that his Government did over 18 years, which caused the loss of many thousands of jobs and a paucity of services? He said that excessive powers would be granted to the Strategic Rail Authority. While he is on his feet, will he please explain exactly what those excessive powers are and why they do not complement the development of our railway industry?

Sir Teddy Taylor: I shall certainly speak about those powers in detail, mention the relevant clauses and provide all the details for the hon. Gentleman. However, I hope that he will accept that it is simply not possible for the Government—whether Labour or Conservative—to find money for railway investment. As he will well know, when the Conservatives were in power, for a long time, money was demanded for many things, such as the health service, but the necessary finances were simply not available.

I felt sorry for British Rail, which was not receiving the investment that it required. The consequence of that lack of investment was that the industry became a shambles. Exactly the same has befallen London Underground. However, the problem with London Underground has not been its managers but the fact that the necessary investment was not forthcoming. Privatisation, which may be unacceptable to some, is a way of dealing with the investment problem. Although the Government are making arrangements with Railtrack that they hope will raise some extra money, we have to solve the problem of finding the necessary investment.

Mr. Quinn: I am sure that the hon. Gentleman will be well aware that a consequence of the fragmentation of our railway industry is that an organisation that formerly was a whole now has more than 100 parts. As for giving excessive powers to a Strategic Rail Authority, surely the creation of such an authority will provide a focus for developing our railways—essentially bringing Humpty-Dumpty back together again—and ensuring that we really are looking forward so that, for the first time in about six years, we and our railway industry might see some light at the end of the tunnel.

Sir Teddy Taylor: As I said, the subsidy has fallen whereas, this year, 2,000 new passenger vehicles are being delivered. In the old days, that simply did not happen. Privatisation—I am not talking about a group of nasties or of nice people—is producing facilities that simply did not exist before.

What about the new authority's powers? Although a crowd of new authorities is being established, the Financial Services Authority is the one that horrifies me most. It is the most appallingly powerful body, using its powers to treat cruelly and heartlessly those who run a business. Some of those businesses have been operated for years by very reputable people.

[Sir Teddy Taylor]

Clauses 8 to 17 deal with all the issues of the Strategic Rail Authority's powers of central direction. If those running the authority want to use those powers to the full, they will be able to rush around and direct those who, in a difficult situation, are trying to run the railway.

The Bill will also provide the authority with the power to impose massive fines. Clauses 19 and 20 will allow people at the authority to impose massive fines and to say, "We don't think that the railway is being run correctly. It's all wrong." Those idiots, who will probably be on very high salaries, with lovely big offices and enormously large staffs, will be able to tell railway companies, "We think you've made a muck of it. Here is a fine of half a million pounds."

To whom will the companies be able to appeal? To whom will they go? The answer is to no one. They will be allowed to appeal the merits of a fine, but not the size of a fine. Therefore, people who are running a railway company and think that they are, despite all the difficulties, doing the best job they can will have to face a massive new organisation, which will be run—according to rumour; the Minister may confirm it—by the person who told us how wonderful the channel tunnel rail link would be and how much money it would make.

Clause 17 will allow the authority to say to a company, "We want you to invest. We want you to spend all this money doing this." How does the new rail authority know whether that investment will be profitable? What special knowledge will the authority have? Will it employ consultants or bring in experts? I fear the consequences of the power provided in clause 17, especially when it is allied with the rather frightening power, to make grants, provided in clause 8.

Mr. Stringer: I have been following the hon. Gentleman's argument very carefully but am not quite sure whether he is against regulation completely. Is he in favour of a completely unregulated privatised system—which, effectively, would be a monopoly? Is he also making the case that when public subsidy is being provided to the railway—he has been generous enough to acknowledge that the subsidy is now twice what it was before privatisation—the public should not have a say in how it is used? He has acknowledged that the privatised system is not working perfectly, but is not the legislation intended to make it work better?

Sir Teddy Taylor: Subsidy has fallen—not increased—from £2 billion, to £1.3 billion this year. Although those reported figures may or may not be accurate, my advice is that subsidy has decreased and, eventually, will fade away.

Mr. Stringer: I was making the point that, on privatisation, subsidy doubled, and that—since then, not only in the past 12 months—it has been higher.

Sir Teddy Taylor: The hon. Gentleman should appreciate that we have no concept of what might have happened to the subsidy in the absence of privatisation. I have been an hon. Member for a long time. During that time subsidies have consistently been increased and, as the companies were getting into such a financial mess, hon. Members have consistently asked for more.

The plain fact is that, since 1996, subsidy per passenger mile has fallen by 41 per cent. Again, the percentage may or may not be accurate, but subsidy has decreased substantially.

I accept that we must have some type of public control in public services. However, we are building up a series of quangos with horrific power and run by those who think that they are terribly important.

I think that hon. Members who have worked in the industry will realise that it is not easy to run a railway which has, for example, to be run at unusual hours. Staff, who may have their own problems, are required to cover those services at unusual hours. Railways also have to deal with the public who, as we well know, are not perfect in how they deal with public property. If the proposed and rather grotesque organisation uses all its powers to the full—as it probably will, given the type of people who, we hear, are likely to run it—railways will be even more difficult to run.

Dr. Whitehead: Does the hon. Gentleman accept that he has perhaps not painted a full picture of the provisions of clause 17? The clause states that a facility may be provided, improved or developed if the regulator is satisfied that

"the person will be adequately rewarded for providing, improving or developing the facility".

Does that not seem to deal with the points that the hon. Gentleman is making?

Sir Teddy Taylor: How will the regulator, who is not running a business, know whether a venture will be profitable? If I am running a railway company, shop or factory, and I put my own money in it, I shall have to make judgments on whether investments will be profitable. Now, this guy—who will be called a regulator and will probably be on a very high salary but not answerable to anyone—will be able to tell me, "I think that that will be profitable."

Mr. Quinn: I thank the hon. Gentleman for his great generosity in giving way. However, on expertise in running a railway, would he like to comment on the fact that the vast majority of those who are now running privatised railway companies had little or no prior experience in the railway industry? Would he also like to give the House his reaction—or perhaps that of his constituents—to the recent Public Accounts Committee report on the Railtrack valuation and sell-off, and on whether that sell-off ensured value for money for his constituents and the country?

Sir Teddy Taylor: Although I have already spoken for far too long, I shall deal with the specific points that the hon. Gentleman has made. He will know that political complications made it difficult to value and sell Railtrack. My impression of the sale is that the previous Government obtained the maximum possible market price. As it turns out, Railtrack was worth more than that, so the investment was very profitable for those who made one. However, that was not the previous Government's responsibility.

The fact is that Railtrack has been run very sensibly, so it has been able to obtain otherwise unobtainable resources. Does the hon. Gentleman think that, if he were a merchant banker, it would have been possible—this is

the real test—to obtain a lot more for Railtrack? I believe that the answer to that question is no, and that the Railtrack privatisation has been a success story.

It is not the job of a regulator—or of someone who has run that ridiculous venture, the channel tunnel rail link, which was going to be so profitable—to say whether he or she thinks that an investment will be profitable. Surely such decisions must be made by those who are running the industry. If they think that something will be profitable, they should go ahead with it.

I accept that there must be some regulation to ensure that the public are protected. However, for goodness sake, let us not establish a series of crazy and expensive organisations that will cost a fortune, tell the rail companies exactly what they have to do, how they have to do it and for what they will be fined.

I say to the Government seriously that when we have a success story—there have been failures, but by and large the railways have been successes in that passenger numbers and freight mileage have increased, and they are operating well—we should single out the companies that have done well and encourage them to try to improve the image of the industry so as to attract others to it.

I think that the Bill goes too far. The Strategic Rail Authority will be far too powerful. It will become a horrendously expensive and powerful organisation that will make it more difficult for others to run a railway. Generally, I think that our railways are being well run at present.

6 pm

Mr. John Cryer (Hornchurch): First, I should declare an interest. Although I have never gone a bundle on share owning, I own three shares in the Keighley and Worth Valley light railway. It is the railway on which my father drove steam engines for many years. I am probably the only Member of this place who has shovelled coal on the "Evening Star", which was the last steam engine built in this country before steam engines were finished.

Broadly, I welcome the Bill, like my hon. Friend the Member for Islington, North (Mr. Corbyn). We are both on-message this afternoon, which is unusual. I shall try not to spoil the situation, but I probably will because I usually do.

The key to transport policy and the running of a future transport system is the integration of transport and the moving of freight and people from roads on to railways and other forms of public transport. I can speak from bitter personal experience. Like the hon. Member for Rochford and Southend, East (Sir T. Taylor), I travel from the east London-Essex area into central London every day. I use the tube and the overground railway. I see overcrowding and trains in a bad state of repair. I see also the consequences of underinvestment, sometimes in the form of delays. This is on both the overground railway and the tube.

On the rare occasions when I drive into central London along the A13, the journey is not exactly a bundle of laughs. The A13 is frequently congested, often with heavy and lighter good vehicles. I occasionally drive a 1958 Armstrong Siddeley with, among other things, packed-up wipers along this route, and it is not a laugh a minute.

The key to getting people and freight off the roads and on to railways and other forms of public transport are public intervention and public investment. The Bill will take us some way in that direction and some way to solving the massive problems that we have had in the railway system.

History demonstrates that the railways work best as a publicly owned and controlled monopoly. That is why in 1924 the Baldwin Government, at a time when the free market was virtually an icon, forced the regrouping of the hundreds of railway companies that then existed. That Government realised that the railway system was crumbling and falling apart. There was underinvestment and rolling stock was in a chronic state in many instances. Regrouping took place and there were four large railway companies.

It became clear by 1948 that regrouping had not worked properly. There was still massive underinvestment in the railway system, and in many areas there was virtual anarchy in the way in which the system was run, especially in rural areas. Hence we had nationalisation in 1948. It was introduced to meet exactly the sort of problems that we face now, namely, massive underinvestment and a crumbling infrastructure.

I am not saying 120 per cent. that the private sector should have no involvement in public transport. For example, throughout the era of public ownership of London Buses there was always a contract between the public and private sectors to maintain and supply tyres. That contract came up for renewal every year, and I suppose Dunlop, Goodyear and other companies would submit a plan for the next year that set out how they would maintain the tyres of London Buses. That contract was continued within a specific and particular framework and was tightly controlled and administered. That is a far cry from the present position on the railways, where we have billions of pounds going into privately owned railways. At the same time, there is a still a threat to many rural railways as well as other lines.

Back in January 1996, one of the most revealing articles about rail privatisation appeared in the City pages of the *Daily Mail*, that great organ of the Tory party. Mr. Michael Walters wrote:

> "Beneath the financial filigree, Railtrack is a conduit for distributing State monies to private investors. All being well, the train operating companies collect subsidies and pass them to Railtrack to pay as dividends to shareholders."

That situation is very different from the one outlined by the hon. Member for Rochford and Southend, East. Michael Walters's comments spelt out the reality of Conservative plans for the rail system. The Conservatives saw their proposals as enabling the handing over of assets to the private sector, whether in the City or anywhere else. Of course, the private sector and the City financed Conservative party election campaigns, which was a convenient relationship. That was part of most of the privatisations of the 1980s and 1990s.

Even today, with all the billions of pounds ploughed into the private railway companies—far greater subsidies than we ever saw under public ownership—rural railways are still under threat. Privatised train operating companies are saying to the Government, "We might have to cut back on this railway or get rid of it completely. We must have a bus service instead." That is outrageous and shows that the Conservative party has a strange view of the world when it compares running a railway with running a high street shop. There is no parallel between running a railway, a public service that is provided to get people from A to B, and a high street tobacconist's shop, for example.

[Mr. John Cryer]

I have often heard directors and managers of train operating companies saying, "We run this nice little business like a high street shop." That cannot be done.

Mr. Pickles: I recall the hon. Gentleman's late father talking to me about the Keighley and Worth Valley railway. He said that if it was not run by a business, it would fail. Does the hon. Gentleman think that the Secretary of State is wrong when he says that buses might be an alternative to railways?

Mr. Cryer: I was coming to that.

The Keighley and Worth Valley railway is run not as a private business, but as a co-operative. Everyone who works on it owns it in part. If the hon. Gentleman had asked people in 1963, when Beeching let the axe fall on that railway and many other rural railways, "Would you like to set up a co-operative or would you like the railway to continue as a publicly owned enterprise?", they would have told him that they wished it to continue to be publicly owned. I accept that I might be speaking for some who have a slightly different view. However, the people who I know who are involved in the railway would have opted for public ownership at the time.

I hope that there will be a ministerial comment on rural railways. The Government should give a pledge that all such railways should remain and that there should be no closures. The Strategic Railway Authority should have those powers. There should be no railway closures under this Government. Indeed, there should be an expansion of the railway network.

That is not idle posturing. Looking back to what happened under Beeching in 1963 and thereafter because of the closure of railways, I accept that there was an economic argument for closing many small rural lines. However, their closure took out certain pieces of the national railway system jigsaw, which meant that at the end of the closures there was no longer a comprehensive rail network that covered Britain, so that people and freight could get from A to B.

It is true that no railway company, private or public, can hope to make any profit from many small rural lines. It was argued at the time of Beeching that on some lines British Rail could have afforded to supply a car to everyone who caught a train on them, that being cheaper than keeping the lines open. They were extreme examples. Chopping out bits of the railway network here and there destroys the comprehensive nature of the railway system. That process began in 1963 and it could reach its conclusion in the 1990s and the early years of the next century if we allow the train operating companies to get away with what they want to get away with—cutting back on certain railways and completely abandoning certain lines. It looks as though they are moving towards that.

Mr. Gerald Howarth: I am very interested in the hon. Gentleman's argument. Can he explain how the railway companies will make money if they end up closing all the lines?

Mr. Cryer: My answer is that they will not; we should take those companies back into public ownership, but that is my view.

The railway line that runs through my constituency ends in the constituency of the hon. Member for Rochford and Southend, East. The part of the line that runs through Rainham in my constituency is the Tilbury loop, which loops off the main line. Passengers who travel on that railway—and, to some extent, those who travel on the main line—frequently experience delays and train cancellations as well as all sorts of problems with the infrastructure and old mark I slam-door trains. Months and months ago, we were promised that the new stock would be introduced. Even when it is introduced in September it will not replace all the old rolling stock and, although it is difficult to say how much, a lot—perhaps even mark I slam-door trains—will remain in use.

Sir Teddy Taylor: Does the hon. Gentleman accept, as I am sure he does, that some of the delay was caused by Euro regulation? Largely because of the help provided by one of the excellent Ministers, we will be able to use the new stock; otherwise, it would not have been introduced at all. Does he appreciate that such delays are one of the many problems that British industry has to face up to because of the European Economic Community? We are particularly grateful to that Minister for helping us to resolve the problem.

Mr. Cryer: That is a fairly abstruse argument. My contention is that if the investment had been made rapidly enough, all the regulations could have been dealt with, including those dealing with access for disabled people. Arguments about that have been proceeding over the past few months, but they could and should have been dealt with a long time ago and the trains should be running on the London-Tilbury-Southend line. The fact is that they are not.

There is also the problem of crumbling stations as well as underinvestment by Railtrack—my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) referred to the fantasy figures that it has produced. The stations on the line in my constituency continue to crumble. Railtrack is responsible for the parts of stations that are at and below ground level; the train operating company is responsible for those parts which are above ground level. Admittedly, there has been underinvestment in that line for a long time—probably 30 years—but at least under public ownership a new signalling system was installed, which got that railway running reasonably. That had nothing to do with private enterprise. Public investment in a new signalling system costing £150 million got the railway moving.

I want to touch on a couple of points that have not been mentioned. I would like Ministers to say something about the people who work on the railway lines, particularly those involved in track maintenance. The Strategic Rail Authority does not cover them, although it could and should do so. Many of them are working for their fifth, sixth or even seventh employer since the privatisation of the railways only four years ago. They have lost many of their pension rights, they are working longer hours and generally their situation has deteriorated markedly since privatisation.

The hon. Member for Carshalton and Wallington (Mr. Brake) touched on safety, and I have brought a safety issue to the attention of Ministers previously. If a train was stranded in the middle of nowhere at midnight or 1 o'clock in the morning, British Rail was forced by

law to use licensed taxis or proper buses to transport people, many of whom were women travelling by themselves, to their destination. Although I do not think that it was intentional—it was probably an oversight, in spite of my criticisms of privatisation—when the privatisation legislation went through Parliament the same onus was not put on such a service being provided by the train operating companies.

Mr. Efford: My hon. Friend makes an interesting point. When the use of taxis as replacements for train services was considered by the Deregulation Committee, the Department of the Environment, Transport and the Regions discovered that the regulations that had applied to British Rail had not been passed on to the new franchises. The requirement for train operating companies to replace discontinued or postponed train services with licensed taxis was removed by the Railways Act 1993.

Mr. Cryer: I am a member of the Deregulation Committee and my hon. Friend has made exactly the point that I was about to make. Never mind; it is always a pleasure to listen to him.

I am a London Member of Parliament. In the capital, train operating companies could be using unlicensed minicabs to transport passengers, although I do not know how many do so. Across London, about 60 or 70 rapes are committed in minicabs by minicab drivers every year, but no checks are made on their history or physical condition and there are no topographical tests. I have taken that issue up with Ministers and I was not altogether pleased with the response, which was that train operating companies should have some sort of voluntary code of practice. That is not good enough. I want the Government to intervene and say to the train operating companies, "Don't use unlicensed minicabs because they could be dangerous. Use licensed taxis or buses, and nothing else."

Mr. Quinn: May I offer the House different experience from a different part of the country? The Great North Eastern Railway and Northern Spirit—which are the train operating companies up in Yorkshire, the part of the world where I live—provide taxis and buses that follow the route so that people can continue their journey, and they do that to safeguard the commercial aspects of their business. My hon. Friend has hit on an important point that shows how the industry has fragmented: passengers in his part of east London receive a totally different service from passengers in Yorkshire, even though they all may not reach their ultimate destination.

Mr. Cryer: The railway industry is fragmenting and the previous Government effectively turned the clock back to pre-1924, or even the last century.

I want the railway industry to move forward to greater co-ordination and planning and to greater investment. I have made it pretty clear on a number of occasions that I would take the railways back into public ownership tomorrow if I had the power. I do not have that power, but the Railways Bill, which sets up the Strategic Rail Authority, is certainly a step in the right direction and I look forward to voting for it this evening.

6.18 pm

Mr. Eric Pickles (Brentwood and Ongar): It is a great pleasure to follow the hon. Member for Hornchurch (Mr. Cryer). I have affectionate and happy memories of his late father and his involvement in the Worth Valley Railway Preservation Society, but the hon. Gentleman is entirely wrong in respect of his father's commitment to free enterprise. In October 1968, I attended my first meeting of the Keighley Young Conservatives, which the hon. Gentleman's father addressed on the subject of the Worth Valley railway. He rightly said that it would fail if all it was about was people playing on trains; it had to be commercial and competitive in its outlook. He was absolutely right and, largely because he was such an entertaining speaker, I decided to remain in the Young Conservatives; I therefore pay tribute to him.

The hon. Gentleman said that he would try to stay on-message this evening. In fairness, he did stay on-message—for two minutes and five seconds, according to my stopwatch. After that, he went distinctly off-message. If the Labour Whips had given him a pager, it would have been ringing on his belt.

One thing is certain: although there are grave reservations about the Strategic Rail Authority, the Bill is not a step towards renationalisation of the railways. It is proof of the success of privatisation that no Government member now seriously believes that renationalisation would be a good idea.

In an intervention on my hon. Friend the Member for Rochford and Southend, East (Sir T. Taylor), the hon. Member for Scarborough and Whitby (Mr. Quinn) said that the SRA was the light at the end of the tunnel. Conservative Members are concerned that it could be a train coming at high speed in the opposite direction.

I had the honour to serve on the Select Committee that originally put the report together. As the Secretary of State said that there was a broad consensus, it is only right that I should lay out our approach to that report. It was the first major Select Committee report since the general election to be debated on the Floor of the House, so the Conservatives had to decide how to approach the matter. The Bill was in the Government's election manifesto, so we had to decide whether to oppose every single issue or to try to find a way to make it work, given that the Government were so committed to the idea.

Given the Government's commitment to the Bill and the fact that the Select Committee report was the first to come out, it is interesting that we have had to wait for two years for a Bill. Eighteen months have passed since the Select Committee reported.

Mr. Gray: My hon. Friend will recall that, although he was strongly of the view that it was important to examine the paper on a Strategic Rail Authority and come to a unanimous conclusion on it, certain of his colleagues on the Conservative Benches in the Transport Sub-Committee, me in particular, took a different view.

Mr. Pickles: That is true, but it did not affect how my hon. Friend voted.

Although the report was a consensus report, it was some distance away from some of the recommendations. I agree that the Government should introduce pre-legislative reviews, and I certainly believe that the Select Committee forum is the right place to do that. This is exactly the kind of Bill that will benefit from pre-legislative scrutiny. I have seen examples of such scrutiny on the Select Committee on Social Security. However—this is why our reasoned amendment is so

[Mr. Pickles]

important—we should have had the benefit of the Select Committee's views before Second Reading because, without them, this debate is taking place in a vacuum. As we shall have no opportunity to hear the Select Committee's views until the Committee stage, a substantial number of hon. Members will be denied the opportunity of dealing with the Select Committee's recommendations.

I cannot understand why this Bill has been introduced at the fag-end of a parliamentary Session. My right hon. Friend the Member for Wokingham (Mr. Redwood) is right: it is probably because the Government are seeking to gloss over the problems between the Deputy Prime Minister and the Prime Minister. It has not been lost on many hon. Members that the delays in introducing this Bill have been greater than those in the services of the late lamented British Rail. Like a British Rail sandwich, the Bill is beginning to curl at the edges.

Mr. Gerald Howarth: My hon. Friend makes an important point. Given that he is in favour of pre-legislative scrutiny—perhaps we should call it "mid-legislative scrutiny"—how long does he think the Select Committee will take to consider the matter? As the Bill has been introduced at the fag-end of a parliamentary Session, we could be looking at the fag-end of the next Session before we get round to considering the detailed legislation.

Mr. Pickles: What my hon. Friend says about mid-legislative scrutiny is exactly right. We have been down this path before: we have seen the Government set up a consultation process before introducing a Bill, but then start to panic and introduce the Bill halfway through the consultation period. Just a few weeks ago, the House had before it a number of Bills for which the end of the consultation period was several months hence. Those Bills have now gone to another place and we must wait until they come back before we have an opportunity to discuss them.

The Transport Sub-Committee took a lot of hearings on this Bill and I am sure that we shall want to listen widely to consumer groups, public transport organisations, Railtrack and the various companies. I cannot see how the Committee could get through that work in fewer than 12 to 15 evidence sessions. Unless it is to meet through the long recess, it will have to deliberate well into the spring. My hon. Friend the Member for Aldershot (Mr. Howarth), who is an experienced Member, is right—it will take some time. My colleagues on the Opposition Front Bench have made the characteristically generous offer of a Standing Committee, to sit until the Bill is fully considered.

Mr. Gray: My hon. Friend obviously has not caught sight of motion 3 on the Order Paper, entitled "Business of the House (Railways Bill)", which stipulates that the Select Committee will report by 12 November 1999. Does he agree that that is a woefully inadequate time to consider this complicated Bill?

Mr. Pickles: My hon. Friend is absolutely right. I am extremely happy to agree with him on this intervention.

My hon. Friend the Member for Aldershot asked how long it would take the Select Committee to consider the Bill. It will take 15 sittings. Assuming that the House returns on 19 October, there will no hope of reporting by that date—unless the work is rushed through in two or three evidence sessions. However, I do not believe that that will happen. I have a great regard for the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), and I cannot see her standing for the suggestion that there should be a quick and cheap review. This is an important Bill; it contains many clauses, many of which are, admittedly, wide in their scope, not to mention many schedules. Fifteen evidence sessions would therefore be about right.

Mr. Howarth: I am sorry to pursue this matter, but it is rather important. If my hon. Friend is right to suggest that there will be 15 evidence sessions, the Select Committee will not reach a conclusion on the matter this side of next Easter. The revisions proposed by the Committee would, therefore, come before the House a year hence. They may then be delayed in this House for some other reason, and would not get to the other place until next autumn. Given that the Deputy Prime Minister thinks that this Bill is important, why is this procedure being used?

Mr. Pickles: I am at a loss to explain that—I am as mystified as my hon. Friend. Perhaps the Minister for Transport—we look forward to her reply to the debate—will tackle that point because it is a worry. It is happening as we speak: messages are going out from the Dispatch Box to find out exactly what the result is, but I have the following concern. I suspect that we will not wait until Easter. Scrutiny will be rushed again, and we will have pre-legislative scrutiny in name only.

Mr. Nick St. Aubyn (Guildford): Will my hon. Friend contrast the treatment that has been proposed for the Railways Bill with that of the Financial Services and Markets Bill, for which there was an extensive period of consideration by a Standing Committee? It went through that only after First Reading, which meant that, before the new Bill was introduced, there could be substantial changes to the legislation to take account of the representations. How can the Government credibly come back after Second Reading and also after the long period of consultation that will be required?

Mr. Pickles: My hon. Friend is right. There are detailed questions to be addressed on the Financial Services and Markets Bill. People want to hear from experts. They want to consider what the various professions that deal with financial services are saying. Matters relating to the railways are no less technical, or daunting, than those relating to financial services, so we should be receiving the views of the Select Committee now. Of course, we will not have that opportunity; the Bill will be considered in Committee later.

We may have an opportunity by the time Third Reading comes around to make suggestions, but by that time, the Bill will be set in concrete. It will be difficult to change much of its central thrust. I find it a little strange that those who sit in another place will be in a stronger position than the House of Commons to determine the

strength of the Bill, because they will have had the benefit of the Select Committee's examination of the various matters at stake.

We have had a number of interesting speeches. Three in particular have demonstrated the problem that we face. The more strategic the rail authority is, the better chance it has of success, but the more we debate it, the more Members and the Strategic Rail Authority will get themselves involved in detail.

The speech of the hon. Member for Crewe and Nantwich demonstrated that most clearly. She talked about the relationship of the shareholders, the responsibility of the company to make profits and to plough those profits back into dividends—contrasting with their public duty—and the Strategic Rail Authority interfering in commercial considerations with regard to the running of those businesses. If that happens, we will return to the problem of the dead hand of the old British Railways Board.

Mr. Quinn: Will the hon. Gentleman give way?

Mr. Pickles: I give way to the hon. Member who mentioned the light at the end of the tunnel.

Mr. Quinn: As someone who has been in that tunnel and knows the difference between daylight and a train, I can tell you that it is daylight that I was referring to. You rightly refer to—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman must use the correct parliamentary language.

Mr. Quinn: I apologise.

The hon. Gentleman rightly referred to the historical situation. I am sure that he recalls his leadership of Bradford borough council and his work, along with councillors in Leeds and other west Yorkshire councils, to introduce the West Riding electrification scheme, which benefits many commuters in that conurbation. Will he consider how much easier that process would have been if there had been a Strategic Rail Authority to work in partnership with those councils, rather than the situation that he alludes to? Is not that what the railway industry has needed—that strategic overview and interlinking with the other transport systems? I commend him for his work during that period.

Mr. Pickles: I am blushing: I am most grateful for the hon. Gentleman's comments. He is right to say that electrification of the line was important for economic development; but with regard to land development, I would talk to Railtrack, so it would not present a problem under the current situation.

Mr. Quinn: I am sure that the hon. Gentleman understands that he would have needed to talk not only to Railtrack, but to the train operating companies. At least three services run in that area, not to mention the freight companies. Surely, the key point is that we need that strategic overview to act as the cement to bring the constituent parts of the railway together, and to give that important voice to passengers and to community groups to ensure that not only national taxation but the local taxation that subsidises key services for the economic viability of that part of west Yorkshire provide value for money. That is what the legislation is about. Those are the principles behind the Strategic Rail Authority. Does he agree?

Mr. Pickles: The hon. Gentleman has given me an opportunity to recoil from my embarrassment at his kind words. He seems to think that I am suggesting that a Strategic Rail Authority will be wholly bad; I am not doing that. I am dealing in shades of grey.

Mr. Gray: Shades of Gray?

Mr. Pickles: With respect to my hon. Friend, no pun was intended. The more strategic the rail authority is, the better it will be. My concern is that it will suddenly get itself sucked into operational matters. In her excellent speech, the hon. Member for Crewe and Nantwich gave a clear example of exactly the type of detail that she would like the Strategic Rail Authority to be involved in. The detail that she suggests is not strategic, but wholly commercial and dangerous to the rail authority.

It is nice to see the hon. Member for Truro and St. Austell (Mr. Taylor) back in his place. He was complaining about the possibility of timetables being all wrong and having to try to integrate timetables. The position of the Liberal Democrats has changed somewhat, because last time we debated the matter, the hon. Member for Carshalton and Wallington (Mr. Brake), said:

> "The Strategic Rail Authority should be about strategy and broad objectives; it should not be about timetabling of the 7.23 am Connex South Central services from Carshalton Beeches to Victoria."—[*Official Report*, 25 March 1998; Vol. 309, c. 444.]

I agree, but the hon. Member for Truro and St. Austell is succumbing to temptation. He just wants to get his hands on a grown-up Hornby double-O train set, so that he can signal things exactly right. He should have stuck with the line from Carshalton.

Mr. Matthew Taylor: The suggestion of a double-O system is very tempting, but the point that I was trying to get across did not involve detailed timetabling across the system—that would not be practical or helpful. I did suggest, however, that the authority needed to look at issues such as the non-integration of timetabling, where services by one provider did not link to another provider, so a through service was not provided. There is a role for a co-ordinating body there.

Mr. Pickles: I accept what the hon. Gentleman says, but I think that, on close examination of *Hansard* tomorrow, he will find that he has backed himself against the buffers.

Mr. Gerald Howarth: I do not wish to prolong my hon. Friend's speech, but may I ask him a question? Does he agree that it is in the interests of train operators to dovetail their services? The idea that they have a vested interest in preventing passengers from travelling around the country is wholly at variance with what is, in fact, their economic interest.

Mr. Pickles: I note that my hon. Friend the Member for Rochford and Southend, East is still diligently occupying the Chair. He will recall a meeting with LTS—

[Mr. Pickles]

soon to be called C2C—that we both attended last week. It was concerned with precisely that issue, and was considering ways of persuading more people to travel to work earlier—for instance, by means of inducements. My hon. Friend is right: we do not need a Strategic Rail Authority to get people from point A to point B. Those who operate the trains already want that to happen.

I believe that if the authority is hands on and is second-guessing commercial decisions, it will fail. If it seeks an overview—if it seeks to take some powers away from the Department of the Environment, Transport and the Regions—it may have a chance of success. Its principal role must be to ensure a balance between passengers and freight, and to achieve that it must—in the words of the Select Committee—

"foster a climate that encourages private investment in railways"

I am not entirely convinced that the Bill tries to achieve that. Its intention appears to be to give the authority a hands-on role.

We have already engaged in discussion about clause 8. How far-reaching the clause will prove seems still to be a matter of conjecture. Subsection (1) states that the authority may make grants, make loans or give guarantees

"for any purpose relating to any railway or railway services."

It goes on to refer to the nature of guarantees.

It is no good saying that all this was in the original privatisation Act, the Railways Act 1993. The provisions in that Act related specifically to matters concerned with peripheral grants. Clause 8 has the potential to undermine the relationship between Railtrack and train operators. Direct funding on a wide scale would make it difficult for Railtrack to run any schemes at all, if it involved the overseeing of its entire investment process; and it would reduce train operators' leverage on Railtrack. It would undermine a sensible programme of capital replacement. It would also undermine the replacement of trains, and the refurbishment of stations.

Mr. John Cryer: As the hon. Gentleman will know, Railtrack claimed to be investing £27 billion over the next 10 years. When the figure is broken down, as it is in the Select Committee report on integrated transport, it becomes clear that the only new investment in new schemes amounts to £1.4 billion over 10 years. Does the hon. Gentleman consider that adequate?

Mr. Pickles: If the Strategic Rail Authority is to achieve anything, it must, as the report suggests, create a climate for the encouragement of investment. The hon. Gentleman must ask himself whether clause 8 makes it more or less likely that private investment will be attracted to the railways. I contend that it makes it less likely. That may suit the hon. Gentleman's intentions, because he looks forward to the day when the railways can be renationalised; but if the idea is to secure private investment, clause 8 stands firmly in the way of it.

Mr. Quinn: The hon. Gentleman has made an important point about future investment in rail schemes. As he knows, City venture capitalists are looking for a return on their investment in any transport infrastructure project. Does he agree with the chairman of the shadow Strategic Rail Authority, Sir Alastair Morton, who rightly pointed out recently that about 10 years of work and investment will be needed? Surely the stimulus that the venture capitalists seek is the long-term rather than the short-term view. Is that not why, in the past, investment in companies such as SNCF in France has attracted them more than investment in Britain's railways?

Mr. Pickles: I am beginning to warm to the hon. Gentleman: I think he has the potential to become a free-thinking capitalist. He must understand, however, that clause 8 works against the very objective that he seeks to achieve. Let us consider what will be involved if the clause is taken to its logical conclusion. I am not talking about specific schemes or grants to encourage specific activities; but if the powers in the clause are used in regard to the general capital schemes that exist, they will act as a considerable disincentive in relation to the methods of capital-raising to which the hon. Gentleman referred.

Under clause 17, the regulator, at the request of the authority, may direct Railtrack to provide a new facility, or to improve or develop an existing facility. That undermines commercial freedom: essentially, it is second-guessing what Railtrack is doing. By its very nature, the Strategic Rail Authority is unlikely to have the detailed knowledge that would enable it to judge individual schemes against each other. A strategic authority should set itself broader objectives. If it becomes involved in supporting one form of investment against another, improvement of one station against improvement of another and one type of train against another, commercial decisions will be undermined.

As far as I could understand from what the Secretary of State said, that is not the Government's intention. He seemed to be saying, "I intend to use these provisions as a substitute for social provision with regard to particular lines, to ensure that a line or a service continues to exist for reasons of public necessity. I will not use them to set investment scheme against investment scheme." If that is the case, the Government should give an undertaking that they will restrict clause 17 to such considerations.

Dr. Whitehead: Is the hon. Gentleman saying that regulation whose aim is to restrict the market's ability to decide on a price or an investment is illegitimate in principle? If so, he is surely suggesting that the water and electricity regulators are wrong, and that the independent Radio Authority is wrong. All those regulators are trying to impose some sort of standard on investment and performance.

Mr. Pickles: The hon. Gentleman clearly has not been listening to what I am saying; nor does he appear to understand the role of the regulator. A regulator does not become involved in deciding whether a pipe should lead from No. 12 Acacia avenue to No. 13; he deals with strategic service matters. Clause 17 has the potential to undermine commercial decisions. The practicalities of the Bill must be examined. It is no good talking in terms of general, broad principles; the clause poses a real threat to the hitherto undoubted success of privatisation. It offers the prospect of deteriorating services, dropping passenger numbers, decreasing numbers of trains and a general closing down of the service.

Mr. Cryer: Currently, at least eight rural railways are under threat of closure. Many more rural and urban railways have had services cut since 1996. What does the hon. Gentleman make of that?

Mr. Pickles: Clause 17 simply makes it more likely that those services will be closed. If the clause were restricted to questions about the social provision of railway lines, the regulator would have a much better chance of ensuring that those rural services remained open.

I said that three speeches had illustrated the problem of drift from the strategic to the particular, and the hon. Member for Eltham (Mr. Efford) made a number of important points about freight. He was encouraged by his hon. Friends to say, "Isn't it rather wicked that all these lorries are travelling on the roads? Wouldn't it be nice if more freight were taken off the roads and put on the railways?" Everyone agrees with that proposition. However, we must understand that the impact on the general public would be the same whether the amount of freight transported by rail trebled, quadrupled or multiplied by seven.

I invited the hon. Member for Eltham to suggest what percentage of freight should be carried by rail and what percentage on the roads, but he did not want to be specific. However, he should have had an idea about that before he gave us a lecture about rail freight. At present, 6 per cent. of freight is transported by rail. That figure might be 6.5 per cent. this year because the situation is improving, but the amount of freight that is being transported is growing.

English, Welsh and Scottish Railway has done a tremendous job. For 20 years there was a decline in the amount of freight transported by rail. That decline has been halted and reversed, and in the past three years there has been a 35 per cent. increase. To increase the amount of rail freight, even to continental European proportions of 15 per cent. of all freight, will require a considerable effort.

I was interested to hear that the latest figures suggest that by 2010, if we pull out all the stops, it is likely that 20 per cent. of freight will be transported by rail. However, there will still be more tonnage on the roads then than there is now. There are certain constraints on transporting freight by rail.

Mr. Quinn: The hon. Gentleman makes an important point about freight, and I am sure that he is aware that EWS plans to triple its business over the next 10 years and to aim for the target of about 18 per cent. of freight being moved by rail, to bring us into line with Europe.

Does the hon. Gentleman agree that the previous Government's policies, which fragmented the Railfreight company into three distinct parts, caused the decline in rail freight to 6 per cent. of the total? Does he welcome the work of Ed Burkehart and EWS to glue back together those three parts so as to make one company and to bring in investment for that business from the capital sector? Does not that demonstrate faith in the future of the railway industry—

Mr. Deputy Speaker: Order. The hon. Gentleman's interventions are getting longer and longer, and I believe that he is seeking to catch my eye, so perhaps he should bear that in mind.

Mr. Pickles: Indeed; I was thinking of trying to intervene on the hon. Gentleman.

Freight has been terrifically successful under privatisation. Let us consider the challenges that freight now faces in expanding. We should not forget that the target of 20 per cent. refers to a percentage share of a rising freight total.

There are a number of constraints on rail freight. The loading gauge on the west coast line, in particular, means that we are unable to take international carriages. If we could do so, we could increase our capacity by one third at a stroke. That would enable us also to engage in piggy-backing of freight, in which a road vehicle is moved straight on to a carriage. Currently, we do not have a loading gauge capable of doing that. If piggy-backing were possible, we could certainly increase the amount of freight being carried by rail.

A more important problem, which relates directly to the Strategic Rail Authority, is the conflict between rail and freight. It is ironic that every improvement in the passenger rail service works against the expansion of freight. The faster trains become and the more frequent the service becomes, the less able we are to expand freight transportation.

We have to remember that most freight is carried at night. That gives rise to certain environmental considerations, not least the noise. Complaints about the noise of rail freight have increased. No doubt those complaints are made by the people who are urging us to carry more freight by rail. As someone who lives by a railway line, I am acutely aware of the increased freight traffic at night.

If we are to increase the proportion of freight that is carried by rail to 20 per cent. or more, the Strategic Rail Authority will have to address the essential conflict between the two uses of the railways. We have to remember that most freight that is carried by rail is not time-critical, so it does not matter whether the load arrives on a particular day. That factor is largely historical and relates to the carrying of grain and coal.

To get above the 20 per cent. target, we shall have to start involving the railways in carrying loads that are time-critical. If, for example, a load left Aberdeen one day, we would then have to be reasonably certain that it would arrive in Brentwood the next day. That is an enormous task for the Strategic Rail Authority, and it is far more important than messing about on the various capital schemes that we have heard about.

Dr. Whitehead: Is not the hon. Gentleman arguing against himself, in that investment in a long-term freight strategy—which I agree we need—is not occurring precisely because Railtrack does not foresee the recovery of its investment in the short term?

Mr. Pickles: Again, the hon. Gentleman is viewing matters in black and white. I have made clear my position, as I did when I was a member of the Select Committee. I voted for the report. I believe that there is a case for a Strategic Rail Authority, but I am concerned because the remarks of the hon. Gentleman, the Secretary of State, and other hon. Members who have intervened suggest that we are about to set up not a Strategic Rail Authority but the British Railways Board mark II. We are a long way from what the Select Committee was suggesting, and we seem to have picked up all its bad recommendations instead of considering the positive aspects of getting more private enterprise involved.

[Mr. Pickles]

I asked a question about international freight. My hon. Friend the Member for Rochford and Southend, East takes a keen interest in the channel tunnel. However, it seems that the tunnel has not been the catalyst for road hauliers that we hoped it would be. The tonnage of freight going through the tunnel is roughly 40 per cent. below what was predicted. I cannot understand why it costs three times as much to send freight through the tunnel as it does on the Shuttle service, which essentially uses the same track and the same tunnel. Why should it be so expensive? The cost of taking freight through the channel tunnel—this applies also to freight going out from our major ports—is only worth it if the journey goes beyond the Alps.

The problem is that continental railways are far too nationally focused. We need some progress from the Government in terms of breaking down the international barriers to see a better and freer distribution of freight throughout the continent. We will not see major benefits, and we will not see an increase on the 20 per cent. figure, unless hauliers are in a position to decide that using rail is a good option.

I am concerned by the Bill's proposals concerning the Welsh Assembly and the Scottish Parliament. The Bill talks about services wholly inside their respective countries being the reserve of the Assembly or of the Parliament. Are we about to make the same mistakes as in continental Europe by trying to have a national focus in Scotland and Wales, and not being able to make the correct decisions to ensure that there is a strategic overview across the country?

In conclusion, the Bill has the potential to do a great deal of good in terms of co-ordinating the railways. However, it has the potential also to do enormous damage to the rail network. Whether it is a saint or a sinner will depend largely on the determination of the Government to keep the authority strategic. Every indication from the speeches from Labour Members—and from the Liberal Democrats—is that we have strategic drift, and that, increasingly, the authority will want to get involved in the day-to-day operations of the railways. If it does, that is bad news for the railways and bad news for passengers.

7.2 pm

Dr. Alan Whitehead (Southampton, Test): The speech of the hon. Member for Brentwood and Ongar (Mr. Pickles) was interesting because he appeared almost to suggest that the Strategic Rail Authority was a good idea. However, the Opposition motion suggests that they have no policy—all that they wanted before the debate was to suggest that it was not a good thing to have the Second Reading right now. There was nothing on the substance of whether the authority was a good thing or not. The opening speeches by Opposition Members amply confirmed that opinion.

Even if we took the Opposition argument seriously, the fact that we are debating the Bill tonight and allowing a range of views to be aired is a good thing for the forthcoming legislation. The whole House—not a pre-legislative scrutiny Committee—has an opportunity to discuss in detail what a strategic authority would look like and how it could be introduced.

The Opposition have declined to tell us anything about the authority. The explanation is that, if they engaged with the real issue before us today, they would have to admit that their arrangements at the time of rail privatisation for regulation were appalling, completely inadequate and not up to the task of regulating the consequences of privatisation.

The privatisation process was about as dignified and long-sighted as a distressed family shoving the furniture out the back door and selling it to a bloke with a barrow while the bailiffs were battering on the front door. It was a distress sale, and an attempt to try to remove everything possible from any sort of public scrutiny and accountability before the election, when a new Government might come in and provide some accountability for that service.

It is no wonder that the dreadfully bad value reported by the Public Accounts Committee was achieved from the flotation of Railtrack. A distress sale results in distressed prices. The problem with the original regulation proposed by the previous Government was that it went along with the notion of a distressed sale—it was a botched attempt to try to make some sense of a privatisation which, in its structure, made no sense at all.

The limitations of the regulation struck me following an event that occurred close to my constituency. I use a station, Southampton Parkway, to travel up to London. One might say that the station is a superb example of investment in the railways. South West Trains was enjoined to invest in the station, along with Railtrack, and some money came in from Hampshire county council. A splendid new Parkway station was built. The station has a ticket office, a small cafeteria, access for wheelchairs into the ticket area and level access without kerbs from the car park into the station. It is a great improvement.

The only problem is that, between the platform used by those going to London and the platform used by those arriving from London, there is a bridge. The bridge is very old with steep steps, and there is no possibility of any disabled person—particularly a wheelchair user—getting over the bridge to the other side. On the other side of the new ticket office, cafeteria and so on is Southampton airport. If a disabled person gets off the train at Southampton Parkway, having come from the south, there is no way that he or she could get to Southampton airport.

My colleague, the Minister of State, Department of Health, the hon. Member for Southampton, Itchen (Mr. Denham), and I raised this matter with South West Trains. My hon. Friend received a revealing letter from the managing director, which said:

"You are correct to identify the footbridge as a problem. This was not part of the scheme but we will do what we can to reduce the problems that it will cause. We are providing a passenger-operated call point on the platform nearest the airport to alert staff that assistance is required. For disabled passengers who simply cannot manage the steps, we will provide a taxi, at our cost, to transport them from one side of the station to the other."

That was the solution proposed by South West Trains.

The obvious solution was to build a bridge that could take people from one side to the other as part of the strategic investment in the station. We were pleased that a taxi would be available to go from one side of the station to the other—that was good news for taxi drivers—but, we asked, what about the idea of a bridge? The managing director said that the problem with investing in such a bridge was that the company did not think that investing in a bridge as well as in the station was justified because

of the length of the franchise. To build such a bridge would add considerably to the costs, so the company was not prepared to invest in it—unless, of course, the franchise were extended.

We asked Railtrack, the company's partner, why it was not investing strategically in the bridge. It said that South West Trains might lose its franchise, and the new franchisees might not honour the agreement on the station in the same way. Consequently, Railtrack was not prepared to invest strategically in the bridge either, because it did not know what would happen to the franchise.

That vignette seems to me to sum up the absurdities and limitations of the regulation system. We have a short-sighted system that concerns itself with punctuality, journey times and other such immediate performance criteria but completely fails to consider strategically what the rail service needs for the future.

There is another absurdity in my area, and I am sure that there are many throughout the country. A small train runs from Brockenhurst to Lymington and the main train from London also stops at Brockenhurst, but of course it is sometimes late. On Planet Brockenhurst-to-Lymington, the train has to leave on time to avoid penalties, so off it goes, even if there is no one on board, stranding those who wanted to change from the London train. There is no co-ordination or strategy in the regulation system introduced by the Conservative Government. We need a strategic regulation system. I suspect that that is what the hon. Member for Brentwood and Ongar was struggling towards.

A further important reason why we need a strategic authority concerns larger-scale investment for the future that anticipates events rather than simply following them. The hon. Member for Brentwood and Ongar said that the market must decide, but a weakness in the current system is that investment judgments are based entirely on what is happening now.

That is partly because the companies that took over on privatisation did so on the assumption that railway services would continue to decline. Their operating plans were based on how to make a profit by managing decline. That is true of both train operating companies and ROSCOs. Incidentally, I am sure that the Conservative Government did not predict that ROSCOs would be monopolistically integrated into the system by being bought by train operating companies, thus undermining the separation of ROSCOs, train operating companies and Railtrack.

Investment was designed to patch up a declining system while making a healthy profit for the companies and for Railtrack. The idea that the railways would boom and that we needed to design the system for a future in which more people and freight would travel by rail, in which traffic would move off the roads and in which new track might be needed to accommodate the changes, was wholly absent at the time of privatisation.

That was reflected in the strange way in which public money was put in. Far more subsidy was given to the privatised companies than had been given before privatisation. An appendix on page 25 of the Public Accounts Committee report sets out the relationship between total public support for train operating companies—adding passenger transport authority payments—and passenger access charges paid by the companies to Railtrack.

Hon. Members will not be surprised to know that, for each of the past three years, the figures almost exactly coincide. Railtrack makes investment only on the basis of the money that it receives from the train operating companies in the first instance, so the money from the public purse cannot predicate any strategic investment. The possibility of strategic investment has been designed out.

That is why clauses 8 and 17 are so important. They allow strategic investment at last to play a proper role in the railway world. The Strategic Rail Authority will be able to jump out of the circle of money from access charges predicating investment on the basis of whether those payments will continue rather than of whether a strategic change is needed in how the railway works.

The lack of strategic vision is clear in the freight sector. The Government's response to the Select Committee's report on the proposed strategic authority, published in July 1998, said:

> "There is no focus within the privatised industry for long term strategic planning. Before privatisation, the British Railways Board was charged with monitoring passenger and freight demand and developing a strategy to provide the capacity to cater for it. Now, there is no equivalent planning body at work in the industry."

It went on to say:

> "The Franchising Director's remit is too narrowly focused on the passenger railway. As things stand, he has no powers in respect of freight on the railways and is heavily constrained in what he can do to support integrated transport initiatives."

If we are to move freight from road to rail—I accept the caution of the hon. Member for Brentwood and Ongar about how much that will affect the overall position of road and rail—that will be part of an integrated transport strategy, not a panacea. It is a good thing to take freight from road to rail not only because, for example, it eases congestion, but because it is about seven times as energy efficient and seven times less polluting with greenhouse gases. Transporting freight by sea, on which I am also keen, is about 20 times less polluting, but that is another subject.

Mr. St. Aubyn: Does the hon. Gentleman agree that the figures depend partly on the engines being used and that road fuel gas, for example, which is being promoted for heavy goods vehicles, would substantially change those that he has cited?

Dr. Whitehead: That is a valid point. The emergence of new fuels presents us with a moving target. The hon. Gentleman referred to compressed natural gas, and there are other fuels that would change the equation a bit. However, the same argument, in connection with low-sulphur diesel, also applies to rail. Efficiency can work both ways, but my general point is that, in a ratio of about 7:1, it is environmentally friendlier—because it is much cleaner and more energy efficient—to carry goods by rail than by road. That much is indisputable.

Mr. Gray: The purpose of the diesel escalator is to change behaviour and get freight off the roads and on to rail. Does the hon. Gentleman agree that, even by the Treasury's measure, the strategy is failing, as the Red Book shows that the net revenue from diesel is to go up, year on year, for three years?

Dr. Whitehead: I was not making a direct relationship between the fuel escalator and rail transport. I said that,

[Dr. Whitehead]

in the longer term, one argument in favour of encouraging the transport of freight by rail is that it is energy efficient and environmentally friendly. In any event, I remind the hon. Gentleman that the Budget gave a financial incentive for the use of low-sulphur diesel in all forms of transport, on the roads and elsewhere. That incentive has been very successful.

There is a third important element in the argument about freight. The hon. Member for Brentwood and Ongar was right to say that, if more than, say, 20 per cent. of freight were carried by rail, we should have to worry about the type of freight involved, and that considerations of time would also have to be taken into account. Although I do not agree with the hon. Gentleman's suggestion of 20 per cent., he was right to say that most of the increase in rail freight involves goods whose delivery is not time specific—bulk deliveries, aggregates, oil and so on. As long as those materials are delivered to the right place, the precise date of delivery, to within a couple of days, does not matter too much.

However, the development of such a just-in-time system for rail freight depends more on the reliability of a service to a given destination than on its speed. A freight service can be fairly slow, as long as users know that another element of the service is following close behind. That is what a just-in-time service is, and reliable capacity in freight services means that continuous shuttles such as I have described can be maintained.

Two problems remain. First, the present just-in-time system for freight is predicated overwhelmingly on road transport. As congestion increases, so it will become more likely that road transport will lose its just-in-time status—that is, it will be increasingly difficult to deliver goods by road just in time. That will affect more important matters than getting sugar snap peas to supermarkets in time; we have to ensure that components are delivered to manufacturers, because the country depends on manufactured goods. That is a vital consideration for the future.

Secondly, as increasing congestion makes it more difficult to achieve just-in-time delivery of freight by road, the ability of drivers to deliver within their legal driving hours will decrease. Drivers will be forced to break their hours of work, or companies will be required to use a second driver to fulfil contracts. I understand that at least some road hauliers already run a modern version of the old stagecoach operation, with drivers waiting in motorway service areas to take over vehicles and complete journeys begun by others.

My general point is that it is wrong to think that we can rely on a just-in-time road transport system and that rail freight is the poor relation. We must achieve a better balance between the two modes of freight transport.

Mr. Geraint Davies: The National Audit Office report into the sale of Railfreight franchises shows that there was an enormous escalation in rail freight between 1994 and 1997, for the reasons outlined by my hon. Friend. Is it not a disgrace that the franchises were sold off at a cost to the Government of £242 million? They were given away, with extra money, even though it was known at the time that future Governments would cut road building and that more freight would go by rail. Does my hon. Friend agree that that sell-off represented an enormous loss to the taxpayer, and that the proper planning and management set out in the Bill is the way ahead?

Dr. Whitehead: My hon. Friend makes a sound point, which adds considerably to what I have always described as a distress sale. A vendor who wants to get buyers as quickly as possible is not going to be too worried about the long-term value of what is being sold.

Mr. Redwood: The hon. Gentleman has identified two powers that he wants the SRA to have. The first seems to be that, if a train is running late, other trains should be delayed—and therefore made to run late too—so that people on the first train can make their connection. That, of course, would cascade delays throughout the system. His second wish is that subsidies and Railtrack profits should be cut, although that would appear to lead to difficulties with the investment programme. Will he confirm that those are the two magic ingredients that he would like to be added to the strategic authority?

Dr. Whitehead: The right hon. Gentleman obviously has been thinking about those points for a long time, as I mentioned them much earlier in my speech. It is possible that the passage of time has lessened the accuracy of his recall.

I did not say that all trains should be held up to accommodate all connections. I made specific reference to one local service whose only purpose is to carry passengers to meet the main train from Lymington to London. In such circumstances, it makes sense to integrate services so that they work together. Of course, I take the point that a similar approach for every service would cascade delays through the system, but a strategic authority must be able to study the overall operation. It must not be rigidly confined to implementing certain performance criteria, regardless of whether they benefit passengers.

The right hon. Member for Wokingham (Mr. Redwood) also claimed that I wanted to reduce the subsidy, but I did not say that either. I said that, at present, subsidies are an under-performing merry-go-round. Subsidies from the public purse go to the train operating company, which then pays a rail access charge to Railtrack. As the right hon. Gentleman knows, those charges make up about 85 per cent. of Railtrack's income. Therefore, it is clear that the vast majority of the money available to Railtrack for day-to-day investment purposes comes from the access charges levied on the train operating companies. Logically, therefore, Railtrack's investment decisions are likely to relate to existing circumstances. Railtrack's investments are justified by ensuring that it continues to secure the rail access charges: they have little to do with factors that might make the railways better.

Mr. Quinn: I have listened carefully to my hon. Friend's remarks, and I understood that he was talking about the freight sector, for which the state provides no subsidy. He was talking about reliability, which the freight companies have improved through investment in locomotives and wagons. Was not that the main point that he was making, before he was interrupted?

Dr. Whitehead: Operating and franchising conditions for freight are different from those for passengers, but the

franchising director's remit is based on passenger transport, and, because its operating charges come primarily from passenger transport, Railtrack's investment strategy is also based on passenger services. Freight must be taken seriously for the future, but services currently fall outside the remit of railway regulation. Railways are not just about passengers, and every success with passenger miles raises a further problem for the movement of freight by rail. We need strategic investments to prevent that.

The Select Committee on the Environment, Transport and Regional Affairs recently visited Holland, where the rail authorities plan a dedicated line from Rotterdam to Germany to take freight away from passenger lines. It is inconceivable that we could do the same in the UK under the present investment and regulation system.

Mr. Bennett: What about Central Trains?

Dr. Whitehead: My hon. Friend is correct to say that proposals exist, but the likelihood of our arranging a Dutch-style freight-only track is some distance off.

Freightliner and other companies are trying to increase the amount of freight that leaves the highly successful Southampton docks by rail. Most of our freight travels south to north, to the midlands, but there has been a heavy increase in passenger traffic on the London to Bristol route, from west to east. The two services clash around Reading, where additional track to stop rail traffic jams is urgently required, but seems unlikely to be provided.

The SRA will not be the monster suggested by some Conservative Members, but a sane reaction to the appalling bodge that the previous Government made of privatisation.

Mr. St. Aubyn: The SRA will receive £100 million in its first three years to deal with bottlenecks, but there are many of them. Does the hon. Gentleman know how much it would cost to put right just the one at Reading?

Dr. Whitehead: I do not have the exact figures before me, and the hon. Gentleman makes a good point. However, a company is not likely to put bottlenecks right if it bases its calculations simply on likely income from track access charges. Strategic investment for the whole railway system would make it work better.

Mr. Kerry Pollard (St. Albans): Is my hon. Friend aware that Railtrack has identified 20 bottlenecks that require the urgent attention and serious investment that the SRA could provide?

Dr. Whitehead: Yes. I recently read details of the bottlenecks and the investment required to correct them, and I am sorry that I do not have those details to hand.

Mr. Gerald Howarth: As I have pointed out to several hon. Members, Railtrack has no interest in reducing the number of trains that gain access to the system, and everything to gain if even more trains use its system, thus generating more access charges. Far from encouraging bottlenecks, Railtrack fully intends to eliminate them and is setting aside £27 billion over the next 10 years.

Dr. Whitehead: That may well be true in the world of F. A. von Hayek. The hidden hand of the market may work in perfect competition, but it does not work so well in the specific circumstances in which Railtrack collects its income and takes, and proceeds with, its investment decisions. Secondly, as the Environment, Transport and Regional Affairs Committee has noted, the huge sum that the hon. Gentleman has mentioned looks less enormous when it is broken down. In fact, it is insufficient for the necessary strategic plans.

The difficulty in investing for the future is anticipating demand for services. The present regulation system makes it difficult to predict change, which is why the SRA is important. The travelling public know that rail privatisation has been desperately unsuccessful when considered against the claims made for it. Some improvements have occurred, but failure to deliver services punctually or even to keep them running is increasing. Substantial reinvestment is required, and there is a significant investment backlog. A sea change is required in our rail freight policy.

The SRA can address those matters and will be one of Labour's means of delivering an integrated transport policy. It will stand in contrast to the raft of populist measures outlined last week in the Chamber, which would move away from integrated solutions to our transport problems. We have heard all about the new Conservatives who work from year zero, repudiating all that happened under the previous Government. The fact that the public are crying out for integrated solutions to rail problems should surely lead those new Conservatives to demand an SRA. Perhaps the clearest proof that their policy still requires some work is the fact that, far from jumping up to argue for that, they seem thoroughly confused over whether they want a strategic authority at all.

7.38 pm

Mr. Nick St. Aubyn (Guildford): I am no expert on railway matters, but my constituency is an important local railway centre. The network that traverses the south of England passes through our station, and many trains from London to the south coast cut across it too. Some 40 per cent. of rail commuters in south-west Surrey use Guildford station. In my two years as the local Member of Parliament, there have been substantial changes—on balance, for the better—in services at Guildford. South West Trains recently increased the number of services from Guildford to Waterloo—a journey of just over 30 minutes—from three an hour to four, and two of those four trains are modern, automatic-door trains, not the slam-door type. Even for those who are disabled, access to London is much improved by the benefits of railway privatisation.

I regularly use the service to come to this place, but I also use other networks. I frequently travel to the west country, and when I canvassed in the Eddisbury by-election, I enjoyed the benefits of Virgin Trains. I have heard much criticism, but Virgin's first-rate service to Crewe arrived pretty much on time, and the return was on time too. It was a most convenient way to reach my destination. As for the people of Eddisbury, I heard not one complaint about rail privatisation as I canvassed the constituency—most people said that they intended to

[Mr. Nick St. Aubyn]

support the Conservative candidate—but I heard many complaints about the Government's failure to deliver on their promises.

Mr. Geraint Davies: Does the hon. Gentleman agree with Central Trains' proposition to divert freight from throughout Britain through Guildford? That would be a welcome alternative to routeing freight through Croydon.

Mr. St. Aubyn: I will turn to the difficulties posed to Guildford and other railway centres by the growth in the railways which this Bill will do nothing to address.

We must recognise that, after more than 40 years of secular decline in the share of rail traffic, the policy of privatisation reversed the trend. For the first time, we have seen not only substantial growth in passenger traffic but significant growth in the share of all traffic being taken by rail. That gives the lie to those who have claimed this afternoon that the increase in rail traffic is a product of the growing economy. The volume of traffic varies with the economic cycle, but the share of traffic carried by rail is the key test. According to that test, privatisation was a defining moment: it changed 40 years of decline in the rail industry.

The Government are very confused about the Bill. Within a few months, the Secretary of State said that the railways are a national disgrace and then announced that he could deliver a modern railway only with a full and open partnership between the Government and the industry. Ministers have, on the one hand, tried to play the blame game with the private sector on the railways while, on the other, demanding that the private sector invest more and more money for an uncertain return under the framework that the Government have advanced.

The Government claim to believe in standards, not structures. Yet this Bill is all about structures and promises nothing for standards. I wonder what the Bill's real aims are. Clause 7(2)(c) charges the Strategic Rail Authority to act in a way that is best calculated

"to promote efficiency and economy on the part of persons providing railway services".

A similar preamble might have been attached to the nationalisation of the railways in the 1940s. It is not the job of Ministers to deliver efficiency and economy; it is the job of the market. The role of Ministers may be to temper the market in the wider social interest, but the idea that ministerial interference or intervention will promote efficiency and economy misunderstands the way in which the open market economy works.

Mr. Quinn: The hon. Gentleman seems to suggest that the privatised railway companies can use the simple market mechanisms to acquire the necessary investment and create the sort of service that his constituents need. How does the hon. Gentleman answer the evidence about the proposed rail authority that was provided to the Select Committee during its last sitting? Railtrack said that it would need assistance of about £100 million to help with the bottlenecks to which my hon. Friend the Member for Southampton, Test (Dr. Whitehead) referred.

Mr. St. Aubyn: The hon. Gentleman has almost made a complete speech. I shall come to the issue of bottlenecks, but, before I do, let us deal with clause 7(2)(c). So confusing is this clause that the explanatory notes to the Bill state:

"the Authority will not be required in every case to give effect to its purposes and strategies . . . Some of these considerations could contradict each other, so the Authority must undertake a balancing exercise in each case."

The truth is that the Bill is a complete mess and the explanatory notes show that the clauses are quite confused. The sooner the situation is clarified, the better. I look forward to hearing the speech of the Minister for Transport later this evening—although I am not sure what she will say.

Bottlenecks pose another problem. There are about 30 bottlenecks in the rail network around the country and it costs about £30 million to cure the typical bottleneck. That is what the signalling at the west end of Leeds station cost, for instance, and experts in the industry estimate that that is the typical cost. Therefore, curing 30 bottlenecks at £30 million a time will cost nearly £1 billion. Yet the Government are providing only £100 million to tackle bottlenecks over three years, which will cure only three of the 30 bottlenecks.

I have a particular interest in this matter as the bottleneck at Waterloo is important to my constituents. That is an urgent consideration. The Government offer no clear solution to that problem in their plans for a Strategic Rail Authority.

Mr. Geraint Davies *rose—*

Mr. St. Aubyn: I will not give way. If there is time later, I will be happy to take the hon. Gentleman's intervention.

I draw the attention of the House to another problem that is related to the success of the railways, which the Minister and I have debated before in the Chamber. I refer to the problem of railway noise. Those who live near the busy railway station in my constituency are facing an escalating problem arising out of investment programmes—none of which we want to discourage—including those of Railtrack. There is a particular problem with accountability. Railtrack has used subcontractors to carry out the work. We have written to Railtrack and, time and again, local residents, the council or I have obtained assurances about how work will be conducted in future. However, the message is lost by the time it reaches the subcontractor who is performing the work in our region.

I shall draw the House's attention to several alarming cases. A constituent describes a typical experience. She lives just up the road from the railway station and she writes:

"I do not think we have had an uninterrupted night's sleep this week. On Monday I was woken at 3 am by what sounded like someone throwing bricks at a metal sheet for half an hour."

I could go on as there are many other similar examples. The council has done a lot of work in this area, and its report states:

"the normal background noise level of about 44 decibels was raised for periods as high as 76 decibels which is a loud and intrusive noise level."

On that occasion, Railtrack took nine months to respond to the entreaties of local residents. It has promised that its intense programme of work in our area will end this month. However, we have identified the problem that Railtrack is not subject to the environmental noise rules

under the Railways Act 1993. Breaches of that code are allowed unless councils taking action against Railtrack can show that the noise caused is "totally unreasonable". Experience reveals that that has given Railtrack and its subcontractors far too much leeway. I urged the Government 18 months ago to address that point in any Bill that they might be planning to introduce—such as this one. It will be a profound disappointment to people living near railway stations throughout the country that the Bill makes no specific provision to deal with the problem of railway noise. The Minister for Transport owes us an explanation. When she replies, she should explain why her Strategic Rail Authority is not specifically charged to deal with that problem, which has been raised on many occasions in the House.

In previous debates, we have already alerted the Government about the need for the Rail Regulator to beef up his act on that matter. In March 1996, the Rail Regulator issued a report on environmental guidance, in which he spoke of

"extensive and detailed legislation aimed at protecting the environment".

Apparently, he was not aware that that legislation did not apply to the railways. We need clear guidance for the operators before the measure takes effect. We need a commitment from the Government that powers will be changed when the Bill comes back from the Select Committee.

Compensation is the final problem that needs to be addressed. Even if we deal with railway noise caused by mismanagement and poor handling by contractors, there will nevertheless be a steady growth in the noise generated by our railway system. That may be preferable to the noise generated by the road network—another problem that my constituents share with people in many other parts of the country. However, major improvements to the road network trigger a system of compensation under the Land Compensation Act 1973, whereas in respect of the rail network, because disused track is frequently brought back into service, no claim to compensation can arise.

Some of the rail network may have been disused for decades. In recent years, people will have bought properties with no thought that the almost derelict line near the end of their garden will ever be reactivated. On both sides of the House, we are agreed that our policy is to reactivate railway lines so that they can be used for the good of society. It is only right that we should treat those affected—who live along the edge of those lines—in the same way that we would treat someone who lived next to a new railway line that was built on virgin land. That is the only fair way to deal with the costs to the few of a policy that will benefit the many.

7.53 pm

Mr. Lawrie Quinn (Scarborough and Whitby): I welcome the opportunity to speak in the debate because, as I have already pointed out several times, not only did I spend years as a member of staff working in the railway industry, but I am proud to speak as a member of a wide community—the railway community. I am proud to say that my father was a train driver and that, until recently—because I now spend time in my constituency—I always lived in railway towns. From 1979 until I was returned to this place, I worked as a manager and a civil engineer for the railways.

I shall focus on my constituency and the opportunities that will arise from the SRA. Recently, the Esk valley line, which runs from Middlesbrough, Teesside to Whitby has benefited and flourished through a community-railway-train operator partnership. That partnership came about because of the support given by the local community. In that rural community, there was a desperate need for effective transport corridors to quite remote areas of the country. There was a need for access to the rest of mainland Britain, and—especially during the winter months—for a viable route into the port of Whitby.

The line offers a tremendous opportunity. I hope that, when the Bill is passed, I shall be able to argue the case for that currently little-used passenger line—there are about four trains into Whitby and four trains out—to be used to assist the great coastal port of Whitby to flourish. Those hon. Members who have visited my constituency will know that it includes a hilly and mountainous area—the North York Moors national park. Currently, there is a contract of about £6.5 million for the delivery of steel to the port of Whitby; as many as 20 lorries regularly carry steel from the unloaded ships over the North York moors, into the Vale of York, on to the A64 and the rest of the transport network. That steel has been imported from Holland. It seems stupid that a mechanism does not exist to ensure effective transport links for that steel and other commodities being unloaded at the port of Whitby—which is thriving and goes from strength to strength. There should be a rail freight system from the port of Whitby.

I should declare interests other than those of a professional civil engineer. Many hon. Members will be aware that I am proud to chair the all-party rail freight group. Several Members of this and the other place have seen the real benefits that are afforded by the flourishing and the further renaissance of rail freight. That has arisen from the excellent work carried out by English, Welsh and Scottish Railways and Freightliner Ltd.

Opposition Members referred to bottlenecks, especially in relation to rail freight. The problem is that, at present, Railtrack has clearly stated to the Government that it cannot fund from its own resources the improvements that are needed to deal with bottlenecks. Opposition Members have made that point. The company has asked the Government for extra assistance, but, although Labour Members acknowledge that matter, Opposition Members seem to believe that the whole principle of a Strategic Rail Authority working in partnership with freight companies to address those key problems is somehow not in order.

Mr. Jenkin: There is some confusion in the debate. We are discussing a Bill about the regulation of the railway and about the Strategic Rail Authority. We are not necessarily voting for increased money for the railway—that is a different debate. However, Labour Members seem to be conducting the debate on the premise that the Strategic Rail Authority means that there will be significant new resources. Of course, the problem of freight described by the hon. Gentleman has arisen because it is difficult to run commercially viable freight services on the railway. Access charges merely wash the face in respect of the current costs of Railtrack. We are not arguing against the application of additional funds to the railway case by case, but the funds will not flow automatically—as the hon. Gentleman seems to think—

[Mr. Jenkin]

from the establishment of the SRA. Nor is it necessary to have an authority in order to get increased funds into the railway.

Mr. Quinn: Perhaps the hon. Gentleman did not quite hear what I said. I welcome the establishment of the SRA in principle, so that I and other hon. Members can argue our case for the renaissance of railways—whether passenger or freight. At present, when Railtrack is approached by freight companies, its prime obligation, under the current regulatory system, is to meet the requirements of the passenger network. That is what the company is paid for; that is why it receives the bulk of its resources—to sustain the current railway system. I and my constituents want strings to be attached to the considerable sums that are paid into the railway industry to ensure that the industry performs to its full potential and delivers its part in our nation's transport policies.

A considerable investment has been made in the rail freight sector by English, Welsh and Scottish Railways—a company that receives no support except on a case-by-case basis. Route availability is the mechanism by which companies decide whether bridges are strong enough or clearances in tunnels and bridges are sufficient to allow the trains to pass. In administering the mechanism by which a clear through path is provided for freight or high-speed passenger services, Railtrack concentrates on the here and now—it does not focus on future potential.

Whitby is an extremely important and vibrant community and it is located in a picturesque part of the country. Like my hon. Friend the Member for Hornchurch (Mr. Cryer), I have an interest to declare: with the hon. Member for Ryedale (Mr. Greenway), I am pleased to be a vice-president of the North York Moors railway. There is a transport corridor from Whitby to Pickering that has the potential to link into the rest of the rail network. That would afford a better lifeline to the communities in the Esk valley and the North York moors, not only by bringing in additional tourists and revenue through their sustainable tourism policy, but by providing the economic development that is vital to peripheral areas such as the one that I represent.

If I and the hon. Member for Ryedale wanted to make the case for a link to fill the gap of about seven miles between Pickering and Malton, both of which stations lie in the hon. Gentleman's constituency, we would not be able to press our argument direct to Railtrack alone under the current regulatory system. We would have to approach Railtrack, Northern Spirit, and other operating companies to make the case. The simple business of running regular services on the North York Moors railway line into Whitby required the making of a special safety case and the establishment of a partnership between Northern Spirit and the North York Moors railway. That took many years to achieve under the current regulatory system. My constituents want action now—they want some of the tax money they pay to deliver for them, because they are not getting the benefit of existing potential.

Mr. Jenkin: The confusion still arises. The hon. Gentleman can bleat to his heart's content to the SRA making the case for a new rail link, but unless he can put some money on the table, he will get nowhere. If he could go to Northern Spirit and Railtrack and put money on the table now, he would find that money talks. What counts in transport infrastructure investment is money. He has an unrealistic expectation that, somehow, the SRA will have money coming out of its ears to lubricate the way of all those projects, but there is no evidence that that will be so, unless the Minister tells us tonight that far more public money will be made available. There are only two sources of money: the fare box or the Government.

Mr. Quinn: I thank the hon. Gentleman, but the North York Moors railway has in fact developed such a partnership; what it needs to do is engage other partners to come on board. Perhaps I am being idealistic and optimistic, but I am doing the best that I can for my constituents. I believe that the SRA will offer a forum in which such partnerships can be created, not only between the operating companies and Railtrack, but with the wider public sector, such as local authorities and the communities that rely on transport partnerships. I commend the work done by the Esk valley partnership, which has come to fruition in the past few weeks in the opening of the first integrated transport centre at Whitby station, where bus, rail and tourist information services for the area are all available.

Mr. Geraint Davies: Can my hon. Friend explain a paradox? The hon. Member for North Essex (Mr. Jenkin) says that there will be no money in the SRA, and implies that it might be better if there were. The hon. Member for Guildford (Mr. St. Aubyn) says that there is a little money, but not enough, and the free market should be allowed to sort things out. However, the right hon. Member for Wokingham (Mr. Redwood) says that the big problem is that there is £3 billion somewhere to be spent by the SRA. It appears that the Opposition do not know whether they are coming or going—perhaps my hon. Friend can tell me whether they are doing either.

Mr. Quinn: I thank my hon. Friend—he puts his finger on the central problem. The Opposition are so focused on the short term and so wedded to the notion that the market will deliver that they do not understand that the feelings and experiences of the travelling public are that privatisation has not delivered for them. The prospect of "bustitution", which is a real likelihood facing many rural areas, engenders fear in many rural constituencies because of the possibility that, especially in the winter months, the so-called replacement bus services that have been offered will not be able to make their way through to their destination.

I remind my hon. Friend of the experience of the community of Alston in northern Cumbria. A short branch line linked it to the Newcastle to Carlisle line and, when buses were promised to replace the rail link, the arguments about winter access were made. The simple realities of the weather in my part of northern England are that train services are the only transport service that can get through. I am making the case for communities and people, not for business.

Mr. Jenkin: I am grateful to the hon. Gentleman for giving way once more—I shall not interrupt him again. When the Conservatives privatised the railways, we pledged that we would never give in to "bustitution",

so the change of policy under the Labour Government is a matter of concern. I certainly accept that the hon. Gentleman is arguing hard on behalf of communities.

The figure of £3 billion to which the hon. Member for Croydon, Central (Mr. Davies) refers is a borrowing limit, and a borrowing limit on a public authority must be sanctioned by the Treasury, because any borrowing turns up in the public sector borrowing requirement. That means that every decision by the SRA to borrow money will end up on the desk of the Chancellor of the Exchequer. Is that the way in which the hon. Member for Scarborough and Whitby (Mr. Quinn) wants the railways to be run?

Mr. Quinn: I thank the hon. Gentleman for his intervention, and I am pleased to hear that it will be the last.

The key point is that we want a transport policy that delivers for people. I represent a remote part of northern England that desperately needs economic development and sustainable transport systems. I perceive in the Bill the opportunity to create partnership and linkage for the benefit of the people I represent by enabling strings to be attached to the considerable sums of public money—their money, their taxes—that go into the coffers of Railtrack.

I remind the hon. Member for North Essex (Mr. Jenkin) that the railways industry is awash with money. My experience of working in the industry for many years from 1979, when the Conservative Government entered office, tells me that the presence of that money has not resulted in the sort of investment that our railways need. It has not delivered the new rolling stock that would result in trains running on the tracks more quietly, so that the constituents of the hon. Member for Guildford (Mr. St. Aubyn) were not disturbed in the night. Investment could be far better targeted and controlled to ensure far greater efficiency.

Time is limited and I want to allow others to contribute to the debate. My final point is a procedural one, concerning the business in this place. I take issue with the points made by the hon. Member for Brentwood and Ongar (Mr. Pickles), who is unfortunately not in his place to hear this. The offer of Select Committee scrutiny is an opportunity for all hon. Members to engage in wider debate, to describe their personal experiences of transport systems in their communities, and so ensure that we get policy in this area right. Far from detracting from overall scrutiny, we are extending debating time.

If we are wedded to delivering to our communities, passengers and people who are reliant on environmental improvements, by moving freight from road to rail, we must press on with this. I am a civil engineer; I believe in solving the problem. As I said, this Bill is the light at the end of the tunnel of Tory privatisation, which has done so much damage not only to the immediate railway family but to many communities throughout the land.

8.12 pm

Mr. Gerald Howarth (Aldershot): I shall not follow the hon. Member for Scarborough and Whitby (Mr. Quinn) down the branch line to his constituency, save to say that he represents the authentic voice of the British Railways Board, which I thought we had ditched a long time ago. His speech was a little depressing, but I wish him well with his constituents. I am sure that his local newspaper will carry wonderful headlines about his call for new public investment in railways to extend to Whitby and Scarborough.

I am sorry that the hon. Member for Southampton, Test (Dr. Whitehead) is not in his place. He said that some of us Opposition Members were repudiating all that previous Conservative Governments had undertaken. I am delighted to say that, far from repudiating the Railways Act 1993, I entirely endorse it. I am only sorry that, unfortunately, I was resting between engagements and unable to vote for it which, had I been a Member at the time, I would have done with enthusiasm.

There has been an interesting display from Labour Members in this debate. We have had the full gamut—old Labour, represented by the hon. Member for Hornchurch (Mr. Cryer); some new Labour, and the authentic voice of the British Railways Board somewhere in the middle. Until recent weeks, it has been characteristic of the Labour party to run down the efforts of the privatised companies to provide a better service to the public. In opposition, Labour's policy of seeking to undermine the flotation not only of Railtrack but of the train operating companies unquestionably damaged very seriously the amount that the Treasury was able to raise from the sale of those national assets.

Mr. Geraint Davies: Is the hon. Gentleman interested to know that the £3.90 share price set by Warburg for the flotation of Railtrack was 10 times oversubscribed? Even ignoring the fact that the assets appreciated from a value of £1.9 billion to more than £8 billion, they were given away, and that is a national disgrace for which he should apologise.

Mr. Howarth: I am sorry to disappoint the hon. Gentleman, but I have no intention of apologising. I was neither a Minister nor a Member of Parliament at the time—nor was I one of the financial advisers in the City. The hon. Gentleman is so intelligent and so vastly superior to everybody else that I have no doubt that he knows precisely the price at which Railtrack should have been offered to the public and that he will tell us so now.

Mr. Davies: Another 15 per cent. should certainly have been added. Scenario planning—*[Interruption.]* Before speaking on these issues, the hon. Gentleman should read some of the National Audit Office reports. He is clearly abundantly ignorant on this matter and should stop talking about it.

Mr. Howarth: The next time I speak to my friends in the City, I shall recommend the hon. Gentleman as an up-and-coming potential investment banker. His considered view is that, at 15 per cent. extra, Warburg would have hit just the right price. I am sure that it will be delighted to know that.

Mr. Jenkin: The price would have been £4.48 instead.

Mr. Howarth: My hon. Friend has done the calculation; what a pathetic contribution from the hon. Member for Croydon, Central (Mr. Davies).

Mr. Davies: Will the hon. Gentleman give way?

Mr. Howarth: No, I have given way enough to the hon. Gentleman. My hon. Friend the Member for North Essex (Mr. Jenkin) is sorely tempting me to do so again, but I shall visit the hon. Gentleman later.

[Mr. Howarth]

The Labour party has had a vested interest in underselling the success of privatisation. It keeps talking about the fragmentation of the railway system, and it has decried the operators and accused them of making money and of failing to provide an adequate service. It is interesting that the Minister for Transport's predecessor, the right hon. Member for Hamilton, North and Bellshill (Dr. Reid), finally understood that such a policy was leading nowhere, when he said in an interview with *New Statesman* in April:

"Over the past year we've moved away from standing on the side, criticising and using the rhetoric of threats. Instead we're going to work with the companies to get the best bargain for passengers".

The right hon. Gentleman gave the game away: this Government were in the business of using threats, attacking and decrying. It was only with his appointment that some positive work began in recognising the contribution that the private sector could make to the success of the railways.

I see no intrinsic opposition to the Government's Strategic Rail Authority. The accusation is that the previous legislation was hurried. That is self-evident; we were trying to get it through before the election, something of which we should not be ashamed. We wanted to ensure that it was out of reach of the nationalisers, and in that we were supremely successful. I readily accept that improvements could be made; legislation is often enacted that subsequently requires improvement.

It was refreshing to hear the Secretary of State at last acknowledge that the private railway companies have had some substantial successes. I shall not rehearse them all, but I shall repeat some of them because there are still too many Labour Members who are not prepared to give the privatised companies the credit that the Secretary of State gives them. Whether that will put him in bad odour with his family, I know and hope not.

The Secretary of State was gracious enough today to acknowledge that, for example, the number of passenger trains has increased by 14 per cent. over the past four years, that freight tonne miles are up by 35 per cent., that 2,300 new carriages are on order and that there are 1,000 extra services a day—although I understand that it is even more than that. In addition, 12 new stations have been opened since this Government came to office, for which the Secretary of State took credit. I am not worried whether he takes the credit because it was our legislation that provided the means, and all such investment is to be welcomed. The £90 million investment of South West Trains in 30 new trains will be warmly welcomed by my constituents.

There has not just been new investment, however. There is a new attitude, too. There is a much more positive attitude about serving the customer. The other day, for example, on Farnborough station, in my constituency, I went to see the new emergency call arrangements. Regardless of whether a member of staff is on duty—which may not always be possible; for example, in the middle of the night—or is not accessible, the new arrangements enable any passenger who feels at risk or in danger in any way simply to press a button on a machine, putting him or her in direct contact with a helpline at a central control operation. That is the type of service that should have been introduced years ago. Why did the public sector—which, we are told, has great concerns about passenger welfare—not introduce that service?

The private sector has passenger welfare at the heart of its concerns because it knows that passengers pay the money for fares that enables it to generate income. The new emergency call arrangements at my station were a very good innovation, and they are typical of many developments.

At Aldershot station, it was some time before I realised that the flower baskets hanging from the station contained not real but plastic flowers. However, rather than leaving each basket of flowers in place for three or four years, station staff rotate the baskets about every six weeks so that it looks like there are new flowers. The whole atmosphere and presentation of the railways have been enhanced—*[Interruption.]*

Before the Minister starts rolling around, thinking that that is frightfully funny, I should tell her that, if she had paid a little more attention to what people really want and to presentation—as the Prime Minister's spin doctor spends all his time doing—she would perhaps understand that the railways have improved and the importance of the type of differences that I have been describing. Obviously, those changes are not the same as substantial investment in fixtures, fittings and rolling stock, but they are important.

Railtrack is prepared to invest £27 billion. Moreover, it will raise that investment not simply from access charges but from the markets. Before the water industry was privatised, we were told by some people that the £30 billion investment that it required—and which would not be provided by the Government—would not be produced by the private sector, which was interested only in making profits. However, the water industry delivered £30 billion well within the stated time scale.

I believe that Railtrack will provide the necessary £27 billion. As I told the hon. Member for Test, Railtrack has no interest in perpetuating bottlenecks.

Mr. Quinn: The hon. Gentleman mentioned the water industry. There is a regulation vacuum in our railway industry that, in the water industry, was filled by regulation containing a linkage to service delivery. As the hon. Gentleman favours such a linkage, surely he will agree that the SRA will provide us with an even better and more modern railway. I should also tell him that I did not attack proposals for putting extra money into the railways—far from it.

Mr. Howarth: The Bill is all about providing a different form of regulation. As I heard the Secretary of State say today, the SRA will inherit the powers of existing bodies. Therefore, the SRA will not obtain many more powers, but will inherit the powers of existing bodies and bring them together under one roof. However, there are proposals for some new powers, which I shall mention in a moment.

Some of the powers will be transferred from an independent organisation, which is not subject to political pressures, to the Secretary of State. The issue of closures is one that will be transferred to him. All I can tell him is that he had better look out, because if any closures are mooted he will be the beneficiary of all the deputations and representations on them. We shall then be back to the

pork-barrelling of the 1970s, when factories were closed and Labour Members trooped off to Harold Wilson to try to stop the closures in their constituencies. The same thing might happen again, so that the Secretary of State will have to make political rather than commercial judgments. I do not think that that would necessarily be the best thing for passengers.

We have to recognise that the Bill will give the Secretary of State responsibility that is currently held by an independent organisation. Although he said that the powers will generally be unchanged, how will they be used? Currently, the powers are exercised by those who are railways practitioners and who are interested not in politics but in efficient railway operation.

As my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles) said, if the new regulator's role will be to second-guess the commercial judgment of train operating companies, surely the regulator will fail. The jury is very much out on that issue, but I have grave fears that we are entering a period in which politicians will take over and substitute their judgment for that of commercial operators.

Mr. Geraint Davies: Will the hon. Gentleman give way?

Mr. Howarth: No. I do not wish to be discourteous to the hon. Gentleman but, if he will forgive me, time is getting on.

Although the Secretary of State assures us that he is against renationalisation, we know that the hon. Member for Hornchurch is in favour of it. Moreover, the Bill will give the Secretary of State the power to renationalise. As Conservative Members have always argued on defence matters, it is not intention—which could change overnight—but capability that counts.

In the Bill, capability is provided in clause 16, enabling the authority to do anything that it considers necessary or appropriate, and, in particular, to form

"bodies corporate or acquire or dispose of interests in bodies corporate".

Such a power could be used to run railway lines, to bid for franchises or to buy up railway companies. The authority will have borrowing powers of £3 billion, and the provision gives it other powers to use it.

I remind my hon. Friends of the Industry Act 1972, which was supported by my right hon. Friend the Member for Henley (Mr. Heseltine) and which we thought was designed to help the Government to promote industry, but which turned out to be the vehicle by which the Labour party could nationalise things after being elected in 1974. We have to be beware of the capabilities that this Bill will provide and the powers that it will confer on Ministers.

Clause 19 deals with the retrospective nature of penalties that may be imposed on operators who fall below required standards. The Bill contains no less than three and a half pages on penalties that may be imposed, which perhaps says something about the attitude of the Secretary of State and those who drafted the Bill.

The Association of Train Operating Companies is concerned about the way in which retrospection will work. When the Minister for Transport replies, I hope that she will deal with the association's specific concerns. To summarise, the ATOC is worried that it does not know what past failures will be taken into account in applying penalties. As David Morphet, the director general of the rail industry umbrella body, the Railways Forum, has said, performance

"will improve with or without the threat of fines . . . the penalties are something of a blunt instrument . . . and the railways need a period of measured sustained investment".

They do not need a load of new penalties. The Minister must answer that.

On clause 10, the ATOC has expressed concern that the Government could reject bidders. The Minister should spell out exactly how she sees the powers in clause 10 being used. I draw the right hon. Lady's attention to new section 25A(1), which reads:

"This section applies where the Authority has issued an invitation to tender for the provision of any services under section 26 above but . . . it receives no tenders"—

that is fair enough—

"or . . . it receives one or more tenders but determines that the services could be provided more economically and efficiently otherwise than under a franchise agreement entered into pursuant to any of them."

Will the right hon. Lady tell the House what those more economical and efficient ways might be other than a franchise agreement? Would this be the state setting up its own railway franchise company? We should know the answer.

We have heard that the number of passengers on the railways has increased by about 25 per cent. over the past 10 years, after decreasing and then increasing. The railways are providing a service which, I accept, is not always ideal. My son complains about the Virgin west coast line when he goes up to the university of Manchester. He tells me that he always has to stand, which suggests that many people want to use those trains. Services are patchy, and it will take time before we see the full benefits of privatisation. Ultimately, it is down to the train operators to deliver punctual, reliable, clean and affordable services. Without those features, they will not attract passengers; without passengers, they will not generate revenue; and without revenue, they will not make profits. It is in their interests to provide a reliable, secure and punctual train service. Satisfied customers are the shareholders' guarantee of a return on their investment.

8.33 pm

Mr. Geraint Davies (Croydon, Central): The new Labour Government inherited a pig's breakfast of a rail network. There was a fragmented and unco-ordinated service in the aftermath of a rip-off sell-off. As the National Audit Office report testifies, the flotation of Railtrack raised about £1.9 billion. It is now worth more than £8 billion. As I said earlier, the selling price was 10 times oversubscribed. The NAO suggested that if Railtrack had been sold off in parts we would have raised an extra £1.5 billion in addition to the £1.9 billion. The flotation was bad value for the public. The sell-off took place in political haste as we approached the general election. The way in which that happened was scandalous.

Railfreight was more than given away before the election. We gave £242 million of public money for a company to take Railfreight off our hands at a time when the amount of freight moving to rail was escalating. The Labour party was looking towards constraining the growth of road building, and there is evidence that, to some extent, the Conservatives would have taken that approach.

[Mr. Geraint Davies]

At the same time, there was enormous growth in the movement of people and freight. Market expectations for more freight have been delivered, as would have been the trend anyway according to analysis. That shows that the British public were ripped off.

The right hon. Member for Wokingham (Mr. Redwood) made the ridiculous suggestion at the beginning of the debate that the Labour party talked down the price of the sell-off. In reality, there was no obligation on the previous Administration to sell straightaway. If the Conservatives had regained power and then sold, they would have secured a much better price. That would have been a fair and honest thing to do. Of course, they did not do that.

The idea before us is that of a Strategic Rail Authority that will have some regulating and co-ordinating powers across the fragmented network that we have inherited, in order to enable a proper network to operate and to give teeth to the regulator so that there is an operator of last resort. There need be no apology because if the private sector falls down in individual instances, the SRA should be able to act. It will be an authority that can administer fines to reinvest in the system.

We heard from the right hon. Member for Wokingham that the SRA should have less power than the British Railways Board. He expressed concern about the lending and borrowing that could occur for tactical reinvestment in areas where the network is not delivering for the public, and he seemed to think that that was somehow morally wrong. Although Conservative Members pay lip service to the Strategic Rail Authority, their policies have no continuity—they are a paper tiger that would not deliver anything.

The challenge for the Strategic Rail Authority is, apart from anything else, to facilitate and administer a partnership approach to the delivery of investment where it is needed. In an intervention, I gave the example of a modern light railway and getting partners together in a private-public partnership to create solutions to these problems. Surely that is the way ahead, but Conservative Members continue to hurtle towards privatisation. As we heard last week, one of their solutions to the problem of transport financing is to sell off the London tube. That would raise only £500 million, and they would never raise the money that is needed for reinvestment if they used the procedures that they used previously.

The Opposition's position on financing and delivering a successful transport strategy is completely incoherent. On the one hand, they want to abolish the fuel escalator; on the other, they want to get rid of traffic jams. They have displayed that incoherence again today and they provide no substantive opposition because they are playing a game of opposition: in their hearts, they know that it is right to have some co-ordination across a fragmented service and that the Government should be able to intervene where the market is failing.

Contrary to what the hon. Member for Guildford (Mr. St. Aubyn) said, the free market system cannot be expected to deliver when there is not a proper competitive market. After all, these markets represent segmented areas of the country where franchises are given and the operators are not subjected to true competition, which is why we need proper regulation. To support that, penalties must be re-invested and the Government should have the opportunity to intervene, in the last resort, in the interests of the public. Competition in this market is not like competition in the baked beans market. The market structure is quite different and we need to apply ourselves to that appropriately.

The hon. Member for Aldershot (Mr. Howarth) made the point strongly that there is no room in rail decisions for anything other than commercial considerations. He used the example of the closure of a station being referred to the Secretary of State, saying that that would be quite wrong because that closure should be decided purely on commercial grounds. I put it to him that other considerations, such as the social interest and the provision of network services to certain areas, are considered alongside commercial issues in any public service or in any public involvement in a public service. For example, he must accept that it is legitimate in certain circumstances to site a station at the margins, even though that would not be done if the decision were taken on purely commercial grounds.

Mr. Gerald Howarth: The hon. Gentleman makes an entirely fair point. Of course I accept that considerations other than commercial ones are involved, but my point is that many political representations would clearly be made before a commercial decision was taken, and such a decision would be purely political under the new arrangements. The power to take such decisions will be vested in the Secretary of State and he is, by definition, a political animal.

Mr. Davies: No, that is not a fair point. When he weighs up such decisions, my right hon. Friend the Secretary of State will clearly consider commercial issues alongside other matters. The public interest should be weighed up when such decisions are made. We need a cost-effective, viable system across Britain that serves the interests of the public and makes business sense. He may award a franchise, subject to certain requirements for network works servicing, that is the most cost-effective and that will deliver the incremental improvements in respect of stations that we have been talking about. A balance must be struck, and this is not merely a question of commercial considerations.

I shall now make my final points because other hon. Members want to speak and I have spoken for eight or nine minutes, which is quite long enough. The hon. Member for North Essex (Mr. Jenkin) said that borrowing is different from other forms of expenditure. I do not accept that. We are discussing what level of public funds should be invested strategically. The right hon. Member for Wokingham seemed to suggest that there should be virtually none, whereas the hon. Member for North Essex said that there would be some, but that there should not be. The hon. Member for Guildford then said that the Conservatives wanted the free market to operate with no public investment, but that there was not enough money for the bottlenecks because there was only £200 million and more was needed. Thus there has been enormous contradiction among the very few representatives on the Opposition Benches. There has been no coherence in their arguments. The hotch-potch of arguments that we have heard represents the fragmented chaos that we inherited as a new Government.

Labour's objective is, in simple terms, joined-up thinking in government and in the railway service, and a joined-up railway system.

8.40 pm

Mr. James Gray (North Wiltshire): It is a refreshing pleasure to follow the hon. Member for Croydon, Central (Mr. Davies), who exposed his straightforward, old-fashioned, old-Labour approach to regulation and control of the railways. He talked about a hotch-potch of different views on the Conservative Benches. It has been extraordinary to hear the mixture of speeches from Labour Members this evening. They have ranged from a relatively straightforward regulatory, interventionist old-Labour speech from the hon. Member for Croydon, Central, to some very new-Labour-type speeches from others.

The procedure that we are initiating this evening seeks to deal with the Government's muddled thoughts. The Government have not thought this matter through and they now hope that, somehow or other, the Select Committee—on which I have the honour to serve—will think it through for them.

All that I would say to the hon. Member for Croydon, Central is that he should not give up his day job and should get in touch with Warburg's. Even by his own account, if the price achieved for the privatisation of British Rail were 15 per cent. higher than that which was achieved, it would have been some £4.50 per share. That is lower than the figure that Warburg originally proposed, which was driven down simply because of the political uncertainty caused by the then Opposition's pledge to renationalise the railways. Incidentally, like so many of their other pledges before the election, the Government have chosen to ignore that pledge.

Mr. Quinn: Will the hon. Gentleman give way?

Mr. Gray: It is early in my speech, but I happily give way to the amusing hon. Gentleman.

Mr. Quinn: Will the hon. Gentleman explain why the idea of privatising the railway industry was never part of the general thrust of the noble Baroness Thatcher's free market mentality? Is it because she recognised the importance of the railways to the community?

Mr. Gray: I rather wish that I had not given way. The hon. Gentleman obviously does not know that my noble Friend Baroness Thatcher wholeheartedly supports railway privatisation and that she talked about it as long ago as the 1970s, saying that it was her ultimate goal. As Prime Minister, she privatised British Airways, the British Airports Authority, British Telecom, water and gas. Believe it or not, she even privatised the car industry. It is hardly surprising, therefore, that she left the ultimate privatisation—it was the ultimate privatisation until now, because Labour is pressing ahead with privatisations that we had not even considered, such as the National Air Traffic Services—until last because it was extraordinarily complicated and required a complex piece of legislation. The hon. Gentleman can hardly blame my noble Friend for failing to address it.

Mr. Geraint Davies: Will the hon. Gentleman give way?

Mr. Gray: I should like to press on a little, because I am keen to leave some time for hon. Members on both Front Benches to wind up the debate.

Mr. Davies: There is loads of time.

Mr. Gray: In that case, I shall give way to the hon. Gentleman.

Mr. Davies: Does the hon. Gentleman accept that the National Audit Office concluded that, had Railtrack been sold off in two tranches, we would have raised an extra £1.5 billion? Does he accept that, with hindsight, that would have been the right thing to do for the public purse?

Mr. Gray: Indeed, with hindsight it would have been the right thing to do. However, anybody in the City would tell the hon. Gentleman—clearly, he knows little about the City, as he has already admitted this evening—that hindsight does not exist there. One has only to look at what happened with the privatisation of BP. The price was struck at a relatively high level and, within days of the privatisation, the price collapsed and those who paid the issue price were extremely unhappy about it. Thus hindsight in investment is a valuable commodity indeed.

The price that was struck was the best that could be struck at the time, and it was to Warburg's credit that the sale was oversubscribed. The price would not have been so low had it not been for the activities of the Labour party at that time, which drove the price through the floor through its unfulfilled promise to renationalise.

Conservative Members have no outstanding principled objection to the Bill because the notion of a Strategic Rail Authority is, I suppose, good enough. None the less, the Bill is flawed because it is designed simply to do two things. First, there seems to have been an extraordinary split at the highest level of government between the Secretary of State—the Deputy Prime Minister—and the Prime Minister. The Secretary of State has come up with all kinds of notions on which he would like legislation. In two and a half years, he has not achieved a single Bill in his transport portfolio. Come to that, he has been equally remarkably unsuccessful with his other portfolios.

We taunted the Secretary of State about that during the debate on last year's Queen's Speech, to which his retort was, "Do not worry. I will come along with lots of draft Bills, pre-legislative scrutiny and other new mechanisms. That proves that I am quite a gutsy and powerful legislator." However, all we have seen is procedure such as the one on this Bill.

Later this evening, we will again discuss the procedure that is proposed for the scrutiny of the Bill. It seems extraordinarily flawed and seems not to address the central parts of the Bill; it will not scrutinise the Bill at all. It has been introduced possibly just to give the Secretary of State something with which to cover his legislative nakedness.

Secondly, the difficulty with the Bill is that Labour came to power with a promise in its manifesto that there would be immediate benefits to the travelling public. This scrappy little Bill, which puts in place the Strategic Rail Authority, is all that it has to show for it—that is, if we turn a blind eye to what the Government have done to the motorist and to transport users throughout the nation. It is the only Bill that they have been able to come up with. Frankly, it does not amount to much.

The Strategic Rail Authority was said to be the flagship—the great thing that Labour would go for—but it seems to be just a face-saving gesture to disguise the extraordinarily low priority that the Cabinet Committee has chosen to give any Department of the Environment, Transport and the Regions Bills.

Parliament will not have enough time to debate the Bill in the current Session. It may have time next Session, but there is no guarantee even of that, unless the Minister for Transport has a different view and is happy to give us

[Mr. Gray]

some guarantee that it will be in the Queen's Speech. Perhaps she would like to do that in her winding-up speech; we doubt that she will.

Above all, it is far from clear how and why the Strategic Rail Authority will do anything to improve Britain's train services. The hon. Member for Scarborough and Whitby (Mr. Quinn) gave us a picturesque tour of his constituency and said how nice it would be if there were assorted rail connections, but, as my hon. Friend the Member for North Essex (Mr. Jenkin) said, there is no greater likelihood of achieving those rail connections. I dare say that it gives the hon. Gentleman a fine local press release, but there is no extra money in the Bill.

There is no extra money in the SRA. Indeed, it will cost more than the current structure to run, so there may arguably be even less money for the railways. Ministers may choose to correct me on the point if they wish, but there is no indication that the hon. Gentleman's fantasy of rail connections in Scarborough and Whitby are one inch closer to being achieved.

I tell the hon. Gentleman one thing: if the railways had not been privatised and we were dealing with the old-fashioned British Rail and the sort of investment that Governments of all kinds chose to make in it, he would stand no chance, now or in the future, of achieving what he wants. The remote possibility that he will achieve it has been created by privatisation. He should be thankful to the Conservative party for that.

As I have said, Conservative Members are not necessarily opposed to the principle of the Strategic Rail Authority. There may be some merit in it. I was one of those who voted in favour of the Select Committee's report on the subject—*[Interruption.]* Hon. Members mutter from a sedentary position, but I am not ashamed of the fact that I voted in favour of the report, although there were some aspects of it on which we did divide the Committee, particularly the question of investments. Regrettably, we were in the minority on that. Of course, there are some arguments in favour of a Strategic Rail Authority. The reasoned amendment makes it plain that we are not necessarily opposed to the principle of the authority, but that we oppose the procedure by which we are considering the Bill and are concerned about a number of its aspects.

I hope that I am not caricaturing what the Government are saying, but all our objections could be narrowed down to one thing. Labour's approach to railway privatisation is to say, "We do not like it ideologically. We think that there is something wrong with it, although, incidentally we are benefiting quite a lot from it, but we realise that we cannot renationalise it—we simply do not have the money to do so. Therefore, we will renationalise by stealth. We will introduce regulations—interventions of one sort or another—that will result in some kind of nationalised railway. It will result in a railway controlled from the centre: a railway controlled by us, by Labour, in the centre. We know about these matters, and we want to control the railway. By using this means, we shall be able to achieve what we could not achieve through renationalisation."

The Under-Secretary of State, the hon. Member for Hampstead and Highgate (Ms Jackson), laughs at that. She pretends that the Labour party has no interest whatever in finding some way of controlling the railways. If that is so, why, throughout the general election campaign, did Labour go to such lengths to suggest that a centrally controlled national railway was exactly what it wanted, and that it intended to find a way of securing that? Not only is Labour—apparently—not trying to do that in the Bill; the mere suggestion that it should think about doing it is met with ribaldry by the Under-Secretary.

I refer the hon. Lady to the Government's response to the Select Committee's report. As she will recall, the Government say in paragraph 73:

"we have made clear that renationalisation of the railways would be very expensive, and cannot be a priority given the other demands on public expenditure."

That suggests that renationalisation cannot be a priority, simply because it would be very expensive, but that the Government may consider it at some other time.

If my reading of the report, received from the Government recently, is incorrect, the Minister for Transport may wish to correct it when she winds up the debate; but it seems to me that a number of elements in the Bill send out hidden signals of Labour's desire to renationalise.

Like my hon. Friend the Member for Aldershot (Mr. Howarth), I am proud of what we have achieved since privatisation. The number of passenger trains has increased by 14 per cent. The number of passenger miles— incidentally, I do not know why the Minister keeps referring to passenger kilometres: in this country, we still deal in passenger miles—has increased by 25 per cent., and the number of freight miles has increased by 35 per cent. At the same time, fares have been cut.

The use of the railways has risen enormously, and fares have been cut. How have we achieved that since privatisation? We have achieved it by means of private investment. This year, 2,000 new passenger vehicles have been delivered. Since privatisation, Railtrack's investment has risen by 85 per cent. As other Conservative Members have pointed out, Railtrack has spent £2,700 million on the railways. I challenge Labour Members to tell me that one tenth of that would have been spent had we not privatised. The Government—their complexion was irrelevant—were not spending money on the railways, which is why they are in their present state. Only privatisation could have produced an investment of £2,700 million by Railtrack alone.

There is a further flaw in what the Government say about the Strategic Rail Authority. They seem to think that, because this is clever old new Labour sitting in Whitehall, they know what is best. Apparently, they are going to tell the nation, "This is what is best for your railways. You do not know; the privatised companies do not know; Railtrack does not know; but we, clever old new Labour, know, which is why we are going to introduce regulations and structures that will impose our will on all of you."

That strikes me as an odd approach. I should have thought that those who know best what their customers wish to buy are the companies. Surely, the privatised companies should be told, "You make a profit, you allow your share price to be high, you pay your people a decent amount—and you can do that by selling people what they want to buy. If you try to sell something that people do not want to buy—if your trains are going to the wrong place, at the wrong time, or if you are providing a low-quality service—people are not going to buy it."

As I said a moment ago, when I gave some figures, the buy has gone up, and is going up all the time. People are voting with their feet: they are saying, "We like the privatised railways." In my view, the train operating companies can best judge how to provide the service that passengers want, and my dear, bored colleagues the civil servants in Whitehall are the wrong people to judge that. They could sit in their ivory towers from now until Christmas, but they have not the remotest idea of what people want from the railways, and that is exactly where the old British Railways Board went wrong. It did not know what people wanted and it did not know how to put the railways right, but privatised companies do.

Mr. Quinn: Will the hon. Gentleman explain how, under the system that he is outlining, the current track constraints would be dealt with? How would more freight be able to come on to our network and sit happily alongside passenger services?

Mr. Gray: The hon. Gentleman makes a partially reasonable point, which is that Railtrack has less incentive than train operating companies or freight companies to provide the service that customers want because access charges are unlikely to increase in direct proportion to the amount of investment that would be necessary to remove the bottlenecks that the hon. Gentleman has mentioned, such as those around Reading.

The Strategic Rail Authority may well, therefore, have a role in telling Railtrack what it must do, even though those instructions may not be commercially of the first order. However, Railtrack may be inclined to do what the authority suggests, because the more passengers there are on trains, the more access Railtrack will be able to charge for. Even Railtrack has an in-built reason, albeit to a lesser extent than the train operating companies, for wanting ever-improving services for passengers and freight.

It is curious that when people talk about the railways, as when people in my constituency discuss GWR, they constantly criticise the present and look back to what they believe to have been the golden age before privatisation, when trains ran on time and were clean, warm and dry and we had first-class sandwiches and every service was brilliant. The reality was woefully different. Apart from the weather, one of the favourite topics of conversation for the British is the inadequacies of our transport systems, whether by road, rail, air or sea.

For 40 or 50 years, British Rail provided one of the worst services that I have ever seen anywhere in the world, and I have travelled the railways around the world. Our service was absolutely appalling. Privatisation has already begun to take significant steps towards providing the service that people want. I do not believe that an entrepreneur such as Richard Branson would take on a business and then provide a service that people do not want. He will make the service first class, as he has done with his airline. He will charge people a decent price, he will make a profit, and he will personally make a great deal of money out of the service. I say, "Well done" to him, although the sour faces of Labour Members demonstrate what they think about the profit motive.

The truth is that privatisation works well. The £2.7 billion of investment by Railtrack and other investment by train operating companies and others will mean that in 10 or 15 years, we shall be able to look back at the debate and say, "Privatisation worked well and delivered to the people precisely what they wanted."

Conservative Members are not opposed to the SRA, but we do not believe that it will deliver the results that some hon. Members have claimed for it this evening. We do not think that it is a magic wand that will turn what was, until privatisation, a rundown railway into the modern, attractive railway that we all want.

The Bill is typical of so much of what new Labour does. It gets as far as the launch and clever expressions such as, "The SRA—driving the railways forward to the new century." There is spin and cleverness, but when we read the Bill, we find that there is not much in it. One of my hon. Friends said that the Association of Train Operating Companies is reasonably happy with one or two of the Bill's proposals, but it also says that the proposals are missing other proposals that would have made it a much better Bill.

We have reservations about clause 7 because we are concerned about the authority's purpose and function. No less an authority than the House of Commons Library said:

"Clause 7 is rather confusing: it states that the Authority shall exercise its functions"—

the next part is very new Labour—

"'with a view to furthering its purposes in accordance with any strategies which it has formulated with respect to them.' The Explanatory Notes on the Bill do not make this much clearer. It says: 'However, the Authority will not be required in every case to give effect to its purposes and strategies regardless of all other considerations. Rather, it will be required to exercise its functions . . . so the Authority must undertake a balancing exercise in each case.'"

That is completely meaningless waffle, like so much else in the debate about the SRA and the Bill. We have reservations about clause 8 and the way in which the SRA is to be funded. That was a matter on which the Committee was divided, with Conservative Members making it clear that we were not happy.

The Bill is by no means what we are looking for. We have some significant reservations about the way in which it is being considered, and we will have an opportunity to express those later this evening. The Bill is an inadequate, face-saving manoeuvre by the Secretary of State, who has offered so little in terms of transport legislation so far. The Government have had two years of dithering and delay on rail policy. Now is the time for the Government to start to deliver on their promises.

It is time for the Secretary of State to say what real and practical benefits the Bill will bring to rail users. It is time for him to say how many new trains will be ordered as a result of the Bill, and when. Labour's real priorities, such as reform of the House of Lords and the abolition of fox hunting, are peripheral, but they have come ahead of what really matters to people in this country—such as getting to work on time. Labour promised immediate benefits to the travelling public. It is time for Labour to start delivering on those promises.

9.1 pm

Mr. Kerry Pollard (St. Albans): Like my hon. Friend the Member for Hornchurch (Mr. Cryer), I have fond memories of steam. I remember standing with my father on a footbridge 200 yd from our local station as a great thundering black beast hurtled down the line towards us. I remember standing in fear, but with some excitement, as the steam enveloped me. Since then, I have been

[Mr. Kerry Pollard]

hooked on steam. Sadly, that line went during the Beeching era. I remember days out with a picnic basket in the Newton Heath sheds, and also Crewe sheds—a Mecca for those who took train numbers and names at the time.

Mrs. Dunwoody: And now.

Mr. Pollard: Absolutely. The highlight of that nostalgia was my time spent on the footplate of the Britannia, a blue-liveried steam engine—a truly tremendous thing.

I welcome the Bill, and I commend my right hon. Friend the Secretary of State for introducing it. It has been sorely needed since privatisation. Much has been made of the importance of freight in our economy, and the increasing importance that it will have over the next few years. So important is it that, about a year ago, the all-party rail freight group visited Newark, New Jersey. I must say that Newark is not the most picturesque part of the United States. None the less, we took note of what went on there.

I remember in particular seeing the train from Chicago come in one morning. It had four engines pulling it and one at the back, and took 10 minutes to go past. I have never seen a train like it in my life. The train was double-banked, with one container on top of another.

The United States is much further forward than we are. It has the advantage of space, with massive freight liner depots covering hundreds of acres—something we cannot manage because of the green belt and the scarcity of land. America also has massive sidings. American railways are cost-effective because of the huge distances travelled. The distance from Chicago to Newark was 900 miles, and the train took all night. We cannot match those distances, but if we took into account the journeys through the channel tunnel and into Europe, our journeys would become cost-effective, as we could add the mileage done abroad to that done in this country.

In my constituency, 12,000 travellers a day commute by rail into the City. This number is increasing year by year at the rate of about 12 per cent. The system is just about coping. Some trains are seriously overcrowded, which causes great concern for passenger safety. The main provider is Thameslink, and Silverlink provides the rest of the services on another line.

Several thousand commuters a day still drive to London from my constituency. I am sure that some could be persuaded on to the rail network if the service were reliable, cheap, comfortable and safe. Thameslink is trying its best to improve comfort and safety for passengers. It is scouring the country for spare suitable rolling stock, so far to no avail. The strategic authority could help with that.

I have regular meetings with the operators. They want rail to succeed and are anxious to invest, but for reasonable risk borrowing they need the comfort that future assured franchising will bring. One of the main constraints on improving rail services in my constituency is the decision—shortly to be made, I hope—on the St. Pancras box, which is connected with the channel tunnel. I urge my right hon. Friend the Secretary of State to get the matter sorted out as rapidly as possible.

There is a single-line service from St. Albans to Watford, linking several villages and then connecting to Euston. My right hon. Friend the Minister for Transport visited the line some time ago. It carries hundreds of passengers a day, providing a vital link for workers and shoppers. There is a proposal to do away with the line and install a bus route over the track. I oppose that, and I am pleased that my right hon. Friend the Secretary of State said that any line closure would need his express approval. We in St. Albans welcome that, and I am sure that my friends in the Abbflyer group will be delighted at his intervention.

I especially welcome clause 8, which would enable the authority to provide grants to local authorities in support of railway services provided or funded by them. In my area, Sunday and late-night Saturday services linking villages are provided with county council support. Clause 8 will definitely help.

I welcome the Bill and wish it well.

9.8 pm

Mr. Andrew F. Bennett (Denton and Reddish): I welcome the Bill and the proposals for its scrutiny. I have been puzzled by the Opposition. Half the time they have criticised my right hon. Friend the Secretary of State for not getting the legislation in fast enough, and the other half they have carped about what is proposed. They should make up their mind: either they want the legislation, and they should try to get it through the House as quickly as possible, or they do not, and they should welcome the fact that it is moving slowly.

The Government have done well in trying to develop pre-scrutiny of legislation. The hon. Member for Aldershot (Mr. Howarth) said that we too often pass legislation that needs to be refined and changed soon afterwards. It is important to get our legislation right before passing it.

Not only scrutiny by the Select Committee but scrutiny by anyone who is interested is important. Everybody in the country can read the legislation, and if they have views on it, they should submit them to the Select Committee, so that by the end of September we have a body of views that can be tested. In some cases, the Committee will ask people to give oral evidence; in others, it will simply look at the evidence submitted. When the Select Committee reports to the House, the Government can refine the proposals to take the public debate into account.

If that important process is done well, I hope that we can get on quickly with the Bill in the next Session of Parliament. If the Opposition genuinely believe that the measures are needed quickly, they could agree to a new carry-over procedure, so that legislation begun in one Session could be completed in the next. That may be a sensible way forward, but I want to emphasise the importance of the pre-legislation scrutiny.

Although I welcome the Bill, a couple of its elements cause me some unease. Clause 29 is a Henry VIII provision if ever there was one, as it would allow the Secretary of State to change previous Acts of Parliament by statutory instrument. What are the Government's intentions with clause 29—or has it been inserted in the Bill simply because the parliamentary draftsmen were worried that the Bill might not cover everything?

I am also worried about closures, the present approach to which is a total farce. In my constituency, there is a railway route that is very hard to justify. For the past seven years, one train a week—when it runs—has travelled in one direction only, from Stockport to Manchester Victoria, merely to provide statutory proof that the line has not closed. The line, which goes through Reddish South and Denton, is useless. The train runs on a Saturday afternoon, but there are good bus services from Stockport to Reddish South or Denton, and the sensible way to get to Manchester Victoria from Stockport is to go to Manchester Piccadilly and catch the metro.

On the whole, the only people keen to use the line are railway buffs wanting to travel every bit of track in the United Kingdom. However, the train is often cancelled, and on those occasions people are told that a taxi will be called for them. Although that may be fine for people who merely want to travel into town, it is an insult to those who want to experience that section of track. It is an example of what happens when there is no proper closure procedure.

I should be very glad if I could claim that Reddish South and Denton stations had a useful function. Unfortunately, they do not fit in with the ways in which local people want to travel to work, to the shops or anywhere else. I therefore accept that they may be closed. Perhaps I could have claimed that it was a matter of civic pride between Denton and Reddish as to which locality had the most rundown, disreputable and scruffy station in the United Kingdom. However, not even that is true, as most people in Denton and Reddish no longer know where the stations are.

I welcome the fact that the Bill will try and sort out the problem of closure. I should love to be able to say that there ought to be no more closures, but it is clear that closures will be necessary in certain circumstances. I hope that the Government will guarantee that more new railway lines and routes will be opened up, so that every closure is balanced by a more effective replacement.

During 18 years of Tory Government, when North sea oil revenues were pouring in, there was very little investment in a proper rail network. I feel very bitter about that. In 1979, when I was narrowly re-elected for the old Stockport, North constituency, I moved house to be near the former Heaton Chapel station. It is just outside my present constituency, but it serves many of my constituents. When I moved to the area, the station sold more than 1,000 tickets a day. Most were for Manchester, fewer to Stockport. Over the years, the decline in the service has sent the number of tickets bought at that station down, and still further down.

Staff were removed, so people did not feel safe to return to the station in the evening. Those who did not feel safe coming home by train did not go out by train in the morning. The station was not attractive; it was allowed steadily to deteriorate. A commuter station that could have reduced the number of cars that travel into Manchester was whittled away, and the service was reduced from every 10 to every 20 minutes.

Services also failed to connect; I used them regularly to come to the House when I could walk to the station in five minutes, spend three minutes on the train to Stockport, wait five minutes there and then join the London train. As frequency and reliability diminished, the local train became less and less attractive. Either my wife ran me into Stockport or, more recently, I flew to London. The deterioration of the past 18 years must be put right, and I welcome the Bill for that reason.

When we consider closure and development, we must think about the role of light railways, such as the Manchester metro. City-centre running is important to the metro, but the lines to Altrincham and Bury are old railway lines. I hope that my right hon. Friend the Secretary of State for the Environment, Transport and the Regions will try to find ways in which the line can go to Oldham, which would require conversion of a railway line. It could also go to Audenshaw and Ashton and to the airport on old rail lines.

The critical mass is in place for the metro, and extra investment would allow many people to travel into the centre of Manchester as well as improving the entire network. Greater Manchester has the critical mass to support the metro, which could be turned into a first-class service for the north-west of England and a world-beating system. In considering the Bill, which will help us to move towards an integrated transport system, we should bear in mind improvements to the network for conurbations such as Greater Manchester.

I do not blame the previous Government for the state of Stockport station. It is the local council's fault. A major redevelopment—known as Grand Central—was carried out beside the station. It should have provided a great opportunity to provide a bus and rail interchange, such as is to be found at both Bury and Altrincham in the Greater Manchester area. The local council was keen to gain as much development as possible, however, and building went right up to the station. As a result, the nearest bus is 200 yd away.

That sort of problem makes it extremely difficult to establish integrated transport, and I hope that the Strategic Rail Authority will be able to talk to local transport planners, to provide a proper integrated system. I hope that the Bill can pass the scrutiny process in the autumn, and that it can be enacted early in the next Session of Parliament.

9.20 pm

Mr. Bernard Jenkin (North Essex): As I listened to the hon. Member for Denton and Reddish (Mr. Bennett), I made the mistake of thinking, "I hope that he will serve on the Committee, because he will make a useful contribution." However, we are not to have a Standing Committee on this Bill. I shall not dwell on that point at length at this stage because there is a debatable motion on that subject later. Our amendment reflects our belief that the Government's procedure is a mess. It is a feeble attempt by the Deputy Prime Minister to save face after his failure, until now, to find space for this Bill in the legislative timetable. It would have been better if the Government had referred the matter informally to the Select Committee and we had started afresh with a new Bill in the new Session.

The hon. Member for Denton and Reddish said that he was looking forward to seeing the Bill play a constructive role in his metropolitan district. The next time that he is speaking to representatives of the passenger transport executive in his area, he might explain how their money will be withdrawn and local matters will be dealt with by the Strategic Rail Authority. As a consequence of the Bill, those representatives will no longer deal directly with train companies operating in that area.

[Mr. Bernard Jenkin]

This has been an interesting debate. One advantage of a quiet debate is that there is usually more debate, and that has proved instructive in this case. Several Conservative Members have contributed to the debate. My hon. Friend the Member for Rochford and Southend, East (Sir T. Taylor) offered a stout defence of the successes of privatisation. My hon. Friend the Member for Brentwood and Ongar (Mr. Pickles) warned of the thin-end-of-the-wedge nature of the Bill and how its powers could lead us back to a renationalised railway. My hon. Friends the Members for Guildford (Mr. St. Aubyn) and for Aldershot (Mr. Howarth) also made contributions. My hon. Friend the Member for North Wiltshire (Mr. Gray) described the increased investment that has been achieved under privatisation.

Labour Members have exhibited a curious schizophrenia about the achievements of the privatised rail industry. I have a leaked Labour party briefing that is the Government's response to our "A Fair Deal for Motorists" publication, which has caused the Government many difficulties. The briefing lists Labour's achievements as: 1,000 more train services a day, 16 new train stations, 17 new freight terminals, a massive increase in secure park-and-ride facilities at stations, 433 station car parks with CCTV surveillance, 100 towns with new bus links with through ticketing, and increases in bus investment of 80 per cent. and in rail investment of 33 per cent. All that was achieved while the bus and rail industries were firmly in private sector hands. They have not received assistance from a single dot or comma of Labour legislation. That is the reality. The Labour party is hitting back at Conservative party policy initiatives by pointing to the successes of our privatisation policy.

I remind the Deputy Prime Minister and the Minister for Transport, who is to reply to the debate, that the privatised industries are increasing their investment while those for which the Deputy Prime Minister is responsible—particularly the tube and the road network—have had their investment slashed. That is the achievement of the Labour Government. Sir Alastair Morton, the chairman of the shadow Strategic Rail Authority, addressed a conference on 30 June and said:

"Let me start with a few remarks about the state of our railways, as they seem to me at first sight.

First, they are in better shape than I expected".

If he had listened to the outrageous propaganda—

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): After two years of Labour Government.

Mr. Jenkin: The Minister is desperate. The Government have done nothing for two years; they have introduced no legislation. Sir Alastair Morton has read too much of the newspaper hype circulated by the Government at rail summits rather than looking at the actual state of the railways. He said that he was pleasantly surprised by how much was being achieved under privatisation. He stated:

"I believe our railways have moved into a growth scenario above and beyond the economic cycle." *[Interruption.]*

The hon. Member for Truro and St. Austell (Mr. Taylor) should listen to the chairman of the shadow SRA. Sir Alastair Morton continued:

"In the past few years domestic rail passenger kilometres have risen over 20 per cent. and freight something not dissimilar or better. One thousand extra trains are running every day. This is not failure, neither at the policy nor the practical level."

It is about time that the Government stopped running down the industry that is so vital to delivering their policy of integrated transport. *[Interruption.]* The Secretary of State is now roused. Sir Alastair Morton said that privatisation has led to a much stronger complaints culture in respect of the railways. The Opposition welcome that—as should the right hon. Gentleman. It should not be a matter of dispute between political parties.

I shall continue to quote from Sir Alastair Morton, because his comments are instructive for our consideration of the Bill. He said:

"I have found in my first three months a battered, historically under-funded, previously non-growth system now in the process—the painful process—of transforming itself"—

no credit for the Government there—

"into a modernised, growth oriented, larger and better system. The trouble is that while management can improve service quality in months, system capacity takes years not months."

The Government should learn that lesson. Sir Alastair continued:

"The correct question is:—Is it happening? And not:—Why hasn't it happened already?"

He mentioned the requirement for a "decade of change" during the 10 years after privatisation. We are now in the middle of that.

Labour's attitude, which lies behind the Bill, is that everything to do with integration will lead to central planning and to greater planning, and that anything to do with competition is bad. If there is competition on the railway, that is fragmentation. *[Interruption.]* That is the general thrust—if there is competition, it is bad. One would never believe that, for example, perhaps the most complex international transport system is that of the many privately owned airlines; they fly into privately owned airports, and each airline has its own ticketing, staff and investment programme. That is a fantastically complicated system, but it works.

The system works through competition. Innovation, investment and all the benefits that passengers want thrive under competition. However, Labour are still living in the past—where the railways have to be treated like some socialist relic from a bygone age. Old Labour are out in force today to defend the old icons of a publicly controlled railway. They are defending not a Bill that is overtly for renationalisation, but one that is certainly surrogate renationalisation. [HON. MEMBERS: "Vote against it."] We shall certainly vote against the Bill—let there be no doubt as to that.

Sir Alastair Morton said repeatedly that the future of the railway is about "investment, investment, investment". I thoroughly agree with that sentiment. In relation to the Bill, the problem is not whether we have a Strategic Railway Authority, but the danger that the objective of achieving greater investment will be deeply counterproductive.

There are three connected problems. First, the Bill gives excessive powers to the Secretary of State, the SRA and the regulator. Secondly, money has been liberally

discussed as though it would be the special project of particular hon. Members, but no guarantees have been given. The third problem is where the capital will come from—in fact, it will be through the confidence of private investors.

The excessive powers for the SRA and the Secretary of State reflect the vigorous Government rhetoric that is strongly anti-privatisation. The regulator's new powers were reflected in a somewhat alarming speech to train operators earlier this month. There was a suggestion of the danger that those powers will be used liberally, extensively and punitively. That may well reflect the prejudices of Labour Members who were against privatisation in the first place, but I counsel them that it might not help the process of investment and confidence building in the railway system that we need.

During their speeches, Labour Members constantly expressed totally unrealistic expectations, as though new powers for the SRA, the Secretary of State and the regulator would deliver new money into the system. That brings us to the second problem: where is that additional money going to come from? Because of their financially illiterate background, Labour Members fail to realise that every penny of investment has to be paid for: either it has to be paid direct from the taxpayer, or it is capital that has to be serviced, has to provide a return and has to be repaid out of money from fares or from additional public subsidy.

In another interesting extract from his speech, Sir Alastair Morton fired the opening shot in the battle that will rage between the SRA and the Treasury, saying of the franchises:

"The Treasury must not see their emergence from subsidy as a continuing source of 'tax' revenue."

He clearly believes that the subsidy that the Government are withdrawing from the railways cannot be withdrawn if the sort of investment that he wants is to be delivered. That underlines a question that the Bill does not begin to resolve. The briefing on the Bill was all about how to "force" Railtrack to make more investment, yet Railtrack is already committed to a £27 billion investment programme—

Mr. Prescott: That is rubbish.

Mr. Jenkin: Railtrack has published a network statement—[HON. MEMBERS: "Oh!"] I can see that relations between Railtrack and the Government are blossoming. If Railtrack publishes a prospectus for £27 billion of investment, one would have thought that the Deputy Prime Minister would take every opportunity to help it to make that investment, rather than criticising the company, running it down and making its job more difficult. In addition to that investment, the train operating companies and the leasing companies have committed billions to new rolling stock. All that investment has to be paid out of revenue, either fares or money from the taxpayer. More investment needs more income.

Mr. Bennett: The hon. Gentleman was a Member of Parliament when the privatisation set-up was established, under which the subsidy was to continue to decline. Is he now in favour of the subsidy declining, or does he want it to be increased?

Mr. Jenkin: One of the successes of privatisation is that the industry is becoming less reliant on the taxpayer. However, the hon. Gentleman should not ask me that question—he should ask Sir Alastair Morton. He is the one who says that he cannot do his job if the Treasury keeps taking the subsidy away from the railways, so I suggest that the hon. Gentleman makes his inquiries of him. I am a member of the Opposition, whereas Sir Alastair is going to be chairman of the SRA.

The question of money leads us to one of the most interesting clauses in the Bill, clause 17, on which the Secretary of State bases his claim that he will force Railtrack and the train operating companies to invest. The clause would insert into the Railways Act 1993 new section 16A, which states:

"The Regulator may, on the application of the Authority,"—

that is the SRA—

"give to a person who is a facility owner in relation to an existing railway facility, a direction . . . to provide a new railway facility; or . . . to improve or develop the existing facility."

Mr. Prescott: That is true now.

Mr. Jenkin: If the Bill contains no new powers, why are we bothering with it? Perhaps the right hon. Gentleman can tell me that.

The regulator can give such a direction only

"if he is satisfied that the person will be adequately rewarded for providing, improving or developing the facility, taking into account"

any receipts or benefits that may be received. Even the Secretary of State, in a new Bill, cannot magic money out of the air—that is what he is pretending to the British public, especially the travelling public.

That leads us to a third problem, which relates to clause 8. Clause 8 gives the authority power to

"make grants, make loans, or give guarantees . . . and enter into agreements for the purpose of securing the provision, improvement or development of any railway services or railway assets."

We know what the hidden agenda is: to change the railway's financing structure because the Secretary of State does not feel that he has enough power over it. He feels that it is not right to put subsidies through a market mechanism to generate spontaneous market-led innovative investment. He wants to apply subsidy where he can lever in investment himself.

As my right hon. Friend the Member for Wokingham (Mr. Redwood) said, the Deputy Prime Minister wants to play trains, does not understand the private sector and thinks that, in order to facilitate investment in the railway, he must have the whip hand. If he has the whip hand over the money, his decisions, which will be second-guessed by the Treasury, will increasingly become the governing factor in the financial viability of the entire railway. Every time that the SRA wants to apply some of the £3 billion borrowing facility to a new project, the decision will finish up on the desk of a Treasury Minister. That will drag the railway back, away from the free-market investment that has doubled investment in the railways since privatisation, to investment programmes that are second-guessed by Ministers.

As a result, the City will lose confidence in the railways, in which it has some confidence at the moment. We saw how the share price started low because of Labour party attacks, but rose as confidence grew in the fact that the railways would be allowed to function. The Railtrack share price peaked at more than £17.

[Mr. Jenkin]

Six months' work by the Deputy Prime Minister has got that share price back down to tonight's closing value of £11.83. That is what his policy is doing to investors' confidence in the railways. His policy is undermining investors' confidence.

Mr. Prescott: They want money.

Mr. Jenkin: The right hon. Gentleman is showing contempt for the process of capitalism, which is his only hope for delivering investment in the railways.

As a result, the companies on which the Deputy Prime Minister depends, against which he has briefed day after day since the election, will be less able to deliver the investment that they want. The SRA and the Secretary of State's powers will hugely increase the role of the state, crowding out the investment that the private sector wants to make.

Mr. Gerald Howarth: My hon. Friend is entirely right. Is he aware that Railtrack has written to us all, saying:

"Direct funding on a wide scale would make it more difficult for us to raise capital to fund our investment programme and would reduce the train operators' leverage on Railtrack."

Is that not the answer to the Deputy Prime Minister?

Mr. Jenkin: That is absolutely right, and what analysts will tell the Government. How can investors in Railtrack possibly have confidence in a company whose profits will be subject to the day-to-day decisions of Ministers and the Treasury? That is the way to wreck the privatisation that the Deputy Prime Minister inherited from the Conservatives.

Let us hear about the wish lists; every Labour Member who spoke had one. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody), for example, wanted to re-open moth-balled lines. The hon. Member for Southampton, Test (Dr. Whitehead) wanted Railtrack to invest in his footbridge. The hon. Member for Scarborough and Whitby (Mr. Quinn) wanted to open a new rail link in his constituency.

Mr. Quinn: What is wrong with that?

Mr. Jenkin: Those are all laudable aims and projects, but the Bill will, once again, make the railway the plaything of politicians—a political football.

Old Labour—out in force today—has lost none of its anti-privatisation venom. Such an attitude has motivated the Government in proposing the Bill. The Deputy Prime Minister himself has no understanding of the private sector, but simply wants to play trains.

Labour inherited a railway system that was doubling investment and improving service to passengers. The Government are in danger of destroying everything that has been achieved by the industry in the past five years.

Mr. Prescott: Sit down.

Mr. Jenkin: I shall sit down—as it is about time that we heard from the Minister for Transport what the Government will do to increase investment, rather than pandering to the neanderthals on the Government Back Benches.

9.40 pm

The Minister for Transport (Mrs. Helen Liddell): New Conservative; old arrogance—there has been absolutely no indication that Conservative Members have learned anything from the failure of their 18 years in office.

Some interesting points have been made in the debate, but among them I do not include those made by the hon. Member for Aldershot (Mr. Howarth)—who was enervated by plastic versus real flowers in hanging baskets. However, I am sure that my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) looks forward to when the Select Committee considers the Bill, so that it may debate whether the boxes contained geraniums or lobelia.

The right hon. Member for Wokingham (Mr. Redwood) and the hon. Member for North Essex (Mr. Jenkin), yet again, find themselves in a minority. I listened carefully to the 20 minutes of waffle from the hon. Member for North Essex, but did not once hear the word passenger. Ultimately, if we do not provide a rail service that meets passengers' needs, we shall have great difficulty. Despite all the evidence, Conservative Members continue to re-write history.

I noticed that at no point was the hon. Member for North Essex prepared to take on board the points made in the Public Accounts Committee's examination of the Railtrack flotation. On a number of occasions, he even tried to pretend that it was the previous Opposition's fault that the initial Railtrack share price was so low. I therefore commend to Conservative Members the PAC's Twenty-fourth report, which states:

"The timing of the sale was a factor in the poor value achieved, and the Department themselves acknowledge that the large increase in Railtrack's share price since flotation was because it had been undervalued and sold in haste."

Mr. Jenkin: Paragraph 4 of the report states:

"Stated political opposition at the time to the sale . . . adversely affected investors' confidence and therefore the share price."

There the right hon. Lady has it.

Mrs. Liddell: That was not in the report's conclusions. I have here the report's conclusion—*[Interruption.]*

Madam Speaker: Order. The hon. Member for North Essex (Mr. Jenkin) should not be so churlish.

Mrs. Liddell: Conservative Members do not like the truth. In the PAC report, the hon. Member for Cotswold (Mr. Clifton-Brown), who must be at his aerobics class today—he spends so much time going from the Back Bench to the Front Bench—stated:

"I suspect that this company was mis-sold. It was sold on the basis that it was a railway company with an uncertain future. In fact, it had a very certain future, it had a known income stream, it had a substantial property portfolio and yet it was sold at the top of the yield table".

That is a clear statement that the Conservative party has learned absolutely nothing.

No one in his or her right mind would suggest that the railway is currently working fully in the public interest. I apologise to the hon. Member for Rochford and Southend, East (Sir T. Taylor) for saying that, because, usually, he is in his right mind. However, he has failed to recognise the concerns of the travelling public and of those of us who are interested in the United Kingdom economy.

The Government inherited a fragmented system that had been privatised in a hurry by a Government driven by a narrow ideological perspective that frustrated proper thought. When we came to power, we found no strategic vision for the development of the network. There was a regulatory structure that even the previous industry regulator has acknowledged to be confusing and lacking in teeth. We inherited a railway system that was ill equipped to play a major role in our integrated transport policy and which was inadequately regulated.

The hon. Member for North Essex was anxious to quote—

Sir Teddy Taylor: Will the Minister at some convenient time come down to Southend on the LTS—London-Tilbury-Southend line—and ask the passengers, but not me, what the service was like before privatisation and what it is like now? There has been a dramatic change. It used to be called the misery line and now I find that it is an excellent service.

Mrs. Liddell: The hon. Gentleman makes my point for me on the fragmentation of the network and the patchy services that are to be found throughout it.

The hon. Member for North Essex was anxious to quote selectively from Sir Alastair Morton, who on 30 June said that he had found in his first three months

"a battered, historically underfunded, previously non-growth system now in the process—the painful process—of transforming itself into a modernised, growth-oriented, larger and better system."

On passenger franchises, he said that his initial reactions had ranged from pleasure at the improvements that many had introduced through to concern at the performance gaps to unease at the weakness of "their posture towards Railtrack". If we quote selectively, we fail to get a proper picture of what is happening.

We have seen the hon. Gentleman and the official Opposition generally casting around for a fig leaf to cover their lack of vision. They criticise the procedures of the Bill—

Mr. Lindsay Hoyle (Chorley): Is my right hon. Friend aware of Railtrack's lack of investment in the station at Chorley? The station has no public conveniences. When I sent a letter to Railtrack—my right hon. Friend may not be aware of the matter but I am sure that she will be able to take it up—to ask for public conveniences to be provided, its answer was simple. I was told that the local authority should provide conveniences on railway stations. That being so, the danger is that the authority should provide them at motorway service areas and everywhere else. Does my right hon. Friend agree that the lack of public conveniences is the result of Railtrack's lack of investment?

Mrs. Liddell: My hon. Friend's point is one of a sequence of points made to me this evening by hon. Friends, who have expressed their frustration at the quality of service in some parts of the country. It is amusing that Conservative Members are criticising us for the timing of the Bill's introduction. They waited almost 18 years before publishing a transport Green Paper, right at the end of their Administration. We quickly published the first comprehensive transport White Paper for almost 20 years. We have introduced the Bill within 12 months to put right the fundamental flaws in the regulatory system that we inherited. The Bill will make a real difference to the way in which the railway is planned and operated.

Mr. St. Aubyn: Will the Minister give way?

Mrs. Liddell: No. I would like to make some progress.

Privatisation was based on the assumption of a largely static railway where shareholders mattered more than the travelling public. That is very much the message that we have received from Opposition Members this evening.

Mr. St. Aubyn: On a point of order, Madam Speaker. Is it in order for the Minister to give way to a Member who was not present during the debate and to deny any time to someone who was present for the debate?

Madam Speaker: The hon. Gentleman knows that it is for whoever has the floor to decide whether to give way.

Mrs. Liddell: As I was saying, privatisation was based on the assumption of a static railway. Our priorities are exactly the opposite. The Bill provides for a growing railway at the heart of an integrated transport system. It provides for proper accountability and it puts passengers' interests where they belong, which is at the top of the agenda. The rail industry needs this stable framework to deliver long-term investment and better services.

Several hon. Members—

Mr. Pickles: Will the Minister give way?

Mrs. Liddell: No. I would like to make some progress. Many hon. Members, including the hon. Gentleman, have made many points to which I wish to respond.

There is a sense of frustration among my hon. Friends about the service that some of their constituents are experiencing. We have always made it clear that we will not accept poor performance from train operators or from Railtrack. Passengers have a right to expect something better. Poor performance will not be tolerated and train operators that fail to meet the required standard will have no future in the railway industry.

At the national railway summit, which my right hon. Friend the Secretary of State held on 25 February, it was clear that we were moving to substantial co-operation between various parts of the industry to improve performance. A second summit will be held next year to review progress in respect of the rail industry's commitments. We are also willing to renegotiate franchises in return for guarantees of better services for passengers. All requests for renegotiation will have two basic tests to fulfil: they must provide a real dividend for the passenger in terms of greater investment and better performance and they must deliver better value for the taxpayer.

[Mrs. Liddell]

My hon. Friend the Member for Crewe and Nantwich made her usual wise and authoritative speech. She has regularly pressed for such a Bill and I share her pleasure at the fact that we are now seeking statutory backing for the Strategic Rail Authority. My right hon. Friend the Secretary of State has outlined the role that she and her Select Committee will undertake in consideration of the Bill. I believe that tonight's debate has gone a long way to informing the Committee of the concerns of Members from across the House and the issues that they want to be addressed. That process concerns the modernisation of the procedures of the House, as well as the modernisation of the railway system, and ensuring that there is proper pre-legislative scrutiny. We want to ensure that the needs of those who use the rail network are taken into account.

I pay tribute to the Committee's work on transport policy and look forward to reading its report on the Bill. I note that my hon. Friend again referred to Railtrack's poor performance and its much publicised £27 billion figure for investment. She urged that Railtrack should be obliged to meet its commitment and I believe that that is a fair response to Railtrack. It is only fair that it should meet its commitments and the new Rail Regulator has made it clear that he will not hesitate to use his powers to enforce licence obligations and to protect the public interest. His powers are considerable and they include the power to enforce licences and amend them by consent. The Bill will strengthen the powers of the regulator and the Strategic Rail Authority to enforce licences and franchises.

The right hon. Member for Wokingham and a number of his hon. Friends described the Bill as a route to renationalisation. That is arrant nonsense. We want to establish a power that will make sure that there is a route to ensuring that a service can be provided if a service fails or if there are no acceptable bids for a franchise service. That is what clause 9 will provide: it will allow the public sector to stand in if the private sector fails to deliver train services. That is basic common sense, but the lack of common sense from Conservative Members has been quite overwhelming. There are real safeguards against the abuse of the powers in the Bill: the authority has to satisfy itself that there is a more economic way of providing a service, then the Secretary of State must agree to that and a bidder can apply to the courts for a review of a decision to dispense with franchising. I repeat—that is plain common sense.

The right hon. Member for Wokingham also asked about the Secretary of State's power to give guidance to the Rail Regulator. The provision is for general guidance only; it does not cover the details of the independent economic judgments, which the Rail Regulator will have to make, and it will help to ensure that we have a single policy and direction for the railways, not a directionless mishmash, which is what the previous Government created.

My hon. Friend the Member for Crewe and Nantwich raised some important points about British Rail land. The British Railways Board has suspended land sales and we are considering its report. Some very limited land sales had to take place because contracts had previously been signed, but the shadow SRA will give advice on the report and we shall consider the process that must be undertaken.

My hon. Friend also made an important point about safety, which was picked up by the hon. Member for Truro and St. Austell (Mr. Taylor). The Government are determined to ensure that, as part of improving the railways in the interests of passengers, safety is not compromised. Rail continues to be the safest form of surface transport, but there is always room for improvement. The Health and Safety Executive will remain the sole safety regulator for the railways and, in exercising its functions, the SRA will have a duty to protect people from danger.

The hon. Member for Truro and St. Austell also asked about integrating rail services with bus services. Under clause 5(c), the SRA must contribute to the development of an integrated transport system, so it can and should promote rail and bus initiatives. The hon. Gentleman also asked why this is a railways Bill and not an integrated transport Bill. The Queen's Speech was clear: we announced that we would publish a railways Bill, not a transport Bill, in draft this Session. We have gone a stage further by publishing the Bill that we are debating this evening.

I want to deal with the issue described as "bustitution". A number of Opposition Members suggested that the Government have been changing their position in relation to that. We have no plans to replace loss-making rural services with buses. Key services are contractually safeguarded through the passenger service requirements. Where rural services depend heavily on subsidy, they will be based closely on the timetable in operation prior to franchising.

The hon. Member for Rochford and Southend, East referred to the success, as he saw it, of privatisation. Privatisation smashed the rail industry into hundreds of different pieces, and put private shareholders before the travelling public. The aim of this Bill is to put the network back together, so that it operates as an entity in the interests of the travelling public. It will make railway managers properly accountable again to their passengers.

My hon. Friend the Member for Hornchurch (Mr. Cryer) asked about the threat to rural lines. The point that he made about rural railways was responded to by my hon. Friend the Member for Denton and Reddish (Mr. Bennett), who said that not all rural lines make common sense or are viable. He referred to a line in his constituency, where one train a week runs mostly so that railway aficionados can say that they have travelled on every railway in the country, but on which there are often no other passengers. It makes much more sense to ensure that rural railway lines are in use.

Mr. Jenkin: Will the Minister give way?

Mrs. Liddell: No, I should like to respond to the points that have been raised.

The hon. Member for Brentwood and Ongar (Mr. Pickles) referred to clause 17, which is designed to ensure the proper provision of network facilities. That is in the interests of those who need to use the facilities. It will not inhibit the commercial decision making of the companies. He also referred to the powers of the Rail Regulator in Wales and Scotland. Ninety-nine per cent. of railway issues are reserved matters, so the SRA will cover the matters that he wished to see considered.

The hon. Member for Guildford (Mr. St. Aubyn) referred to clause 7(2)(c). He did well to state that he was no expert on railway matters, because that duty is identical to the current duty on the Secretary of State and the Rail Regulator under the Railways Act 1993.

Many hon. Friends raised a considerable number of points about the relevance of this Bill. It is an important Bill, which is revealed by the fact that it has widespread support in the House. Even Opposition Members could not find a proper argument against the SRA. The Bill will put right the serious weaknesses in the rail network. I commend it to the House.

Question put, That the amendment be made:—

The House divided: Ayes 123, Noes 330.

Division No. 249] **[9.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Ottaway, Richard
Paice, James
Pickles, Eric
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Roe, Mrs Marion *(Broxbourne)*
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mrs. Jacqui Lait and
Mr. Geoffrey Clifton-Brown.

NOES

Abbott, Ms Diané
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Baker, Norman
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burgon, Colin
Butler, Mrs Christine
Cable, Dr Vincent
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Galloway, George
Gapes, Mike
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*

Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Liddell, Rt Hon Mrs Helen
Livingstone, Ken
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Kevin Hughes and
Mr. Robert Ainsworth.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on Second or Third Reading):—

The House divided: Ayes 329, Noes 121.

Division No. 250] **[10.15 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Baker, Norman
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burgon, Colin
Butler, Mrs Christine
Cable, Dr Vincent
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain

Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Galloway, George
Gapes, Mike
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Liddell, Rt Hon Mrs Helen
Livingstone, Ken
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. Robert Ainsworth.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cran, James

Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Ottaway, Richard
Paice, James
Pickles, Eric
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Roe, Mrs Marion *(Broxbourne)*
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Jacqui Lait and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

Bill read a Second time.

BUSINESS OF THE HOUSE

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Motion on Business of the House (Railways Bill) may be proceeded with, though opposed, until any hour.—*[Mr. Dowd.]*

Question agreed to.

Business of the House (Railways Bill)

10.29 pm

Mr. Peter Bottomley (Worthing, West): On a point of order, Madam Speaker. I have been a Member of the House for some time, and I cannot recall ever dealing with a motion such as the next one to come before us. Is it possible to share with the House the precedents for that motion? If there are none, what consideration has the Select Committee on Procedure given to the procedure that we shall shortly follow?

Madam Speaker: The hon. Gentleman has been here a long time, and so have I. I can assure him that the motion would not be on the Order Paper unless it were in perfect order.

Mr. Bottomley: Further to that point of order, Madam Speaker. I was not suggesting that the motion was out of order, but asking whether there were any precedents for it. If there are none, and the procedure is new, has it been considered by the Procedure Committee, or have the Government sprung it on the House with only one day's notice?

Madam Speaker: It is for the House to decide what it wishes to do with the motion on the Order Paper, and for the hon. Gentleman either to put his arguments for or against it to the Minister who will reply to it.

Mr. Bernard Jenkin (North Essex): Further to that point of order, Madam Speaker. Am I right to think that we can debate the motion?

Madam Speaker: The motion can be debated until any hour.

Mr. David Wilshire (Spelthorne): Further to that point of order, Madam Speaker. Standing Order No. 63(2) says that the motion may be moved without notice. If that is so, is it permissible to move an amendment without notice?

Madam Speaker: I have not read the Standing Order, and the hon. Gentleman gave me no notice of his point of order. I should require notice of any amendment, in the usual way.

Does the Minister for Transport wish to move the motion formally?

The Minister for Transport (Mrs. Helen Liddell): No, Madam Speaker; I should like to speak to it.

Madam Speaker: In that case, the Minister must be allowed to speak.

10.31 pm

Mrs. Liddell: I beg to move,

That

(1) notwithstanding Standing Order No. 63 (Committal of bills), the Railways Bill be referred to the Environment, Transport and Regional Affairs Committee; and

(2) the Committee shall consider the provisions of the Bill and report thereon by 12th November 1999.

I am delighted to return to the Dispatch Box, and I hope that all the problems on the other side of it have now been nailed down. We have had a full Second Reading debate and many Members have displayed their interest in an important Bill that will create a proper framework for the operation of the Strategic Rail Authority. Members have many views, and many want additional information. Several options for pre-legislative scrutiny of Bills have been presented to the House in discussions of new procedures for modernisation of the business of the House. The motion deals with such pre-legislative scrutiny.

Referral to the Select Committee on the Environment, Transport and Regional Affairs is part of our modernisation process, one more procedure that we are adopting to ensure that our legislation is of the highest possible quality. We are recognising that legislation can be improved by proper consideration. Many organisations have supported the Bill, and we are anxious to ensure that all views are taken into account.

Mr. Peter Bottomley: After November, when the Select Committee on the Environment, Transport and Regional Affairs has completed its consideration of the Bill, may it suggest amendments? Will there be another Second Reading? Will there be a new Bill if the Select Committee recommends changes?

Mrs. Liddell: The procedural motion before us relates to the Select Committee's activities. It is not for me to tell the Chairman, my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody), how to conduct the Committee's deliberations. The hon. Member for Brentwood and Ongar (Mr. Pickles) suggested earlier that my hon. Friend would not find it possible to bring back a report from her Committee by 12 November, the date suggested on the Order Paper. The hon. Gentleman was sure to make that point when my hon. Friend was not in the Chamber.

Mr. Eric Pickles (Brentwood and Ongar): Too right.

Mrs. Liddell: To have done otherwise might not have been the wisest move that the hon. Gentleman has ever made.

Mr. Nick Hawkins (Surrey Heath): As the Minister has mentioned the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), may I speculate that the Government wish to introduce the novel procedure of involving the Select Committee on the Environment, Transport and Regional Affairs in further scrutiny only as part of a deal by which the hon. Lady agrees not to threaten or attack the Bill so long as the Select Committee is allowed to consider it?

Mrs. Liddell: That is a very serious allegation against the Chairman of the Select Committee.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I must make it absolutely clear—because that is an offensive suggestion—that my Select Committee was asked whether it would be prepared to consider the matter. I have been known to threaten the Deputy Prime Minister, but I have certainly not threatened him about railways for some time. If there were any question of a Select Committee Chairman using that form of rather ignorant blackmail, I assure the hon. Member for Surrey Heath (Mr. Hawkins) that it would have to occur on his side of the House because this side of the House does not do that.

Mrs. Liddell: My hon. Friend has made a very important point. I think it is regrettable that the hon. Member for Surrey Heath (Mr. Hawkins), who was not even in the Chamber during the previous debate, should make those allegations.

The Select Committee will discuss complex issues that are of considerable interest. The hon. Member for Croydon, South (Mr. Ottaway) admitted as much when, on 25 March 1998, he said:

"Such a complex privatisation needs constant fine tuning. The previous Government would have concluded that a strategic rail authority was necessary during this Parliament."—[*Official Report*, 25 March 1998; Vol. 309, c. 452.]

The opportunity for the Select Committee, under the expert chairmanship of my hon. Friend the Member for Crewe and Nantwich, to examine the Bill in detail and to hear evidence from witnesses will add considerably to our knowledge and to the process of democracy.

Mr. Pickles: The Minister is entirely correct about the timing of my remarks about the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), whose intervention indicates the wisdom of my actions. Why is the November date so important? Has the Minister received any sign from the Chairman of the Select Committee when the Committee will meet to consider the matter?

Mrs. Liddell: They are matters for the Select Committee. The hon. Gentleman will be aware of the spill-over at the end of this Session that will allow the Select Committees to do additional work. The Select Committee has already done considerable work in closely related areas. Only last Monday, we debated in some detail several points related to the Bill as part of our consideration of the estimates.

I believe that the Second Reading debate earlier this evening will send a clear signal to the rail industry about the will of Parliament. It will also give the Select Committee an idea of some of the anxieties of hon. Members, not least that expressed by the hon. Member for Aldershot (Mr. Howarth) about plastic hanging baskets.

Mr. Gerald Howarth (Aldershot) *rose—*

Mrs. Liddell: Perhaps the hon. Gentleman wishes to ask me about that now.

Mr. Howarth: That is a completely pathetic remark from the former sidekick of Robert Maxwell.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I do not think that that is a helpful remark—and it is not the first unhelpful remark that I have heard. The House would do better to discuss this motion on its merits. The House must consider different and new procedures from time to time and they should be considered on their merits. The House will make better progress if it adheres to that principle.

Mr. Howarth: I agree entirely, Mr. Deputy Speaker. If the Minister grows up, we might get somewhere.

[Mr. Howarth]

The Minister has not dealt with the point raised by my hon. Friend the Member for Worthing, West (Mr. Bottomley). If the matter goes to the Select Committee—its formidable Chairman, the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), will clearly ensure that the Committee runs independently of the Government—and the Committee hears evidence from a variety of people, that will take some time. If the Committee recommends changes to the Bill, will the Minister bring it back to the House? Will the Bill receive another Second Reading to consider the amendments made in Committee? Will those amendments be tabled on Report? Will there be a Standing Committee stage? Will the Minister explain the precise procedure?

Mrs. Liddell: We have to await the decisions and recommendations of the Select Committee. The House itself will also have to take decisions on those matters. I have respect for the procedures of the House; when I hear the interjections of some Opposition Members, I sometimes wonder whether they share that respect. Indeed, by attempting to introduce modernisation procedures, we want to get away from the type of yah-boo interventions that we have heard this evening.

Mr. Peter Bottomley: On a point of order, Mr. Deputy Speaker. If the Government do not propose changes to the Bill during the next Session, will the House require a new Second Reading of precisely the same Bill—or is that a matter of procedure that has not yet been invented?

Mr. Deputy Speaker: Order. We shall have to await events. Perhaps the Minister may be allowed to explain, as far as possible—[HON. MEMBERS: "She will not."] The Minister has yet to be fully heard. There is no point of order on that matter on which the Chair can rule.

Mr. Bottomley: On a point of order, Mr. Deputy Speaker. Is the motion a continuation motion?

Mr. Deputy Speaker: Order. It is a committal motion. I call Mrs. Helen Liddell.

Mr. Bottomley: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I have just dealt with that point of order, Mr. Bottomley.

Mr. Bottomley: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it a fresh point of order?

Mr. Bottomley: Yes, of course, Mr. Deputy Speaker.

If this is not a continuation motion, there would have to be a Second Reading in the next Session. The only thing that can obviate a Second Reading is a continuation motion. Either this is a continuation motion and the Minister has not told us, or it is not a continuation motion and she has not told us. If she will not tell us, the House cannot come to a conclusion on the motion, because we do not know what it means. That point of order is appropriate to Members on both sides of the House. If the Minister can tell us, that will be helpful; if she cannot, we need advice from the Chair on whether this is a continuation motion.

Mr. Deputy Speaker: Order. The hon. Gentleman must accept the fact that I have already ruled on that question. He told me that he was making a fresh point of order, but it is not a fresh point of order. I have already ruled on his point of order—this is not a continuation motion. The motion should be dealt with on its merits. I call Mrs. Liddell.

Mr. Wilshire: On a point of order, Mr. Deputy Speaker. Further to your ruling that this is a committal motion, will you clarify whether it is a committal motion under Standing Order No. 63, or—

Mr. Deputy Speaker: Order. The hon. Gentleman raised a point of order earlier and it was dealt with by Madam Speaker. There is nothing further that I can add.

Mr. Wilshire: Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. Madam Speaker has already ruled on that point of order. There is nothing more that I can say. I call Mrs. Liddell.

Mrs. Liddell: Thank you, Mr. Deputy Speaker. If I may return to—

Mr. Wilshire: On a different point of order, Mr. Deputy Speaker. May the House be told whether the word "notwithstanding" on the Order Paper means that Standing Order No. 63 does not apply to the motion that we are debating?

Mr. Deputy Speaker: That is correct. I call Mrs. Liddell.

Mrs. Liddell: Thank you, Mr. Deputy Speaker.

The purpose of the motion is to commit the Bill to the Select Committee for consideration. Some of the posturing that we have seen this evening is the kind of gesturism that brings the House into disrepute with the general public. The public want progress on the establishment of the statutory underpinning of the Strategic Rail Authority. Indeed, several of the organisations that have commented on the SRA proposals have made it plain that they recommend to the House the advantages—

Mr. Desmond Swayne (New Forest, West): Will the Minister give way?

Mrs. Liddell: No, I have no intention of giving way at present. The hon. Gentleman was not in the Chamber earlier.

The Bill sets out the powers that the Government plan to give to the SRA. It will set the context in which the shadow SRA—which has to use existing powers—will negotiate with the industry. For the past two years, we have held consultations with the railway industry and we are now in a position to introduce the Bill. The Transport

Sub-Committee has shown a close interest in railways issues and we look forward to receiving the Committee's advice.

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Mr. Deputy Speaker. It would help the House considerably if we knew the basis on which we were proceeding. You have helpfully advised the House that the matter does not fall under the terms of Standing Order No. 63(2), but it would help if you could advise us under which Standing Order we are proceeding.

Mr. Deputy Speaker: This is a committal motion on the Order Paper which has to be debated on its merits. It is perfectly in order for the Government to table a committal motion of this sort. It is accepted that we are trying new procedures: this is a procedure put before the House by the Government and it should be debated on its merits.

Mr. Forth: Further to that point of order, Mr. Deputy Speaker. If it does not come under Standing Order No. 63(2), presumably the matter must come under another Standing Order. So that we know the basis on which we are proceeding, all I seek is your guidance as to which Standing Order the matter is being considered under.

Mr. Deputy Speaker: Let me try to help the right hon. Gentleman. It does not have to come under a Standing Order. I have ruled that the matter does not come under the particular Standing Order that has been quoted. The motion falls to be determined on its merits. The Government are entitled to put a motion before the House, and the House is entitled to debate that motion.

Mr. Peter Bottomley: On a point of order, Mr. Deputy Speaker. That ruling is extremely helpful as it means, without contradiction, that there must a Second Reading in the next Session. If that is the basis on which we are having this debate, it makes it far easier.

Mr. Deputy Speaker: That is not a matter on which the Chair can rule—it is a matter to be elicited in the course of debate.

Mr. Bottomley: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. I have nothing further to say on the matter, Mr. Bottomley.

Mr. Bottomley: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it a fresh point of order?

Mr. Bottomley: Yes. If it is up to the Minister to decide whether there is to be a Second Reading next Session, or if she has the freedom to say that there will not be, that needs to be stated clearly. If the rules of the House are that Second Reading takes place in the Session in which the Bill is considered if there is no continuation motion, the Minister, following your ruling, needs to say that yes, of course there will be a Second Reading in the next Session. Will she say that?

Mr. Deputy Speaker: The hon. Gentleman is in danger of being disorderly. I have already ruled on that matter. What the hon. Gentleman seeks is not something that I can say from the Chair, but a matter to be elicited from the Minister. We are debating the motion on its merits.

Mrs. Liddell: You have made the matter perfectly clear, Mr. Deputy Speaker. I commend the motion to the House.

10.47 pm

Mr. Bernard Jenkin (North Essex): Somehow, I doubt whether this is the Minister's finest hour at the Dispatch Box.

The Government's legislative programme is rapidly descending into farce. Novel—to put it mildly—procedures are being introduced on the Floor of the House that have not even been considered by the Modernisation Committee. In its first report, "The Legislative Process", the Committee refers to pre-legislative scrutiny of draft Bills, and that is what we expected to happen in this Session. In the Queen's Speech, it was announced that the Railways Bill would be published in draft form and that it would be subject to some form of consultation. It would have been open to the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) and her Select Committee to study that draft Bill.

In fact, the Select Committee carried out a study on the subjects pertaining to the Bill, and its report has been useful in informing the debate on Second Reading. Therefore, having had a Second Reading debate and in the light of the Committee's report, it seems superfluous to send the Bill to the Select Committee. It has already taken evidence on all the issues involved and reached a view which has been expressed in a report; the report has been given to the Government; and the Government have responded. It seems ludicrous that the Bill should come forward for Second Reading and then be referred to the Select Committee in the form approved by the House on Second Reading.

Mr. James Gray (North Wiltshire): Does my hon. Friend agree that it would be far more logical if the Bill—the Select Committee having previously had its say and the Bill having received Second Reading—were now to go to a Standing Committee? Of course, there is no time for a Standing Committee, so the Government are trying to rush the Bill through the House and get around our procedures by means of an obscure and unheard of mechanism.

Mr. Jenkin: I am grateful to my hon. Friend for that intervention. Why is the Bill being treated in this way?

Mr. Michael Clapham (Barnsley, West and Penistone): It is called innovation.

Mr. Jenkin: The hon. Gentleman says that it is innovation, but parliamentary procedure should not be made up on the hoof to suit the Government's political convenience. That may be what modernisation in its fullest sense is about, but the hon. Gentleman's party and his Government are displaying a certain contempt for the way in which we do things in the House. If a draft Bill were being sent to the Select Committee, we would be following procedure that has at least been considered by the Modernisation Committee, if not overtly approved

[Mr. Jenkin]

by the House, but this method of proceeding is unprecedented, has not been discussed and is simply for the convenience of those on the Treasury Bench.

Mr. Andrew F. Bennett (Denton and Reddish): Does the hon. Gentleman accept that the report that recommended the setting up of departmental Select Committees in 1979 also recommended pre-legislative scrutiny and that this very procedure was suggested as one of the ways forward that far back? The fact that the previous Government did not dare to use it does not invalidate it.

Mr. Jenkin: The hon. Gentleman knows that there are Conservative Members on the Modernisation Committee and that they have shared in the deliberations on pre-legislative scrutiny. This Bill is no longer pre-legislative; it has begun the legislative process. Under such circumstances, it should be referred to a Standing Committee. If the hon. Gentleman is saying, "Oh, isn't it a shame that we didn't consider this Bill before, so that it could be sent to and dealt with by the Select Committee in good time before Second Reading", I would agree with him. However, his Government have spent more than two years fiddling around with railways policy instead of producing the policy in which we thought the Labour party believed when it was elected.

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): What did the Tories do?

Mr. Jenkin: We produced a policy for the railways which doubled rail investment. The right hon. Gentleman had 18 years in opposition to think of a railways policy. He changed it at the last minute and has been left in this mess.

The Minister for Transport talked about trying to reflect the will of the House, but this procedure is about the frustration of the will of the Secretary of State, who failed—*[Interruption.]* I know that the right hon. Gentleman does not want me to proceed because he finds it embarrassing. He failed in his first Session to secure any transport legislation. He failed in the second Session to get any transport legislation, except for the provisions in the Greater London Authority Bill. This motion is a last resort to try to salvage his battered reputation as a result of failing to secure any space in the legislative programme until next year.

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman will return to the terms of the committal motion, and perhaps not be goaded into going beyond them.

Mr. Jenkin: I fully accept your guidance, Mr. Deputy Speaker, although I hope that you agree that it is fair that, when considering such a novel procedure, we should be able to discuss what motives might lie behind the Government's tabling of this motion.

Sir Teddy Taylor (Rochford and Southend, East): Apart from the issues that my hon. Friend is discussing, does he agree that it is insulting to the independence of Select Committees to require one to consider the Bill and to finish its work by 12 November? Although it might finish independently by the 12 November, its members might find something terribly interesting and significant on which they want to express other views, or come across issues from the evidence that they gather on which they want to work a great deal longer. Why on earth are the Government doing this? They are virtually guillotining the work of Select Committees—

Mr. Deputy Speaker: Order. That is too long an intervention.

Mr. Jenkin: I am most grateful to my hon. Friend, who alighted on some significant points. Will the Select Committee, for example, have the proper time to do a proper job of scrutinising this extensive Bill? Moreover, the Select Committee has already taken evidence on the Bill's provisions, so that any future work will simply duplicate what it has already done. Conversely, I have learned in my conversations with the companies involved in running the railways that they have strong views on the Bill's provisions, which contain some surprises. The companies will want to raise some significant issues.

To do a proper job, the Select Committee would have to take detailed evidence on the Bill, clause by clause, from each of the parties from which it has already taken evidence. If the Committee were not to do so, it would be questionable whether it could address all the issues raised in clause 17—which the Secretary of State claims provides powers to force companies to make investment—or the complicated issue of allowable returns on investment.

The Bill raises some very complicated issues, and I very much doubt whether, in the time available, the Committee would be able to address them. Moreover, would the Select Committee's consideration of the Bill constitute real scrutiny? Given that the Committee has already expressed a view on the Bill's provisions, it is no longer independent in that respect, but has a pre-determined view of the matter—[HON. MEMBERS: "Oh?"]

Forgive me if I invite the Secretary of State to comment on that issue. Would he be happy to refer his precious strategic Railways Bill to the Environment, Transport and Regional Affairs Committee if he were not confident that it would emerge with a glowing recommendation that everything is all right?

Mr. Prescott: I am quite prepared to recognise the independence of the Select Committee—which is composed of hon. Members from both sides of the House—and to leave the Bill to its good judgment. Regardless, most of the powers mentioned by the hon. Gentleman already exist in legislation that was passed by the previous Administration.

Mr. Jenkin: As I have already asked the right hon. Gentleman, what is the point of passing a Bill with no new powers? None the less, I think that the Bill contains new powers, such as to compel investment and to make the gift of franchises—*[Interruption.]* If the Bill contains no new powers, why on earth is the Secretary of State wasting the House's time on debating it? If he has all the powers he needs to run the railways, why does he need

the Bill? However—I saw a frown momentarily cloud your visage, Mr. Deputy Speaker—I do not want to debate the Bill's substance.

Mr. David Maclean (Penrith and The Border): Surely there is another crucial point: referring the Bill to the same Select Committee, with the same membership, that considered it in its pre-legislative form would deprive all the other hon. Members hoping to serve in Standing Committee of a chance properly to consider the legislation. It is another example of Government dictatorship, and does not demonstrate much of the inclusive society that we hear about.

Mr. Jenkin: My right hon. Friend hits on the real point. If the Government want genuine debate and scrutiny, they should send the Bill to a Standing Committee, so that, even if we do not finish scrutinising the Bill before the Session ends, there will be proper debate on it. Conversely, we can more or less tell what will happen to the Bill in the Select Committee, as it has a pre-determined view on the Bill's provisions. We already know what with what provisions the Committee agrees or disagrees.

The traditional way of dealing with this type of business is to send it to a Standing Committee. Without the formal cross-examination of Ministers by Opposition spokesmen, we shall not be able to expose the Bill's flaws.

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush): Will the hon. Gentleman explain why he and other Conservative Members now seem to be against the procedure, whereas his colleagues on the Modernisation Committee gave it such enthusiastic support?

Mr. Jenkin: We oppose it for two reasons. First, if such consideration were part of a Bill's orderly progress through the House, we should have considered it much more favourably. However, the procedure being proposed is but a patchwork job to try to save the Secretary of State's reputation. I could even talk the right hon. Gentleman through the various events that led him to this particular sorry pass.

Secondly, the Modernisation Committee was considering pre-legislative scrutiny. It did not envisage that a Bill that had already received a Second Reading should pass to a Select Committee. The Committee report refers to

"committal of appropriate bills to a Special Standing Committee . . . or committal of appropriate bills to ad hoc Select Committees; or splitting a bill on committal between the floor of the House and a Standing Committee".

That is paragraph 95. At no point is it suggested that, after Second Reading, the Bill should go to a Select Committee. This is a novel way of proceeding.

Mr. Soley: The hon. Gentleman should also read paragraph 19 and the paragraphs that follow it. Paragraph 19 deals with pre-legislative scrutiny. It was said in Committee that the procedure offered a number of innovative ways in which the House could give consideration to a better form of legislation. If the previous Government had adopted that approach, they might not have ended up on the Opposition Benches quite so quickly.

Mr. Jenkin: That is a nice little try, but I expect better of the hon. Gentleman. Paragraph 19 reads:

"In paragraph 5 we pointed out that the House has hitherto had very limited opportunities to scrutinise legislation in draft form."

It continues:

"The present Government's declared intention to build on its predecessor's policy of publishing a number of Bills in draft form provides a real chance for the House to exercise its powers of pre-legislative scrutiny."

The Bill has already had its Second Reading. We are naturally suspicious of a Government who already have an extensive record of abusing their position of dominance in the Chamber. They make up procedure as they go along to suit the political convenience of the Secretary of State, who has failed to persuade his colleagues in the Cabinet that his legislative programme merits consideration in the formal timetable. Paragraph 19 refers to draft Bills, as does paragraph 20. There is nothing about having a Second Reading and then referring a Bill to a Select Committee.

Mr. William Cash (Stone): I endorse what my hon. Friend is saying about the appalling behaviour of those on the Government Front Bench. Does he agree that clear guidance should be given that no whipping in any circumstances should take place in the Select Committee? Does he agree also that some consideration should be given to whether leading counsel should be brought in—that has happened on other occasions—if it becomes impossible to determine the manner in which the evidence should be properly evaluated?

Mr. Jenkin: I have no doubt that the Government have every intention of following the proper procedures and that they will not be applying any undue influence or pressure on the Select Committee. However, I share with my hon. Friend—

Mrs. Dunwoody: On a point of order, Mr. Deputy Speaker. We do not have whipping in Select Committees.

Mr. Deputy Speaker: Order. That was more a point of debate than a point of order.

Mr. Jenkin: I shall gladly give way to the hon. Lady if she wishes to make a point.

I share the anxiety of my hon. Friend the Member for Stone (Mr. Cash) that a Committee already having expressed an extremely supportive view of the Government's policy will not provide arduous debate and scrutiny of a controversial Bill, which is attempting to undo the previous Government's privatisation of the railways. I emphasise that we have no objection to genuine, programmed pre-legislative scrutiny, but the motion is not that.

Thirdly, why do the Government require the Committee to report back on 12 November? It is unusual for any committal motion to specify a date on which the Bill must return to the House.

Mr. Pickles: Does my hon. Friend agree that scrutiny, if it is to take place, has to be thorough? He will have heard the Minister say from the Dispatch Box that the deliberation will take place during the overspill period. Given the need to agree a report and make it on

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12 November, the Committee might be able to hold only one or perhaps two evidence sessions. The rest of the time will be spent on drafting the report. Surely that is not proper scrutiny.

Mr. Jenkin: I share my hon. Friend's concern about the tight timetable. The requirement to report back on 12 November means that the spillover period will be busy for the Committee if it is to do a proper job—I do not doubt for a minute that that is what the hon. Member for Crewe and Nantwich will seek to do—but the deadline is tight, unless a mere re-run of the issues and evidence that it has already considered is to take place. In that case, the process would become rather superfluous and it would appear to be a face-saving measure rather than genuine scrutiny.

We have one real anxiety about this—*[Interruption.]* This is a serious issue. We know that the Government's legislative timetable is crowded and that Bills have been held up in this Session, particularly by Members of the other place who have been scrutinising Bills that have been guillotined in the House rather hastily. I should like the Minister to give an assurance that there will be no guillotining of the Railways Bill. We fear that the semblance of scrutiny during this Session—albeit of a Bill that will be introduced in the next Session—will give the Government an excuse to guillotine the Bill hastily in the next Session, denying the official Opposition and the other parties in the House proper opportunity to cross-examine Ministers on the Bill, clause by clause.

Mr. Wilshire: My hon. Friend mentions the possibility of a guillotine. Does he agree that the deadline of 12 November is just that—a guillotine on a procedure during the scrutiny of legislation?

Mr. Jenkin: I agree with my hon. Friend. In an attempt to squeeze more Bills into a crowded legislative programme, the Government are trying to have some scrutiny of the Bill undertaken in this Session so that they can curtail scrutiny in the next Session, rush it through and send it swiftly to the other place without proper clause-by-clause scrutiny being carried out in Standing Committee.

The Bill is important, but not excessively long. It should be possible to put it through Standing Committee in a reasonable number of weeks so that it can proceed with due and appropriate speed to the other place, but I fear that our co-operation and acceptance of such scrutiny as legitimate would become the pretext for a guillotine in the next Session. That would be unfair and unjust, which partly explains why we are unhappy about approving the motion.

I remind the House that this procedure has arisen from a turbulent period in the Government's internal politics, which has descended into the politics of personality. They originally intended to publish a draft Bill much earlier in the Session, but they were unable to do so because of internal disputes. During the week when the Secretary of State was attempting to get the procedure approved, the Prime Minister told the world that his back was scarred after his battles with the public sector. At another meeting, the Secretary of State was busy getting things off his chest. That was the week—

Mr. Deputy Speaker: Order. The hon. Gentleman is entitled to give the background to his reasons for developing this particular argument on the motion, but he may not do so repetitively—which is what I am beginning to suspect.

Mr. Jenkin: We were expecting the announcement of the publication of the Bill on Tuesday 29 June. The press were briefed on that, but no announcement emerged in the Secretary of State's speech because, we understand, his plan for the Bill had been referred to the Ministerial Committee on the Queen's Speeches and Future Legislation for discussion on 5 July. That was a bad week for him. It was intended eventually—

Mr. Deputy Speaker: Order. I do not think that the hon. Gentleman has accepted the ruling that I gave a moment ago.

Mr. Jenkin: Of course, I defer to your ruling, Mr. Deputy Speaker. However, the Government had intended to introduce the Bill on 14 July, rather than today.

Mr. Prescott: How does the hon. Gentleman know that?

Mr. Jenkin: The Government are not as watertight as the right hon. Gentleman would like to believe, but that is not a matter for discussion now, Mr. Deputy Speaker.

The danger here is that the right hon. Gentleman may have succeeded in persuading the Leader of the House to co-operate with this procedure on the basis that the Government get an extra Bill into the next Session, which would not otherwise have been allowed. The right hon. Gentleman has a queue of legislation, which he has hitherto not been allowed to introduce. If we let the Government go ahead with this, it will be an excuse for a guillotine on a further occasion. We therefore oppose the motion.

11.10 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): My total commitment to the House of Commons and its rights and procedures is reasonably well known. I believe in the Select Committee system because it is the one aspect of the House of Commons' work where Members of Parliament are prepared to work together to reach a consensus on the basis of evidence that is put before them.

I want to make it clear to those with any doubts that my Select Committee has not, through me or any other Member, sought to influence how the Bill should be dealt with, or responded to suggestions which, in my view, would be wholly improper. I strongly resent the suggestion that the procedure that the Government have chosen somehow implies that the Select Committee is not prepared to do a proper job of scrutiny.

It would be wrong of me to mention points that I raised in our earlier debate, but I hope that I have already demonstrated that there are areas of the Bill to and about

which I would want to raise, if not objections, then certainly questions. I believe that the same applies to other members of the Select Committee.

Several hon. Members *rose—*

Mrs. Dunwoody: I have no intention of giving way. This is a serious debate.

I am extremely concerned that the Select Committee's work should be called into question in a narrow, party political way. We intend—it has been discussed with members of the Committee—to set a realistic timetable. I understand that the pre-legislative Committee on the Food Standards Bill set the precedent of giving a date by which it intended the legislation to return to the Floor of the House.

We have also made it clear that we shall publicise our desire for any evidence on the Bill very widely, and we are ready to examine the views of anyone who wishes to express any reservations about, or support for, the legislation. However, we have made it clear that we shall do that in a way that will enable us to follow the normal Select Committee procedure and, if need be, call before us members of organisations or companies who wish to give oral evidence.

That is the normal way in which a Select Committee proceeds. It is clear that this Bill arises from the detailed work done by the Transport Sub-Committee, and that, therefore, any similarity that exists between this Bill and our report can hardly be regarded as surprising. We have also said that, given that the Committee's report differs, in some instances, from the Bill, we undertake to look not only exhaustively but also rapidly at the legislation as well as ensuring that the House is not short-changed by the behaviour of any Select Committee member.

As a result of an arrangement between the usual channels, a Liberal Democrat Member will be present on the Committee. Under no circumstances do I accept any criticism of the suggested referral to the Select Committee. I trust that it will be clear to those who read the account of our debate and regard it with an unbiased eye that the Select Committee will neither accept nor, under any circumstance, promote the suggestion that we intend to behave with bias or under duress from members of Her Majesty's Government. My Select Committee and I have demonstrated time and again our independence and ability to look plainly at the evidence that is given to us. Her Majesty's Loyal Opposition do themselves no good by presenting their case as they have tonight.

11.15 pm

Mr. Paul Tyler (North Cornwall): Not for the first time, we have a storm in a tea cup that only the House of Commons could produce. I do not for a moment defend the way in which the Government have brought forward the motion, but I can at least give some direct report of what took place in the Select Committee on Modernisation, and of what was agreed by all parties that were represented in the Select Committee—including, of course, the Conservative party.

I respect the fact that the Conservatives on that Select Committee argued, as we all did, to try to reach a sensible conclusion on improving the way in which we handle the business of the House; but it is here in black and white—not just the paragraphs that have been referred to already, namely, 19, 20 and 21, which I do not intend to repeat, but paragraphs 22 and 23, which refer specifically to departmentally related Select Committees.

Even better than that, unusually for the House of Commons, the report produced a visual aid on the different ways in which we should handle the business of the House—some new, it is true, some that are not used enough, as the hon. Member for Denton and Reddish (Mr. Bennett) has said, and some that we use all too often, which are far too confrontational and which do not give us the opportunity to elicit some consensus.

The options are here. They include post-Second Reading referral; it was not only pre-Second Reading. There were, as I say, one, two, three, four, five, six different options. One is to refer to a Select Committee. That was agreed by the Conservatives on the Committee. The hon. Member for—I must remember—

Mr. Nicholas Winterton (Macclesfield): Macclesfield.

Mr. Tyler: I am glad that the hon. Gentleman is able to give voice to his support for the report. He will confirm that Conservatives on the Select Committee thought that it was worth developing the different options. That is what we are doing this evening. Under its usual arrangements, the House is agreeing by what means we will address the issue.

This evening, anyone would think that Select Committees were a weaker version—

Mr. Gerald Howarth: Will the hon. Gentleman give way?

Mr. Tyler: No. We want to get on with the business.

Anyone would think that Select Committees were less effective at examining the issues. I do not think that that is the experience. All hon. Members know that Select Committees, because they can draw on the expertise of people from outside Parliament, can be far more effective at scrutinising what the Government can do than the normal, aggressive Standing Committee procedure.

It is here in black and white, I repeat. I respect the Select Committee of which the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) is the Chair. I respect its work and I am fully confident that, if it finds that there are great holes in the legislation—

Mr. Howarth: Will the hon. Gentleman give way?

Mr. Tyler: I will not.

Conservatives served on the Modernisation Committee. Anyone would think that the crowd in here had no confidence in their own members on that Committee. I have confidence in them, and I have confidence that, if the Select Committee finds that there are major faults in the legislation, it will have to come back to the House and report on those faults.

One thing is important; I accept the point made by the hon. Member for Worthing, West (Mr. Bottomley). If the Select Committee proposes major changes, the Government will have to give an undertaking to hold the Second Reading debate again. I see no problem with that. However, it is clear that, if progress is made between now and Prorogation, it will be possible for the Government

[Mr. Tyler]

to table a motion for the continuance of the debate, post-Second Reading, in a Standing Committee in the new Session.

The options are here. They are very carefully designed to give the House maximum flexibility to be more effective in its primary job of scrutinising what the Government are doing.

If the hon. Member for North Essex (Mr. Jenkin) had taken the trouble not just to read the report properly, but to listen to his colleagues who were on the Modernisation Committee, he would recognise that there were real advantages in the procedure, not least for the Opposition; that is the key point. The document is all about holding the Government to account. We will have the opportunity to do so. I suggest that we get on with it.

11.20 pm

Mr. Eric Pickles (Brentwood and Ongar): I have no idea why the House is so tetchy. It is only 11.20 pm—one would think it was the early hours of the morning—and we are discussing matters of substance. I firmly support the Select Committee system, and also endorse the concept of a pre-legislation review; but any such review must be thorough, and there must be a clear understanding of the ground rules.

Mr. Jenkin: The hon. Member for North Cornwall (Mr. Tyler) declined to give way to me when I wanted to clarify this point. Commenting on the use of Select Committees after Second Reading, the report said:

"They would almost certainly have to be ad hoc Committees, since the inevitable time constraints would make consideration by the departmentally-related Committees virtually impossible."

That is what we have. We have a time constraint—a deadline—imposed by the Government, which makes effective scrutiny virtually impossible.

Mr. Pickles: I agree. Indeed, I feel that even more brutal language could be used. We have a guillotine here. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) would not give way to me when I wanted her to give Parliament some idea of the time scale on which she would be operating. She said that she would advertise widely for people who might wish to give evidence to the Select Committee, and rightly so. No doubt she will have to appoint experts; no doubt those experts will have to be interviewed, shortlisted and so forth. I have had the honour to participate in such processes with the hon. Lady, and I know that they take time.

Until my hon. Friend the Member for North Essex (Mr. Jenkin) began to probe the Government this evening about the process—very skilfully—I had assumed that the Select Committee had issued a self-denying ordinance. I assumed that it had said, "The rest of you can go away on your holidays; we will stay here in the Palace of Westminster, and work through August, September, October and November."

Mrs. Teresa Gorman (Billericay): What?

Mr. Pickles: The Committee has some very distinguished members, including my hon. Friend, who is clearly enthusiastic about that prospect.

Curiously enough, the Select Committee will start its deliberations almost two years to the day after it began to take evidence for the last report. I have a copy here. It sets out the evidence that was taken, in sections. The Committee's deliberations began on 29 October, and ended on 4 March. We need to understand how that process is to be truncated.

The hon. Member for North Cornwall (Mr. Tyler) is right. Select Committees have an advantage over Standing Committees, in that they can take evidence. If they did not, what would be the point of sending a Bill to Select Committee? There would be no point in sending it to any body, unless something extra could be added. What would be the point of sending it to an ad hoc Committee, a mini-Committee, perhaps almost a hybrid Committee—a cross between a Select Committee and a Standing Committee—which would merely go through the process of a debate between members?

Mr. John Bercow (Buckingham): The task that my hon. Friend describes is indeed exacting. I wonder whether, in view of the need for consideration to be truncated, we can expect that the Select Committee—in order for its business to be completed in time—would have to start no later than 6 am? That, I think, would assuredly be so—and there could be no question, on any day, of a break for lunch.

Mr. Pickles: I am a great admirer of my hon. Friend, but I sincerely hope, for all our sakes, that he never reaches the exalted office of Leader of the House because he would be a very hard taskmaster. I do not think that it is reasonable to expect people to come to the House to give evidence at 6 o'clock in the morning. My hon. Friend, by the use of an extreme example, clearly demonstrates how inappropriate the process will be.

A Standing Committee would meet at least twice a week. It would probably meet at 10 o'clock in the morning and would have the opportunity to sit through the evening. Is it, however, wholly reasonable to tell witnesses to turn up, but that the Committee might sit through the night because we want to hear various people? We do not just want people to turn up and give evidence; we want to have the opportunity to receive and consider written evidence, and we want to be able to cross-examine witnesses. Several key points need to be addressed. Can that really be done between 19 October and 12 November? I suggest to the House that the timetable is wholly unrealistic.

I told my hon. Friend the Member for North Essex that there is a possibility of holding one or two evidence sessions. It is unreasonable to expect evidence sessions to last as long as a Standing Committee sitting.

Mrs. Gorman: I thank my hon. Friend for reminding the House—

Mr. Deputy Speaker: Order. Perhaps I could invite the hon. Lady to face the Chair.

Mrs. Gorman: My hon. Friend was kind enough to inform the House that I am a humble member of the Select Committee under the admirable chairmanship of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). We have already spent months and months taking evidence

exhaustively from all the people who could possible contribute useful information. Far from expecting this process to last until November, I think that we could get through the whole procedure in an afternoon.

Mr. Pickles: I am confident that my hon. Friend intended that to be a helpful intervention. Before I became a member of the Transport Sub-Committee, I served for a while on the, then separate, Environment Committee. You, Mr. Deputy Speaker, also served on the former Committee. The hon. Member for Denton and Reddish (Mr. Bennett) was a very distinguished member of the latter Committee. When we were on that Committee, we held two sessions of evidence-taking—

Mr. Deputy Speaker: Order. I think that the hon. Gentleman has gone far enough down memory lane. He should return to the committal motion.

Mr. Pickles: I maintain that—

Mr. Forth: My hon. Friend will be aware that the Bill consists not only of 20 pages of clauses but of some 50 pages of schedules. Does he believe that the Committee would be failing in its duty if it did not consider, in appropriate detail, the content of the schedules, given that there is such a density of them? Does not my hon. Friend consider that those schedules alone will require a considerable amount of time if the Committee is to give due consideration to their content?

Mr. Pickles: My right hon. Friend is absolutely right. The degree of scrutiny that must take place will operate on two levels. First, it will be important to take evidence on specific issues that the Committee will have to consider. Secondly, the Committee will have to apply the evidence to the various clauses and schedules. I cannot believe that that will be a quick process. If scrutiny is to take place, I am firmly of the opinion that it must be thorough. There is no point in doing something as important as this, and not doing a proper job.

My only experience of pre-legislative Select Committees concerns the Social Security Committee, which has just finished discussing pension splitting on divorce. The scrutiny process was invaluable. In the tetchiness of tonight, we forget that this proposal could be of enormous use to the House's deliberations. Something as important as this should not be brushed off in a couple of evidence sessions—or, as my hon. Friend the Member for Billericay (Mrs. Gorman) suggested, in an afternoon. It grieves me greatly to disagree with my hon. Friend.

On pension splitting—a complicated matter—the Standing Committee looked at a weighty pre-legislative document on the subject, which was examined in enormous detail. The Committee recognised that that scrutiny carried enormous weight. A Standing Committee member considering the procedure that we are discussing would not say that it is an important matter—clearly, on the basis of one or perhaps two evidence sessions, it is not.

If we are to have pre-legislative scrutiny—or even the halfway house that we are discussing now—we should ensure that the process is not a matter of dispute from day one. The Government have made this a matter of controversy. If they had used the usual channels, if proper notice had been received, or if the newspaper stories about the Bill being published on 25 June were correct, the Government might have achieved consensus.

The way in which a Select Committee works is quite different from a Standing Committee.

Mr. Swayne: Does my hon. Friend agree that the House could have been assisted in its deliberations this evening if we had been told precisely how the Select Committee was planning to work in this respect—but of course, the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) would not tell us, and would not take any interventions either?

Mr. Pickles: Earlier, I expressed my extreme grief that the hon. Member for Crewe and Nantwich did not give way, as that would have been helpful. She seemed to think that there had been some kind of personal insult to her integrity, which I did not hear.

Mr. Bercow: Does my hon. Friend agree that the hon. Member for Crewe and Nantwich should not be expected to shoulder the burden of blame, which manifestly rests with the Minister for Transport? Does he recall that, in the course of a risible apology for a speech half an hour ago, the Minister failed to disclose whether there would be a second Second Reading debate on the Bill, but gave the impression that whether there would be depended upon the efforts of the Select Committee—so we still wait, agog and with beads of sweat upon our brows, in eager anticipation of the discovery of what criteria will determine whether there is to be such a second Second Reading debate?

Mr. Pickles: The controversy has been caused precisely by the way in which the Government tabled the motion. Frankly, we should know whether there is to be another Second Reading. A simple yes or no would suffice. My hon. Friend is a reasonable man and might have accepted a "maybe" or a "don't know", but the crushing silence is not acceptable. New procedures should not be made on the hoof but should be clearly laid down so that all hon. Members know exactly where they stand, or these debates will become more and more fractious.

My hon. Friend referred to the pass-the-parcel process going on between Ministers and the Select Committee Chairman. Select Committees have a different ethos. The hon. Member for Crewe and Nantwich is right to say that there is no whipping on Select Committees. If there were, the Select Committee process would come to a juddering halt.

Mr. Maclean: There is no whipping, but plenty of leaking.

The crucial point was given away by my hon. Friend the Member for Billericay (Mrs. Gorman). I cast no doubt on the great integrity of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), but members of the Select Committee will feel that they have done it all before and do not need to bother to go through all 30 clauses and 12 schedules, whereas a Standing Committee is charged with the duty of going through a Bill line by line and would do it with fresh faces. That is why this procedure is obscene.

Mr. Pickles: There is some substance in that. There has been a change in the membership of the Select

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Committee since it considered the subject two years ago, but the hon. Member for Crewe and Nantwich acts as a respected and substantial sheet anchor. In this afternoon's debate, I counted no fewer than 18 matters of substance on which there are clear disagreements. There are issues that need to be worked out.

Mr. Robert Syms (Poole): Are not there also implications for the Lords? Even if the Committee reports on 12 November and the House deals with the final stages of the Bill quickly, that leaves only five days for the upper House to complete its consideration.

Mr. Pickles: That is absolutely right. It would risk patience if we suggested that this is all about saving the Secretary of State's face. To be less personal, this is about the Government saying that they are doing something. Remember that this was a flagship piece of legislation. It was the first subject that the Select Committee considered after the general election. The Secretary of State told us that he was committed to the legislation.

I was surprised when the Bill was not in the Queen's Speech, as I had expected it to be among the first measures that we would consider. Yet here we are at the fag-end of this Session, only a few days before the long recess, considering novel procedures following Second Reading. The Minister for Transport said that it was important to get a proper framework for the Bill.

Where is that framework? It should be presented to us tonight. We are supposed to work that framework out, strand by strand, to understand what is going on. If the Government had taken a little time to put the framework together, we would have understood their intentions.

The Minister said that this new scrutiny procedure would ensure that the Bill would be improved, but that would mean that amendments would have to be tabled by the Select Committee. The Select Committee would then come closer to being a Standing Committee. We are moving towards the formation of an ad hoc bridging committee between the two established forms.

Mr. Nick St. Aubyn (Guildford): We understand that this Select Committee will be outside Standing Orders. Is there any way for it to table amendments, or will it merely write a letter, as a postscript to its proceedings, for the Government's consideration?

Mr. Pickles: I have no idea. That is the essential problem. However, it was the Minister who said that the Select Committee could improve the Bill, not I. I wrote her words down, as they were so startling.

I believe in pre-legislative scrutiny, but my support is being weakened by the way in which the Government have gone about this matter. The ground rules for the procedure need to be laid out. How often will the Committee meet, and for how long at a time? From whom will evidence be taken? When will the Committee deliberate on what it has heard?

A Select Committee operates on the basis of consensus. There is no whipping. My right hon. Friend the Member for Penrith and The Border (Mr. Maclean) said that there is plenty of leaking. There are plenty of sackings and resignations, too, when people break the rules.

Mr. St. Aubyn: If we do not know the procedure, is there not a possibility that the Bill, after it has been enacted, will be struck down in court as bogus? That would mean that all the time devoted to the Bill—in the Chamber and in Select Committee, both in this Session and the next—will have been wasted.

Mr. Pickles: That is possible. Our constitution is constantly changing, and the courts interfere more and more in our affairs. We are now signed up—

Mr. Deputy Speaker: Order. The hon. Gentleman is wandering rather wide of the mark.

Mr. Pickles: I apologise, Mr. Deputy Speaker, but, with your indulgence, I should like to follow up my hon. Friend's point. If he is right, one matter that the courts will look at is our procedures, to ensure that they were properly observed. If we do not know what the procedures will be, how can we render the legislation judge-proof?

Mr. Swayne: My hon. Friend will be aware that the Leader of the House said last Thursday that she hoped

"that the Transport Sub-Committee of the Select Committee on the Environment, Transport and Regional Affairs will agree to consider the Bill"—[*Official Report*, 15 July 1999; Vol. 335, c. 580.]

We do not know whether the Select Committee has agreed to the procedure. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody), its Chairman, would say only that the Committee was independent.

Mr. Pickles: That is true, but I began my speech by expressing the hope that hon. Members would not get tetchy in this debate. My hon. Friend should heed those words.

Mr. Wilshire: I hope that my hon. Friend will help me, as the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) was not willing to. I am confused. I thought that we were debating a reference to a Select Committee, but my hon. Friend mentioned a Standing Committee. Will he say what type of Committee we are debating?

Mr. Pickles: I refer my hon. Friend to the motion, which specifies the Environment, Transport and Regional Affairs Committee. It is possible, in theory, that the Select Committee could refuse, but, as it has been set up by the House, it must be bound by the House to report to us by 12 November. Knowing the hon. Member for Crewe and Nantwich as I do, I have no doubt that she will keep to that timetable.

Mr. Wilshire: My hon. Friend has helpfully explained what the motion says, but may I press him a little further? Where do Sub-Committees come in? I see no reference to them in the motion.

Mr. Pickles: I can help my hon. Friend on that point. My understanding of Standing Orders is that a Select Committee may refer a matter to a Sub-Committee. When I sat on the Environment, Transport and Regional Affairs Committee, it divided its time between environmental issues and those relating to transport. The entire Committee met on matters of joint interest, but the two Sub-Committees dealt with matters relating to specific areas. When the Bill was first considered, the Transport

Sub-Committee dealt with it. That made the Liberal Democrats very unhappy, because they had no representative on that Sub-Committee.

Mr. Swayne: They do not have one in the Chamber either.

Mr. Pickles: I can see that.

Mr. Maclean: They have gone for the last train.

Mr. Pickles: My right hon. Friend is quite right. They have all gone.

When the Bill returned to the Select Committee from the Transport Sub-Committee, the Liberal Democrat representative was effectively precluded from moving amendments because he had not heard the evidence and had not been able to cross-examine anyone.

Mr. Bercow: My hon. Friend is ever anxious to be generous to the Select Committee on the Environment, Transport and Regional Affairs, but does he accept that he has not done justice to the inquiry made of him by my hon. Friend the Member for Spelthorne (Mr. Wilshire)? Although the Select Committee may be empowered to delegate to a Sub-Committee consideration of a relevant matter, surely it should at least apprise the House of its intention to do so.

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): Apprise?

Mr. Bercow: That is the word. The Minister is obviously unfamiliar with it. During the drier parts of my intervention, he may wish to consult a copy of the "Oxford English Dictionary", and I assure him that he will find the word there.

Does my hon. Friend agree that it would be helpful if subsection (2) of the motion said that the Committee shall consider, or shall ask the Transport Sub-Committee to consider, the provisions of the Bill and report on them by 12 November 1999?

Mr. Pickles: My hon. Friend is being a little hard. It is up to the Select Committee to determine how it considers the Bill. The motion already places restraints on when it may meet and sets an artificial deadline. The Committee should be able to deliberate in its own way.

The process will be straightforward in practice: the Sub-Committee will almost certainly consider the Bill, then report back to the Select Committee. The report of the whole Committee will come back to us, and so it should. I caution my hon. Friend against being over-prescriptive when it comes to Select Committees. The whole process could be brought into disrepute.

Mr. Gerald Howarth: It has become apparent that the Committee has already made a decision. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody)—who, I am sorry to say, refused to take any interventions from those on the Opposition Benches—kept referring to "my Committee". However, as I understand it, she is Chairman only of the Sub-Committee and the full Committee is chaired by the hon. Member for Denton and Reddish (Mr. Bennett). I do not quite understand. It seems that the hon. Lady has already determined that her Sub-Committee will consider the matter. Does my hon. Friend acknowledge that, before we agree to the motion, the House is perfectly entitled to receive an explanation of the exact procedure?

Mr. Pickles: I am grieved to disagree with hon. Friends about this issue. However, I served on the Transport Select Committee under a Conservative Chairman and on the Environment, Transport and Regional Affairs Committee, and I never had the slightest doubt that the Committee belonged to the hon. Member for Crewe and Nantwich and that the rest of us were there at her pleasure. The hon. Lady has considerable expertise in this area. She scratches her brow. Perhaps she regrets the fact that she did not have the opportunity to lay the exact procedures before the House.

I believe that the hon. Lady could have allayed all our fears if she had said that there would be about 15 evidence sessions and that the Committee would be most careful and diligent in its consideration. She could have explained that, following the 15 evidence sessions, the Committee would consider the Bill and make broad recommendations about changes and improvements to clauses. If the hon. Lady had done that, hon. Members might be in a position to go to their beds tonight contented and not a little reassured. We must allow the Select Committee to decide the matter, but the Committee must determine how it will proceed.

Mrs. Gorman: On the matter of deciding how to conduct scrutiny of this sort, is it not a fact that officials who advise the Select Committees are completely different from those who advise the Standing Committees? The advisers to Select Committees are independent and they are joined by a general Clerk who backs up the Chairman. However, on Standing Committees, civil servants back up the Minister so that the final formulation of the legislation conforms to standard legislative practice. As the legislation is to become the law of the land, it must have the usual structure, and civil servants assist the Minister in that process.

Mr. Pickles: I had not considered that point. Will parliamentary draftsmen be a part of this process? A Select Committee will examine this legislation. It has ideas about what it wants to achieve, but it will need advice from parliamentary draftsmen on how the Bill should be constructed.

I said earlier that there are two tasks ahead: the Committee must consider the issues and then examine the individual clauses of the Bill. However, there is a third element. The Committee will have to consider the practicality of the legislation: how good are the different clauses and how should they be changed to meet the demands arising from the two previous processes? That will be an extremely difficult task.

Mr. Bercow: I am afraid that, in the final analysis, we revert to the question whether it will be necessary—as has yet to become clear—to hold a second Second Reading debate on the Bill. Does my hon. Friend agree that if, as a result of the consideration of the Bill's contents either by the Select Committee or by a Sub-Committee, amendments are proposed to the Bill and if the

[Mr. Bercow]

Government, in their infinite wisdom or un-wisdom, decide that the purport of those amendments is justified and wish to bring forward an amended Bill, it will be essential to hold a second Second Reading debate? It would be constitutionally disgraceful to do otherwise, as we shall then be dealing with a new Bill.

Mr. Pickles: My hon. Friend is right. Had the Government not been using this occasion as a spinning exercise to demonstrate that they are all brothers and sisters together, we should probably be holding an Adjournment debate on the matter rather than debating procedure. Such a debate might have been longer than an hour and a half—it might have been held over a day in the way that we consider estimates. Having held such a debate, we could then say to the hon. Member for Crewe and Nantwich—

Mr. Deputy Speaker (Mr. Michael Lord): Order. We are not holding an Adjournment debate; we are debating the motion. The hon. Gentleman should direct his remarks to that.

Mr. Pickles: I was carried away, Mr. Deputy Speaker; I apologise.

Mr. Swayne: In relation to the need for a second Second Reading debate, both my right hon. Friend the Member for North-West Hampshire (Sir G. Young) and I questioned the Leader of the House on that matter on Thursday and suggested other business for this afternoon, on the ground that we would merely have to repeat the Second Reading of the Bill in the next Session. The right hon. Lady did not deny that point. She merely went on to suggest that scrutiny by the Select Committee would be helpful to the House in future Sessions.

Mr. Pickles: That is correct. We had a good Second Reading debate; you chaired part of the sitting, Mr. Deputy Speaker. We held an informed and intelligent debate, but, because we were aware that we should be coming to motion No. 3 on the Order Paper, the debate did not have the feel of a normal Second Reading. Most hon. Members thought that we should have to go through the process again.

I support pre-legislative scrutiny, but we must understand which extra matters can be considered by a Select Committee. There are probably two. First, within the time frame, I hope that a Select Committee will be able to consider matters that could not be considered by a Standing Committee, because such matters would be outside the scope of a Standing Committee. The Select Committee could consider and take evidence on the budget; that would be crucial to understanding the importance of the measure. The Deputy Prime Minister suggested that the budget would be about £5 billion. Such evidence would lay out the scope of the SRA—we would not get that from a Standing Committee. A Standing Committee would not be able to undertake detailed analysis of the individual items in respect of the votes that make up the budget. A Select Committee would be extremely useful in undertaking that process.

Secondly, if a Select Committee were used properly, it could consider the question of subsidy. On Second Reading and in our debate on the motion, we were told about many of the comments that have been made by Sir Alastair Morton. We know that there are plans to change the subsidy and the formula for the subsidy. A Standing Committee cannot consider—

Mr. Deputy Speaker: Order. The hon. Gentleman is again straying away from the motion before the House. He is also beginning to repeat himself. I should be grateful if he would not repeat himself; nor should he stray from the motion.

Mr. Pickles: Of course, I accept your ruling, Mr. Deputy Speaker. However, in relation to this important innovation, we must clarify whether the scrutiny that the Government are offering us is better than that which would be given by a Standing Committee. It might cause some displeasure among my right hon. and hon. Friends—I hope that they will be tolerant—but I have to say that, in this case, a Select Committee could provide better scrutiny, because the matter would be out of order in a Standing Committee. Those points have to be considered.

I had not intended to speak for long this evening, so perhaps I should come to my second point. In conclusion, I believe that, before we embark on the process engendered by the motion, the Government should, as a matter of courtesy to the House, lay out the ground rules. We should be told when the Committee will start to meet, how many evidence-taking sittings it will hold—

Mr. Deputy Speaker: Order. The hon. Gentleman is repeating himself, yet again. If he cannot find fresh ground to move on to, he should very quickly draw his remarks to a close.

Mr. Pickles: I was summarising my points before sitting down—

Mr. Deputy Speaker: Order. The hon. Gentleman is repeating himself and not for the first time. I suggest that he brings his remarks fairly quickly to a close.

Mr. Pickles: I am doing so, Mr. Deputy Speaker. I believe that the motion should be resisted on three grounds. If those three grounds are addressed by the Government tonight, it is possible that the motion will go through.

12.1 am

Mr. Nick St. Aubyn (Guildford): I listened with great interest to and was hugely impressed by the speech of my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles). He provided such an olympian view of the subject before us that I hesitated before rising to my feet. If I understand the modernisation process at all, the point is that important constitutional changes should not be considered in the dead of night, when many hon. Members cannot be present in the Chamber. However, before the House is a motion of such monumental significance that, at the stroke of midnight, we are not yet halfway through our debate. It might be a small step for the sultans of spin to come up with the motion on behalf of the Government, but for many of us it is a giant leap in terms of the whole legislative process.

Mr. Bercow: Will my hon. Friend give way?

Mr. Gray: On a point of order, Mr. Deputy Speaker. It might have escaped your notice that the Chairman of

the Select Committee whose procedures we are debating has now left the Chamber. Is it not important that the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) should be present to hear what the House has to say?

Mr. Deputy Speaker: Whether or not hon. Members remain in the Chamber is entirely a matter for them, not for me. I call Mr. St. Aubyn.

Mr. St. Aubyn: I give way to my hon. Friend the Member for Buckingham (Mr. Bercow).

Mr. Bercow: I am grateful to my hon. Friend for giving way, as I feel sure that he is but at the start of a characteristically magnificent oration. However, perhaps he would care to comment on my fear that he is in danger of being a little too charitable to those hon. Members who have the opportunity to be present in the Chamber but who decline to be present. Does my hon. Friend agree that, if Members of Parliament can be present within the precincts of the Palace of Westminster at the relatively early hour of four minutes past midnight, even though we know that some of them have had a convivial evening within these precincts, there is no reason why they should not—

Mr. Deputy Speaker: Order. That is a long and rambling intervention.

Mr. St. Aubyn: I know that I shall be proud to report back to my constituents that I paid due attention to every aspect of this debate which, as I said, may have monumental consequences for the House.

I have been a Member of Parliament for only a couple of years, but, in that time, I have been a member of the Standing Committees on four major Bills and served for more than two years on the Select Committee on Education and Employment. In that time, I have noticed some very important distinctions between the two types of Committee. It would not be necessary to dwell on them if the Minister had not failed to make clear the process that will follow the Bill going into what we might call its Select Committee phase.

I notice from the Order Paper that there are 62 Bills for consideration this Friday. Many Bills are given a Second Reading before they run off the rails. If this is such a Bill, much of our debate will have been unnecessary. We would be quite relaxed about the Select Committee having a second bite of the cherry in its consideration of the Government's ideas before a serious Bill is given a serious Second Reading at the beginning of next Session.

I want to address the fear—many Opposition Members regard it as a threat—of the Government proposing to put a Bill in the hands of a Select Committee, and then bringing it back to the House as if it had been through a Standing Committee. That is what this debate is about; that is why the Opposition are so exercised; that is why so many Members are hanging around the Chamber—they know that, many hours later, there will be a critical vote.

I have learned in my short time here to have much respect for the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). She brings a rare distinction to proceedings, and I am sure that she will exercise her powers wisely. However, a Select Committee may decide its business by a majority, whereas a member of a Standing Committee may table amendments for consideration by that Committee that may not be supported by any other member of it. A single member of a Standing Committee may feel that there is a vital point to be considered that is relevant to the Bill and demand that his or her voice be heard, but a majority on a Select Committee may say "We do not think that point is relevant to this Bill. We will take a vote on it." Without any whipping or party pressure the majority will rule the matter out of order.

Mr. Syms: One of the benefits of the Standing Committee is that a Minister is present at all times from whom one can seek assurances. Although a Select Committee will deal with this matter, will a Minister be on hand to give assurances about the legislation?

Mr. St. Aubyn: My hon. Friend raises the very important role of Ministers on Standing Committees, which I am about to address. Before doing so, I shall mention several points that would be impractical for the Select Committee to consider on the ground that it has been given a remit to report by 12 November 1999.

I can foresee time and again that members of the Select Committee will want to raise important points that come within the ambit of the Bill and to reflect their constituents' genuine concern, yet the majority, quite legitimately, without exercising any partisan approach, will say, "We have been given only until 12 November to consider the Bill. We must move on; time is not with us." The matter will be allowed to fall by the wayside.

Mr. Pickles: If a Minister is to be present in a Select Committee, surely the Opposition spokesman should be present, too. Once that happens, Select Committees will become highly politicised, which is not desirable.

Mr. St. Aubyn: I entirely agree that the genuine bipartisan nature of Select Committees is at risk. Consideration of this Bill, which is clearly controversial, will create tension. Anyone who has attended this debate will have sensed deep divisions in the House on how the matter should be dealt with. The bipartisan approach, which informs all proceedings of our Select Committee system, will be undermined by the new process that the Government are foisting on the House for purely party political purposes. Such a procedure, dictated by such a motive, cannot be good for the Select Committee system, which the House has come to revere.

There is more to the issue than the mere presence in Committee of Ministers—what about the presence of their civil servants? I have often noticed that, when Ministers are challenged in Standing Committee, they sometimes take their time in producing a substantive reply—thereby allowing their civil servants and other advisers a moment in which to pass a note to the Front Bench, consequently enabling Opposition Members to obtain the information that we are seeking. Although the information may come not from the mind, but merely the mouth, of the Minister, it is still highly valuable.

Even more important—this point goes to the heart of the matter, and was debated earlier by my hon. Friend the Member for Brentwood and Ongar and me—is the legal validity of a Bill considered in such a manner. In Standing Committee, Ministers make pronouncements on Bills to

[Mr. St. Aubyn]

clarify points of law. In future, after this Bill is passed, becomes an Act and is challenged in the courts, on the precedent of Pepper *v.* Hart, a judge may refer to the Minister's statements on it in Standing Committee. Will the Minister say what will be the status of statements by Ministers to the Select Committee? Has she any authority to tell us what that status will be—or is the matter now, under our new regime and modernised constitution, one that will have to be decided by the courts?

Mr. Nicholas Winterton: Will my hon. Friend try to help me? Speaking as a member of the Modernisation of the House of Commons Committee, which produced the report that has already been mentioned several times in the debate, I am increasingly confused. My understanding was not that any pre-legislative scrutiny would replace a Bill's Standing Committee stage, but that the Standing Committee stage would remain. Is my hon. Friend telling the House that the Railways Bill will have no Standing Committee stage? If that is true, I have been severely misled in the Modernisation Committee's deliberations; and I should suggest to you, Mr. Deputy Speaker, that the matter should be referred urgently to the House's Procedure Committee.

Mr. St. Aubyn: If you would care to rule on that point, Mr. Deputy Speaker, I should more than welcome that. Like my hon. Friend, I find the whole process into which we are being invited to enter not only deeply troubling, but certainly contrary to the basic tenets on which we were elected to this place.

Mr. Forth: On a point of order, Mr. Deputy Speaker. Is it not now becoming apparent that we are in such confusion in these proceedings that it might be better for the House to suspend, so that we might obtain proper advice in answer to some of the questions that have been asked in the debate, but not yet answered? Now, even a question asked by an hon. Member as distinguished as my hon. Friend the Member for Macclesfield (Mr. Winterton)—who wears so many hats with such distinction—cannot be answered. Is it not worth seriously considering suspending the sitting, so that we might more definitely discover the way ahead and be properly informed when voting on the issue?

Mr. Deputy Speaker: I have heard nothing out of order in the debate, with which we should proceed.

Mr. Winterton: On a point of order, Mr. Deputy Speaker. May I ask you directly whether it is appropriate for the House to proceed with a motion that would replace the House's current procedures—which entail that, when a Bill is introduced, it will have a First Reading, Second Reading and then a Standing Committee stage? I had understood that that is how the House operates. I had also understood that the Modernisation Committee's report—which I supported, and to which I was party—favoured various pre-legislative scrutiny, with which I also agree. My understanding was not that such scrutiny would replace the Standing Committee stage of legislation. If it does, it is a very serious change.

Mr. Deputy Speaker: The motion before the House is quite clear. It is the motion that we are debating, and the one on which we shall have to decide.

Mr. St. Aubyn *rose—*

Mr. Gray: On a point of order, Mr. Deputy Speaker. I am sorry to trouble you again.

As a member of the Select Committee in question, I am entirely unclear whether we shall be scrutinising the Bill as if we were members of a Standing Committee or whether we shall be examining the principles in general, as we would do with any other matter that came before the Select Committee. If the Select Committee is to act like a quasi Standing Committee, I shall be subject to the Whip. I shall have to take advice from my party on what its line is on certain matters, and obviously it will be necessary to divide the Committee. If, however, it is to be a genuinely informative procedure, as is usual in Select Committee, my activities will be quite different.

Mr. Deputy Speaker: Order. I have given my ruling and we should move on.

Mr. Wilshire: On a point of order, Mr. Deputy Speaker. I heard your previous ruling, but I am concerned about Standing Order No. 65, which refers to:

"All committees to which bills may be committed".

The previous occupant of the Chair ruled that the House has before it a committal motion. The Standing Order provides that those Committees to which Bills "may be committed"—

"or referred for consideration on report shall have power to make such amendments therein as they shall think fit".

Does that mean that, notwithstanding what has been said earlier, the Select Committee has the absolute power to take amendments, consider them, vote upon them, alter the Bill and send it back as if it were a Standing Committee?

Mr. Deputy Speaker: I have already said that the motion before the House is clear. It is the motion that we have to debate and decide upon.

Mr. St. Aubyn: I sympathise with you, Mr. Deputy Speaker, for the position in which you find yourself as a result of the motion. We have seen the entirely hopeless position of the Minister for Transport, who was inadequate in explaining the true import of the new procedure that is before us. We have heard—

Mr. Jenkin: I wish to clarify the point raised by my hon. Friend the Member for Macclesfield (Mr. Winterton), which is whether the proposal is an orthodox method of dealing with a Bill. A letter sent to my right hon. Friend the Member for North-West Hampshire (Sir G. Young), the shadow Leader of the House, by the Leader of the House, states:

"The proposed method of referring a bill after second reading to an existing select committee for consideration and report is another option, though not one specifically contemplated by the Modernisation Committee."

I think that my hon. Friend the Member for Macclesfield can take comfort from the fact that he has not been misled by any proceedings in the Modernisation Committee. It is the Government who are choosing this moment to innovate by introducing a new procedure without consulting the Modernisation Committee.

Mr. St. Aubyn: I am extremely grateful to my hon. Friend for clarifying the situation in a way that I hope causes great embarrassment to those on the Treasury Bench. This way of proceeding is yet another example of the Government trying to usurp the historic authority of this place. As I understand it, a Standing Committee is delegated by the House to undertake a role which historically was performed by the House as a whole. In the past, Bills were considered by the entire House. Now, far from that power being delegated to a Committee comprised of those who are particularly interested in a Bill, having expressed an interested in it on Second Reading, for example, it is to be delegated to a Select Committee which was appointed with an entirely different purpose in mind.

The deliberations of that Committee and the decisions that ensue, whatever we may do with them, will be fundamentally flawed. They will be tainted and they will not lead to valid laws. We were not elected to this place to agree to laws in such a way. If that is the position, we have no business passing the motion that is before us. You have made it clear, Mr. Deputy Speaker, that the procedure does not come under Standing Orders. If it fails to do so, are we to see the introduction of new retrospective Standing Orders between now and the beginning of the next Session? What is the procedure by which the Government hope to create a valid exercise tonight when I think that we have proved it to be invalid?

Mr. Maclean: I agree with my hon. Friend. I suggest that, on 13 November, he will find that there will be a motion on the Order Paper stating, "Now that the Committee has considered the Bill, it will be carried forward into the next Session", as if it had passed all its stages in the House.

Mr. St. Aubyn: If that were to be the case it would be a disgraceful abuse of the procedures of the House. That would be quite wrong and the Bill, which is already deeply suspect for political reasons and considered to be deeply flawed by many hon. Members who have spoken in the debate, would have yet another burden to carry into the further stages of its consideration.

Let us not forget that the Bill is supposed to generate tens of billions of pounds of new investment, even though it threatens those who will make that investment with unlimited fines and with being forced to make additional investments according to investment criteria dictated by Ministers, not by markets.

Mr. Deputy Speaker: Order. The hon. Gentleman's comments are a long way from the motion before the House.

Mr. St. Aubyn: The point I am trying to get at is that the powers being claimed by the Bill are quite extraordinary. It is therefore not only possible, but more than likely, that those powers will be challenged in the courts and it is therefore even more important for us to consider the validity of the process by which the Bill will pass through the House.

Mr. Keith Bradley (Treasurer of Her Majesty's Household) *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 220, Noes 9.

Division No. 251] **[12.21 am**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Donohoe, Brian H
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
Kirkwood, Archy
Ladyman, Dr Stephen
Leslie, Christopher
Levitt, Tom
Liddell, Rt Hon Mrs Helen
Livingstone, Ken
Lock, David

McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
Mackinlay, Andrew
McNamara, Kevin
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Milburn, Rt Hon Alan
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Russell, Bob *(Colchester)*
Sarwar, Mohammad
Savidge, Malcolm
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, John *(Glamorgan)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Webb, Steve
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Keith Hill and
Mrs. Anne McGuire.

NOES

Forth, Rt Hon Eric
Gorman, Mrs Teresa
Gray, James
Howarth, Gerald *(Aldershot)*
Lewis, Dr Julian *(New Forest E)*
St Aubyn, Nick
Swayne, Desmond
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*

Tellers for the Noes:
Mr. David Wilshire and
Mr. David Maclean.

Question accordingly agreed to.

Question put accordingly:—

The House divided: Ayes 218, Noes 9.

Division No. 252] **[12.34 am**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Donohoe, Brian H
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
Kirkwood, Archy
Ladyman, Dr Stephen
Leslie, Christopher
Levitt, Tom
Liddell, Rt Hon Mrs Helen
Livingstone, Ken
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Macdonald, Calum
Mackinlay, Andrew
McNamara, Kevin
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Milburn, Rt Hon Alan
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond

Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Russell, Bob *(Colchester)*
Sarwar, Mohammad
Savidge, Malcolm
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, John *(Glamorgan)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Webb, Steve
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Keith Hill and
Mrs. Anne McGuire.

NOES

Forth, Rt Hon Eric
Gorman, Mrs Teresa
Howarth, Gerald *(Aldershot)*
Lewis, Dr Julian *(New Forest E)*
Maclean, Rt Hon David
St Aubyn, Nick
Swayne, Desmond
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*

Tellers for the Noes:
Mr. David Wilshire and
Mr. James Gray.

Question accordingly agreed to.

Resolved,

That

(1) notwithstanding Standing Order No. 63 (Committal of bills), the Railways Bill be referred to the Environment, Transport and Regional Affairs Committee; and

(2) the Committee shall consider the provisions of the Bill and report thereon by 12th November 1999.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Alan Haselhurst): With the leave of the House, I will put motions 4 to 10 together.

Hon. Members: No.

Mr. Deputy Speaker: I thought I would make the offer!

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

INTERNATIONAL IMMUNITIES AND PRIVILEGES

That the draft International Copper Study Group (Legal Capacities) Order 1999, which was laid before this House on 21st May, be approved.

The House divided: Ayes 195, Noes 7.

Division No. 253] **[12.46 am**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Barron, Kevin
Beard, Nigel
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Donohoe, Brian H
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Illsley, Eric
Jenkins, Brian
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
Ladyman, Dr Stephen
Leslie, Christopher
Levitt, Tom
Livingstone, Ken
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Mackinlay, Andrew
McNamara, Kevin
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L

Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Rapson, Syd
Raynsford, Nick
Rooney, Terry
Rowlands, Ted
Russell, Bob *(Colchester)*
Sarwar, Mohammad
Savidge, Malcolm
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, John *(Glamorgan)*
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Keith Hill and
Mrs. Anne McGuire.

NOES

Forth, Rt Hon Eric
Gorman, Mrs Teresa
Gray, James
Howarth, Gerald *(Aldershot)*
Lewis, Dr Julian *(New Forest E)*
St Aubyn, Nick
Swayne, Desmond

Tellers for the Noes:
Mr. David Wilshire and
Mr. David Maclean.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

CIVIL AVIATION

That the draft Aeroplane Noise (Amendment) Regulations 1999, which were laid before this House on 29th June, be approved.

The House divided: Ayes 195, Noes 5.

Division No. 254] **[12.58 am**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Barron, Kevin
Beard, Nigel
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Donohoe, Brian H
Dowd, Jim
Drew, David
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Illsley, Eric
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
Ladyman, Dr Stephen
Leslie, Christopher
Levitt, Tom
Livingstone, Ken
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Mackinlay, Andrew
McNamara, Kevin
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Rapson, Syd
Raynsford, Nick
Rooney, Terry
Rowlands, Ted
Russell, Bob *(Colchester)*
Sarwar, Mohammad
Savidge, Malcolm
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, John *(Glamorgan)*
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Webb, Steve

Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Keith Hill and
Mrs. Anne McGuire.

NOES

Gray, James
Lewis, Dr Julian *(New Forest E)*
Maclean, Rt Hon David
Swayne, Desmond
Wilshire, David

Tellers for the Noes:
Mr. Eric Forth and
Mr. Nick St. Aubyn.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Public Processions (Northern Ireland) Act 1998 (Procedural Rules) Order 1999, which was laid before this House on 30th June, be approved.

The House divided: Ayes 194, Noes 7.

Division No. 255] **[1.7 am**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Barron, Kevin
Beard, Nigel
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Donohoe, Brian H
Dowd, Jim
Drew, David
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grogan, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Healey, John
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Illsley, Eric
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
Ladyman, Dr Stephen
Leslie, Christopher
Levitt, Tom
Livingstone, Ken
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McGuire, Mrs Anne
Mackinlay, Andrew
McNamara, Kevin
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Rapson, Syd
Raynsford, Nick
Rooney, Terry
Rowlands, Ted
Russell, Bob *(Colchester)*
Sarwar, Mohammad
Savidge, Malcolm
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, John *(Glamorgan)*
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Webb, Steve
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Mike Hall and
Mr. David Hanson.

NOES

Forth, Rt Hon Eric
Gorman, Mrs Teresa
Gray, James
Howarth, Gerald *(Aldershot)*
Lewis, Dr Julian *(New Forest E)*
St Aubyn, Nick
Swayne, Desmond

Tellers for the Noes:
Mr. David Wilshire and
Mr. David Maclean.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Public Processions (Northern Ireland) Act 1998 (Code of Conduct) Order 1999, which was laid before this House on 30th June, be approved.

The House divided: Ayes 188, Noes 7.

Division No. 256] **[1.17 am**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Barron, Kevin
Beard, Nigel
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Donohoe, Brian H
Dowd, Jim
Drew, David
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grogan, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Illsley, Eric
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Ladyman, Dr Stephen
Levitt, Tom
Livingstone, Ken
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McGuire, Mrs Anne
Mackinlay, Andrew
McNamara, Kevin
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Rapson, Syd
Raynsford, Nick
Rooney, Terry
Rowlands, Ted
Russell, Bob *(Colchester)*
Sarwar, Mohammad
Savidge, Malcolm
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, John *(Glamorgan)*
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Webb, Steve
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Mike Hall and
Mr. David Hanson.

NOES

Forth, Rt Hon Eric
Gray, James
Howarth, Gerald *(Aldershot)*
Lewis, Dr Julian *(New Forest E)*
St Aubyn, Nick
Swayne, Desmond
Wilshire, David

Tellers for the Noes:
Mr. David Maclean and
Mrs. Teresa Gorman.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Public Processions (Northern Ireland) Act 1998 (Guidelines) Order 1999, which was laid before this House on 30th June, be approved.

The House divided: Ayes 184, Noes 7.

Division No. 257] **[1.28 am**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Barron, Kevin
Beard, Nigel
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*

Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Donohoe, Brian H
Dowd, Jim
Drew, David
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grogan, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Illsley, Eric
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Ladyman, Dr Stephen
Levitt, Tom
Livingstone, Ken
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McGuire, Mrs Anne
Mackinlay, Andrew
McNamara, Kevin
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Moffatt, Laura
Moonie, Dr Lewis
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Rapson, Syd
Raynsford, Nick
Rooney, Terry
Rowlands, Ted
Russell, Bob *(Colchester)*
Sarwar, Mohammad
Savidge, Malcolm
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, John *(Glamorgan)*
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Webb, Steve
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Mike Hall and
Mr. David Hanson.

NOES

Gorman, Mrs Teresa
Gray, James
Howarth, Gerald *(Aldershot)*
Lewis, Dr Julian *(New Forest E)*
Maclean, Rt Hon David
St Aubyn, Nick
Swayne, Desmond

Tellers for the Noes:
Mr. David Wilshire and
Mr. Eric Forth.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

INTERNATIONAL IMMUNITIES AND PRIVILEGES

That the draft International Organisations (Immunities and Privileges) Miscellaneous Provisions Order 1999, which was laid before this House on 1st July, be approved.

The House divided: Ayes 172, Noes 7.

Division No. 258] **[1.39 am**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Barron, Kevin
Beard, Nigel
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Burgon, Colin
Campbell, Alan *(Tynemouth)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Donohoe, Brian H
Dowd, Jim
Drew, David
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Grogan, John
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Illsley, Eric
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Kemp, Fraser
Khabra, Piara S
Kidney, David
Ladyman, Dr Stephen
Levitt, Tom
Livingstone, Ken
Lock, David
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris

McGuire, Mrs Anne
Mackinlay, Andrew
McNamara, Kevin
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Michie, Bill *(Sheff'ld Heeley)*
Moffatt, Laura
Moonie, Dr Lewis
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Rapson, Syd
Raynsford, Nick
Rooney, Terry
Rowlands, Ted
Russell, Bob *(Colchester)*
Savidge, Malcolm
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, John *(Glamorgan)*
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple–Morris, Peter
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. David Hanson and
Mr. Mike Hall.

NOES

Forth, Rt Hon Eric
Gorman, Mrs Teresa
Howarth, Gerald *(Aldershot)*
Lewis, Dr Julian *(New Forest E)*
Maclean, Rt Hon David
St Aubyn, Nick
Swayne, Desmond

Tellers for the Noes:
Mr. David Wilshire and
Mr. James Gray.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

INTERNATIONAL IMMUNITIES AND PRIVILEGES

That the draft INTELSAT (Immunities and Privileges) (Amendment) Order 1999, which was laid before this House on 2nd July, be approved.

The House divided: Ayes 162, Noes 7.

Division No. 259] **[1.52 am**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Barron, Kevin
Beard, Nigel
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Burgon, Colin
Campbell, Alan *(Tynemouth)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Donohoe, Brian H
Dowd, Jim
Drew, David
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Grogan, John
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Illsley, Eric
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Kemp, Fraser
Khabra, Piara S
Kidney, David
Ladyman, Dr Stephen
Levitt, Tom
Livingstone, Ken
Lock, David
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McGuire, Mrs Anne
Mackinlay, Andrew
McNamara, Kevin
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Michie, Bill *(Sheff'ld Heeley)*
Moffatt, Laura
Moonie, Dr Lewis
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Rapson, Syd
Raynsford, Nick
Rooney, Terry
Rowlands, Ted
Russell, Bob *(Colchester)*
Savidge, Malcolm
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, John *(Glamorgan)*
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple–Morris, Peter
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Wise, Audrey
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. David Hanson and
Mr. Mike Hall.

NOES

Forth, Rt Hon Eric
Gorman, Mrs Teresa
Gray, James
Lewis, Dr Julian *(New Forest E)*
St Aubyn, Nick
Swayne, Desmond
Wilshire, David

Tellers for the Noes:
Mr. David Maclean and
Mr. Gerald Howarth.

Question accordingly agreed to.

HOME AFFAIRS COMMITTEE

Motion made, and Question proposed,

That Mr. Nick Hawkins be discharged from the Home Affairs Committee, and Mr. Michael Fabricant be added to the Committee.—*[Mr. Tyler.]*

Hon. Members: Object.

PETITION

Protection of Animal Life Society

2.3 am

Mr. Desmond Swayne (New Forest, West): It is my privilege to present to the House the petition of my constituent, Mrs. Janet Oddy, and others.

The petition declares that Lorraine Drake founded the Protection of Animal Life Society and committed all her energies and dedication to this charity for 15 years.

The petition states:

The Charity Commission's actions in respect of the charity have caused substantial harm and damage to the charity's beneficiaries.

The Petitioners therefore request that the House of Commons initiates an investigation into the conduct of the Charity Commission in its dealings with the charity to be carried out by an independent organisation, reporting to the honourable House.

The Petitioners also request that the House appoints an independent review body to whom charity trustees seeking to protect their charity's beneficiaries, assets and interests can refer.

And the Petitioners remain, etc.

To lie upon the Table.

Travellers

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Betts.]*

2.4 am

Mr. Colin Pickthall (West Lancashire): After all those votes without debates, we come to a debate without a vote. What an interesting place we work in.

I am grateful for the opportunity to debate this intractable subject. I apologise to my hon. Friend the Minister for keeping him here even later than he would otherwise have been. I know that he does more than his fair share of these debates. I place what I have to say in the context of his new guidance on unauthorised camping, of late 1998, and of the Department's circular, "Managing Unauthorised Camping".

Reading those eminently sane and humane documents with great care places me in some difficulties, because in insisting that they are inadequate I am forced to appear less than humane. In my view, both sets of guidance play a part in making the situation that communities face worse.

Skelmersdale has had two decades of economic misery—it was the first into the 1981 recession, and probably the last out of the one in the 1990s—but, in recent years, it has struggled out of that situation. Its industrial estates are full and thriving. Large amounts of single regeneration budget money have been spent on improving the environment of those estates, attracting more customers. Existing firms have invested heavily in expansion. Unemployment has dropped considerably.

Then, this June, the travellers arrived, not for the first time, but with redoubled venom. Large groups occupied the car parks and forecourts of four factories. Of course, traveller groups have visited Skelmersdale for many years, as they do most constituencies, but the figures from West Lancashire district council show a steady increase, and the reports from business people show a steady increase in foul and aggressive behaviour.

I should interrupt myself to say what difficulties I have with the terminology. The term "gypsies" conjures up romantic images in the public mind, and perhaps even in the minds of those who composed some of the clauses in the guidance document. There is nothing romantic about the travellers of whom I am complaining. No doubt most travellers go about their nomadic business in a perfectly reasonable way, but there are those who are violent and deliberately destructive and we have no effective defences against them without taking the law into our own hands.

It is, in my view, not right that the ineffectiveness of the law and the regulations is forcing perfectly respectable business people in my constituency to contemplate direct action. On 13 June, a group of travellers destroyed a permanent wall surrounding the car park of Bayex Ltd., and 15 caravans, with their occupants and animals, camped in the car park. Within days, other groups arrived, reoccupying the car park of Pactrol Controls and the grassed frontage of the Procter and Gamble factory. The people could not be removed until 30 June, so for 17 days, three important firms in my constituency were driven mad by the travellers, to the point of temporary closure.

[Mr. Colin Pickthall]

John Richardson, a well-respected business man and servant to the community in West Lancashire—a man of enormous good nature and patience—wrote:

"As I look out of the window of our factory on Pimbo, I can count 42 caravans, 6 horses and dogs too numerous to count. Caravans and vehicles are parked within feet of the factory, the reception area is being used as a human toilet and we cannot open any windows because of the awful smell.

Customers and suppliers are refusing to visit the factory. This is creating severe difficulties, not to mention loss of business and the subsequent loss of jobs—we are grinding to a halt.

This is the third time this has happened in the last 12 months and our patience and the patience of our parent group is running out.

When these people eventually move on we are again faced with considerable cost to clear the area."

On 25 June, Mr. Richardson wrote:

"Since my last fax, would you believe, we now have a dead pony in the bushes in front of the factory. I have had to stop customers and suppliers visiting the premises.

On Monday of this week a number of the many children on the site started throwing stones at employees' cars.

We telephoned the police in Skelmersdale at 12.30 pm for assistance, two officers appeared at 4.30 pm.

These travellers are a large, threatening group and I am left in the situation of balancing the safety of my employees' property and the health and safety implications. I cannot expect people to walk through horse, dog and human excreta. This is England in 1999 and I cannot provide safe conditions for my employees. I have closed the factory today."

Finally, on 30 June, Mr. Richardson wrote:

"The travellers left early this morning. I hope out of West Lancashire.

We have used 50 hours of labour to clear our site and Bayex . . . have used a similar amount. We filled 53 bin bags with rubbish from the front of the factory. The District Council will have to spend at least three times our combined time to clear footpath, roads etc.

Talking to the managing director of Bayex this morning, he had to stop his night shift because of physical threats made to his employees and the threat of burning down his factory if they did not supply the travellers with water. This was a particularly large and nasty bunch. I believe they would have carried out their threats."

I have also received a long letter from Mr. Peter Appleton, the managing director of Bayex, about the costs involved:

"To date we have incurred costs, for legal fees etc., in excess of £2,000, and a large amount of concentrated time has been taken from what should be our main focus of running this business. We are now left with a clean up operation."

Mr. Appleton added that Bayex was to have had a formal presentation of its ISO 9002 quality certificate. That was cancelled because of what the person who was to have presented the award would have seen at the factory.

Mr. Appleton also gave an account, which I do not have time to read out, of trying to erect a barrier to keep the travellers away from the front of the factory. As employees went to put posts into the ground, Mr. Appleton writes, the

"gypsies became aggressive and assaulted one of our employees, Mr. Ray Ryan, by pushing him to the floor. Police were called but their response was to send a young "special" constable who appeared not able to act. After speaking to the Skelmersdale station, he said that the assault was a civil offence because our employee had not been taken to hospital for treatment."

Mr. Appleton's lawyer then

"called the police station and spoke to Sgt. Speke, who confirmed the young officer's information. Sgt. Speke also stated that "Police HQ" had advised all local stations not to act against any gypsy situation because there was a low likelihood of prosecution."

Proctor and Gamble manufactures and stores medicines. The local factory has been surrounded for 17 days by a sea of human excrement and other rubbish. A few months ago, the McCain pizza base factory was besieged by a similar group of travellers. It is easy to imagine the reaction of a visitor from the company's head office in the United States—or of any visitor—when confronted by such scenes outside a food factory. That factory has since closed, with the loss of 100 jobs, although there is no simple link with the events that I have described.

Apart from the travellers involved, no one wants such problems to arise, so why is nothing done to nip them in the bud? The first reason is that the travellers, by definition, have no permanent address, so are not susceptible to the provisions of the Criminal Justice and Public Order Act 1994, which states that the most senior police officer present can direct trespassers to leave if any of them cause damage to the land or property, or use threatening, abusive or insulting words of behaviour, or if they have, between them, six or more vehicles on the land.

That sounds straightforward. The incidents that I have described meet all those criteria, but every Member of Parliament knows that travellers are not directed to leave in the simple way set out in the 1994 Act. The police do not use the powers, despite enormous pressure from Members of Parliament and local citizens. Councils use their powers, which are cumbersome, bureaucratic and slow.

I believe that the police are deterred from action by the wording of the guidance notes and the Act, and by a belief that they would not succeed in any court case and might attract public opprobrium for action against harmless gypsies. Paragraph 4.13 of the 1994 good practice guide displays the problem:

"The police do not have to make any welfare inquiries as such. They have to exercise their discretionary power under section 61 of the 1994 Act in a way which is reasonable. This will depend upon all the circumstances of each case. Home Office circular 45/1994 says:

"The decision whether or not to issue a direction to leave is an operational one for the police alone to take in the light of all the circumstances of the particular case. But in making his decision the senior officer at the scene may wish to take into account the personal circumstances of the trespassers; for example, the presence of elderly persons, invalids, pregnant women, children and other persons whose well-being may be jeopardised by a precipitate move.'"

A whole page of points that must be taken into account follows.

The police know that the Wealden judgment of 1995 makes it unlikely that their powers will succeed. Local authorities, which have extra responsibilities towards travellers, have even more difficulties. The Minister's advice notes of 1998 are evenhanded, but they compound the difficulties. In a widely circulated speech accompanying the notes, he said:

"Gypsies and travellers have exactly the same rights to basic services like health and education as do the settled population, and those rights must be taken into account when local authorities manage unauthorised camping."

He is quite right about that, but that sentence paralyses rapid local authority or police action.

In rightly insisting that council departments and the police must be involved in sorting out problems, the Minister added:

"Most importantly, the gypsies and travellers themselves should be involved."

That is clearly impossible with the groups of which I have spoken. My hon. Friend says:

"Travellers have a perfect right to carry on their nomadic life-styles in peace."

Of course they do, but the people I am talking about do so in untaxed vehicles which no one dare clamp or confiscate for fear of keeping the offenders on the property that they are already destroying. These people do not carry on their nomadic life styles in peace.

I do not have time tonight to pursue the subject of temporary stopping places or permanent sites in full. However, peaceable and law-abiding travellers would not wish to share sites with the groups that I am speaking of. Few local authorities would survive if they insisted that a site should be provided in their area and it attracted such people.

My hon. Friend is right to say in the guidance notes that local authorities and police should have a clear and integrated policy to tackle the problems. But they need to know that the law will allow their action to succeed, and to do so quickly. I urge the Minister to consider how councils and the police can be urged to use section 61 of the 1994 Act, which appears to offer adequate powers. Early action would involve a presumption different from those of several of the statements of tolerance in my hon. Friend's document.

In all honesty, I do not feel tolerant towards travellers who behave as I have described. I am amazed that—with the single exception of a case in which campers' tyres were mysteriously shredded in the night—employers and employees whose livelihoods and health are put at risk do not take matters into their own hands, instead seeking legal solutions, at enormous cost. Ambivalent laws and regulations put us in serious danger of pushing decent citizens too far and of spreading a hostile and violent reaction against all gypsies and travellers, whether or not they deserve it.

As a parliamentary private secretary in the Home Office, I cannot go into great detail on police matters, although I can do so privately. Policing matters fall outside my hon. Friend's remit, but the legal and administrative framework lies with the Department of the Environment, Transport and the Regions. I urge him to reconsider the good practice guide, although I appreciate that it is a recent document to which he will not wish to return so soon. I ask him to see whether its balance can be redressed a little towards quick and effective action against those groups of travellers who do not conform to the normal rules of human behaviour.

2.20 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Nick Raynsford): I start by congratulating my hon. Friend the Member for West Lancashire (Mr. Pickthall) on securing this debate on unauthorised camping. At the same time, I commiserate with him about the fact that we are having this debate at such a late hour. The issue that he has raised is of major concern in his constituency, particularly to the business premises in Skelmersdale to which he referred.

We do not underestimate what an appalling nuisance such encampments can be and the real costs that can be incurred both by local authorities and businesses in trying to cope with the kind of behaviour that my hon. Friend described graphically to the House. I hope that my hon. Friend and his constituents will be reassured that the Government take this issue very seriously and that we are determined to ensure that local authorities and the police have effective, joint policies in place to deal with the problems created by unauthorised camping by people who behave in a disgraceful and anti-social manner.

It is precisely because of concern expressed by local authorities about how they deal with encampments that my Department, working with the Home Office, produced joint good practice guidance for local authorities and the police to manage unauthorised camping. The good practice—to which my hon. Friend kindly referred—is based largely on research carried out for my Department by the university of Birmingham. It draws on the real and often hard-won experience of local authorities and police forces in managing such issues.

We published the good practice in October last year, after consulting a wide range of interested groups. The good practice has been welcomed as a positive and innovative step in managing what can be a highly emotive issue locally. I hope that my hon. Friend recognises that, in several parts of the country, there is clear evidence that implementation of the good practice guidance is resulting in more successful policies and practices on the ground to deal with the problems as they arise.

My hon. Friend the Minister of State, Home Office is hosting a series of regional seminars for local authorities and the police aimed at promoting better joint working between those agencies in managing unauthorised camping, particularly when criminal or anti-social behaviour is associated with the encampment. Three such seminars have already been held and, as a speaker at the most recent one in Great Yarmouth, I can vouch for the fact that they have been both well attended and well received. I understand that my hon. Friend hopes to hold a seminar in the north-west in the autumn and I hope that my hon. Friend the Minister of State will be able to attend, if it is convenient.

My hon. Friend the Member for West Lancashire considers that local authorities need stronger powers to deal with unauthorised camping. I understand that, at present, West Lancashire district council does not use the powers available to local authorities in sections 77 to 79 of the Criminal Justice and Public Order Act 1994 to deal with unauthorised camping. The council uses instead civil powers under order 113 of the High Court when dealing with encampments on its land that it believes cannot be tolerated. Civil powers cannot, of course, be used by the council to evict campers from land not in its ownership.

The police also have powers—to which my hon. Friend referred—under section 61 of the 1994 Act to remove people who are trespassing with the intent to take up residence and have been asked to leave by the landowner. The Home Office has policy responsibility for those powers, and Home Office Ministers have made it clear, both when speaking at the recent regional seminars and in writing, that section 61 should be used at an early stage if necessary when the statutory conditions are met.

I stress that point because my hon. Friend expressed concern that the powers were not necessarily used at an early stage. That is not a reflection of any policy guidance

[Mr. Nick Raynsford]

from Ministers. My colleagues in the Home Office have made it quite clear that those powers should be used at an early stage where appropriate. They take the view that those powers should be used particularly when there are problems of crime, disorder or disruption to the life of the community. It is also vital that the police work in partnership with other local agencies to ensure that the problems caused by unauthorised encampments are dealt with effectively. Operational guidelines issued by the Association of Chief Police Officers of England, Wales and Northern Ireland have recently been reviewed and strengthened to take account of those views. The revised guidance should lead to greater consistency in the approach adopted by police forces in different parts of the country.

We have considered carefully whether we should amend the existing local authority powers in the 1994 Act, but have concluded that that is not the right way forward. There are no obvious, easy solutions to unauthorised camping, and no short cuts. If there were, they would have been found long before now. Recent case law has confirmed that local authorities must balance the nuisance being caused by an encampment against the needs of the campers. Neither the circular, nor the guidance that we have issued, states that local authorities must have regard to those considerations. The decisions were made by the courts and would stand even if we revised the guidance. Local authorities that do not adopt such an approach are likely to find their actions challenged successfully in the courts. That would create even more difficulty for them.

Strengthening the powers could be counter-productive, in that it might make it more difficult for local authorities to prove to the courts that they were acting reasonably when seeking eviction. To make unauthorised camping a criminal offence in itself would also be contrary to our view that people should, in an inclusive society, be free to adopt a travelling life style if they so want. The right to adopt such a life style does, of course, bring with it responsibilities towards the settled community; we are very aware that on some occasions, for example when travellers choose patently unsuitable sites such as public car parks, local authorities will feel justified in seeking eviction.

My hon. Friend referred to toleration. The concept of toleration has caused some controversy; it has wrongly been interpreted as meaning that the Government want local authorities to tolerate the anti-social or criminal behaviour that can accompany some unauthorised encampments. I want to make it clear to the House and to my hon. Friend that that is emphatically not what we mean by toleration; nor is toleration something that we invented for our good practice guidance.

For many years, Government advice to local authorities has advocated that gypsies who are camped on council land, and who are not causing a nuisance, should be tolerated wherever possible; the provision of basic facilities such as skips, drinking water and toilets can obviously minimise nuisance. On the other hand, forced eviction can result in campers moving to a more unsuitable site. That is especially true in those areas where there is no authorised site provision, and thus nowhere that gypsies can camp with permission. I understand that that is true at present in the West Lancashire district.

Our good practice guidance simply reflects what has been found to make good sense, through a detailed examination of the way in which local authorities deal with unauthorised camping. Toleration can be a pragmatic option for dealing with a short-term encampment, especially where the level of nuisance is low, or non-existent. I accept that the circumstances described by my hon. Friend are clearly not ones in which toleration would be appropriate. If there is anti-social or criminal behaviour, it is inconceivable that that should be tolerated.

Gypsies and travellers who indulge in anti-social or criminal behaviour—for example those who remove barriers to gain access to a site—are not above the law. They are subject to exactly the same penalties as anyone in the settled community. The Crime and Disorder Act 1998 requires local authorities and the police to develop local crime and disorder reduction partnerships, and to work together to reduce particular problems of crime and disorder in their area. If anti-social or criminal behaviour associated with unauthorised encampments has been identified, we would expect local crime and disorder reduction strategies to encompass measures to deal with it.

The Government are most concerned about anti-social behaviour generally and have included a number of new measures in the Crime and Disorder Act 1998 aimed at tackling it wherever it occurs. Anti-social behaviour orders are now available to be used against any individual who persists in anti-social behaviour that causes harassment, alarm or distress to one or more persons not in the same household. It is for the police and local authorities, working in partnership to reduce crime and disorder as required by the 1998 Act, to decide whether the use of anti-social behaviour orders would be appropriate in any particular circumstance, including on unauthorised encampments.

Regular liaison between the police and local authorities on managing unauthorised camping, and the development of joint protocols clearly setting out respective roles and responsibilities, are important messages in our joint good practice guidance. The police are key stakeholders in any local strategy for managing unauthorised camping, because of their role in the prevention and detection of crime and in maintaining public order. Therefore, it is vital that local authorities and the police each have a clear idea of the other's roles and responsibilities and that they work together to find a solution that suits the circumstances of each encampment. That avoids the potential for confusion, frustration and delay, which cause immense irritation to local residents, who can feel that nothing is being done.

In many areas, local authorities and police forces are already working well together on this difficult issue, enabling them to respond swiftly to incidents of unauthorised camping where there is nuisance or anti-social and criminal behaviour. A recent example is an encampment in south Norfolk, which was causing a nuisance to the local community and which was evicted quickly by the police and the local authority working in partnership, throughout the process. I urge those authorities that have not yet embraced the principle of joint working and the development of protocols to do so quickly.

I understand that, in West Lancashire, a meeting has recently taken place between the local authority, the police and local business representatives in Skelmersdale to try to thrash out a workable solution to handling the

encampments; and that, as a result of that meeting, the local authority and the police have resolved to work more closely together on the issue. That can only be good news, and I am sure that the business community will appreciate the opportunity to participate in constructive discussions about the way forward on an issue of great concern.

Eviction of a large number of travellers inevitably raises the question of where they will go when they are evicted. I have considerable sympathy with local authorities that are faced with such large encampments, which can cause awful problems for local businesses and residents. It would clearly be unrealistic to expect local authorities to be able to offer suitable authorised accommodation to so many people on a long-term basis, although we encourage local authorities in our joint good practice to be receptive to the idea of providing sites in appropriate circumstances. Those may be temporary or permanent, depending upon the accommodation needs of those travellers who visit the area regularly. One of the key messages of the good practice guidance is that local authorities should get to know the travelling patterns in their area and develop policies accordingly. Such sites will usually be on council land where that is feasible and in accordance with local needs. As I said earlier, site provision should be part and parcel of a local authority's overall strategy for managing unauthorised camping.

I appreciate that the provision of sites for travellers is a difficult issue for local authorities to deal with, and that it requires a tremendous level of local political will to get proposals agreed. However, it can often be a more cost-effective option for local authorities than a constant round of evictions and clear-up costs.

I hope that my hon. Friend feels able to reassure his constituents that the Government take the problem seriously. We are committed to ensuring that unauthorised camping can be dealt with effectively and sensitively within the overall framework of the law, which must be our guiding principle. We are determined that anti-social or criminal behaviour by travellers, or anyone else, will not be tolerated. There are protocols and procedures in place that will enable quick, effective and decisive action to be taken to deal with the problem.

Question put and agreed to.

Adjourned accordingly at twenty-seven minutes to Three o'clock.

House of Commons

Tuesday 20 July 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

TRANSPORT SALARIED STAFFS' ASSOCIATION (AMENDMENT OF RULES) BILL

As amended, considered; to be read the Third time.

CITY OF LONDON (WARD ELECTIONS) BILL

Order for further consideration, as amended, read.

To be considered on Tuesday 27 July.

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

The Secretary of State was asked—

European Union (Northern Dimension)

1. **Ms Rachel Squire** (Dunfermline, West): If he will make a statement on the development of a northern dimension to the EU's common foreign and security policy. [90455]

The Minister of State, Foreign and Commonwealth Office (Ms Joyce Quin): The objective of the northern dimension is to improve the co-ordination and effectiveness of the European Union's policies and programmes in its northern regions and to contribute to the developing relationship between Russia, the other states of the Baltic region and the European Union. The Government fully support the initiative.

Ms Squire: Will my right hon. Friend join me in welcoming Finland to the presidency of the European Union and in paying tribute to the crucial role that Finland played in the Kosovo peace settlement, especially through its president, Martti Ahtisaari? Does she agree that Finland's initiative late in 1997 in developing a northern dimension to the European Union's common foreign and security policy recognises the interdependence between the European Union, Russia and the Baltic states and the pivotal role that the EU can play in promoting stability in non-EU areas?

What support have the Government given to the promotion of the northern dimension of EU foreign policy, and what action has been taken?

Ms Quin: I strongly support the points made by my hon. Friend. I join her in welcoming the Finnish presidency of the European Union, and also wish to pay tribute to the officials in my Department who have worked with their Finnish counterparts to help to prepare for that presidency.

I agree with what my hon. Friend said about the Finnish attitude to the northern dimension of EU foreign policy and to the co-operative initiatives that the Finns and others in the EU are trying to build up with Russia and the Baltic states. There are a number of areas of co-operation, such as those signalled by my right hon. Friend the Foreign Secretary when he visited Russia and Murmansk earlier this year.

Mr. Michael Colvin (Romsey): How can we have an effective common foreign and security policy without a defence element, which can be achieved only by amalgamating the Western European Union with the European Union? What are the implications of that for a country such as Finland, which is traditionally neutral?

Ms Quin: The Finnish Government, and the Finnish presidency, are keen to work towards strengthening the common foreign and security policy that was the basis of last year's St. Malo initiative. We are working with the Finns and other nations to find the best way to move forward institutionally, but we all agree that practical results are important. The European Union nations, in co-operation with the NATO countries, need to have the capabilities and facilities to make an effective contribution to peacekeeping tasks. That is what the strengthening of the defence and security initiative is all about.

Indonesia

2. **Miss Melanie Johnson** (Welwyn Hatfield): What plans he has to assist progress towards democracy in Indonesia, and if he will make a statement. [90456]

The Minister of State, Foreign and Commonwealth Office (Mr. Geoffrey Hoon): We strongly support the transition to democracy in Indonesia, to which we attach great importance. We contributed more than £2 million in preparation for the first genuinely multi-party democratic elections since 1955. The money was spent on voter education, BBC local radio projects and assistance for domestic election monitors. We welcome the fact that the elections ran smoothly, and we are considering how we should help consolidate democracy in Indonesia.

Miss Johnson: I thank my hon. Friend for that response, and for the wide-ranging help given by the Government towards establishing full democracy in Indonesia. Will my hon. Friend be especially mindful, and watchful, of the army's role in the country, and give consideration to the freedom of trade unionists such as Mr. Pakpahan? I hope that the Government will support independent trade unions in Indonesia. The previous Government had the opportunity to do that, but did not take it.

Mr. Hoon: I am grateful for my hon. Friend's observations. Certainly, the Government have put a great deal of effort into promoting the observance of human rights in Indonesia. I can tell my hon. Friend that

Mr. Pakpahan was released at the start of President Habibie's period of office. We welcome his release, and the other releases that took place at that time.

Mr. David Heath (Somerton and Frome): Of course we all wish Indonesia well in the conclusion of the electoral process. If and when Megawati Soekarnoputri becomes president, will the Government guard against engaging too enthusiastically with her—in the way that was evident with Presidents Suharto and Habibie—until real advances in human rights, good governance and the provision of support for Indonesia's minority peoples have been achieved? Without the stability that will come with the fairer distribution of resources across the archipelago, are there not real risks for the region?

Mr. Hoon: The hon. Gentleman may be a little over-enthusiastic, as the election result will not be announced until 24 July, making it a little early to anticipate the process that must be followed after a Government have been formed. The election and the count have been a spectacular achievement in democracy for Indonesia and its 128 million voters.

Rev. Martin Smyth (Belfast, South): We welcome that exercise in democracy. Bearing in mind the fact that the Government have yet to be formed and that there will be a referendum on East Timor, has the Minister any thoughts on how democracy might be maintained if speculation is correct that the Indonesian Government are already withdrawing troops and others from Timor?

Mr. Hoon: I am not aware of that speculation. We monitor the situation in East Timor closely, and I held several discussions on it during my recent visit to New York, particularly with my United Nations counterpart. Security is vital in East Timor if consultation is to take place freely and fairly, and we look to the Indonesian Government to create the right conditions.

Ann Clwyd (Cynon Valley): Is my hon. Friend aware of reports that British-supplied Hawk jet aircraft were seen flying low over Dili, the capital of East Timor, last Thursday, and making two low passes over the town? Diplomats on the spot say that that was a macho gesture to remind the East Timorese of who is in charge. Given that we have been continually told that Hawk aircraft are not used in East Timor, will my hon. Friend investigate those reports and make known his objection to such flights?

Mr. Hoon: My right hon. Friend the Foreign Secretary has already written to the Indonesian Foreign Minister to express our concern at press reports that UK-built Hawk aircraft have flown over East Timor. We have reminded the Indonesians that there are no circumstances in which UK-supplied military equipment should be deployed there.

EU Enlargement

3. **Mr. Desmond Swayne** (New Forest, West): What policy objectives he plans to secure under the Finnish presidency of the EU in relation to enlargement. [90457]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): Negotiations to enlarge the European Union have made good progress since the launch of the accession process during the British presidency. Six of the applicant countries have opened detailed negotiations, covering 15 of the 31 chapters of European law. We are working for a commitment by the end of the Finnish presidency to open negotiations on membership with Bulgaria, Romania and others.

The Government are delighted that the Commission post with overall responsibility for external relations, including enlargement, has been secured for a British nominee, Chris Patten. I am sure all his hon. Friends in the Conservative party would wish to congratulate him.

Mr. Swayne: I am sure that the Secretary of State is right on that. However, at the conclusion of the United Kingdom presidency, the Finnish Prime Minister said that enlargement was more problematic than it had been a year before. Does the Foreign Secretary agree that the most important item on the agenda of any presidency, and of the forthcoming intergovernmental conference, must be enlargement so that an outward-looking Europe can be secured?

Mr. Cook: I entirely agree with that sentiment. The British presidency's priority was, with full consensus, the launch and smooth start of the accession process. The recent agreement on Agenda 2000 provides the financial headroom to do that. I am glad to have the hon. Gentleman's support, for once, on European policy, and I assure him that we shall press strongly to make a success of enlargement.

Mr. Donald Anderson (Swansea, East): Will Turkey be invited to the proposed European conference in the later part of the year? Is there any indication of whether Turkey would accept such an invitation? How does my right hon. Friend envisage an improvement coming about in the strained relationship between the European Union and Turkey?

Mr. Cook: I regret that Turkey did not attend yesterday's meeting of European Foreign Ministers. The invitation remains open to Turkey, and we hope that it will be accepted. It is in the interests of both the EU and Turkey that we establish constructive working relationships, and we are ready to do so when Ankara proves ready.

Mr. John Maples (Stratford-on-Avon): I join the Foreign Secretary in welcoming Chris Patten's appointment as a Commissioner. It is good to see the overwhelming victory of the centre right in the European elections reflected by the appointment of at least a few Commissioners of that persuasion.

I have been taking a look at Finland's published programme for its presidency of the European Union. It calls for the extension of qualified majority voting and the end of what it calls "harmful tax competition". Translated, that seems to me to mean a further surrender of the British veto and the imposition of a European savings tax. Can the Secretary of State guarantee that the British Government will vote against those proposals?

Mr. Cook: First, there is an IGC coming—I congratulate the hon. Gentleman on having acquired the

information on that. It will follow on the Portuguese presidency, and the Finnish presidency will be responsible for making preparations for it. If we are serious about the point raised by the hon. Member for New Forest, West (Mr. Swayne)—giving priority to enlargement—the European Union has to carry through the reforms necessary for that enlargement.

I remind the hon. Gentleman that if it had not been for qualified majority voting, we would never have been able to lift the ban on British beef—something that his Government never achieved in all their time in office.

Mr. Maples: Of course, it would not have been imposed in the first place without qualified majority voting. The two issues are linked, because the Finnish presidency document says:

"Work will be pursued on the proposals on the taxation of savings and interest and royalties with a view to reaching agreement before the Helsinki Council meeting."

That will not wait for the IGC. These decisions are imminent and the British people want to know whether the Government will stand up for Britain's interests or conspire as usual to undermine them.

Mr. Cook: Of course the Government will stand up for the British interest. Part of that interest is in making sure that industries on the continent do not receive unfair subsidised tax breaks from their Governments. That is why Britain is proud of the fact that a British Minister is leading the working group on such unfair tax competition. If the hon. Gentleman would go out and talk to industry in Britain, he would find that it was as enthusiastic as we are about achieving a level playing field with our competitors.

Mr. Russell Brown (Dumfries): Has my right hon. Friend seen statements from the Governments of Poland, Hungary and the Czech Republic that they seek membership of the European Union? How does that square with the clear views of Conservative Members who wish to see Britain withdraw from the EU?

Mr. Cook: My hon. Friend makes a perfectly fair point. It is one of the remarkable features of the debate that the Conservative party constantly distances itself from Brussels while the whole of the rest of Europe is queueing up to join the bus that the Tories want to get off.

East Timor

4. **Mr. Andrew George** (St. Ives): What discussions he has had with his opposite numbers in the United Nations regarding the present situation in East Timor; and if he will make a statement. [90458]

The Minister of State, Foreign and Commonwealth Office (Mr. Geoffrey Hoon): I had extensive talks with the United Nations in New York about East Timor as well as other issues between 5 and 7 July. The Secretary-General decided that registration for the delayed United Nations-organised ballot should go ahead on 16 July. The United Nations will, however, keep the security situation under constant review. The Secretary-General will make a further assessment of conditions on the ground half way through the registration period before deciding whether and when the consultation should take place.

Mr. George: In view of the present unstable situation in East Timor prior to the vote, what assessments has the Minister made of the Indonesian Government's apparent intention swiftly to withdraw from the area if the vote goes against them? Does he agree that the Australian Government, which has a joint security treaty with the Indonesians, is now in a strong position to help to bring peace to that area? What contribution will the Foreign Office make towards bringing peace to the area? It is clear that international intervention is becoming more and more likely.

Mr. Hoon: We have sent seven police officers and two military liaison officers to be part of the United Nations mission for East Timor, which is headed by a British United Nations official. It is important that Indonesia fulfil its responsibility to ensure security so that the consultation can go ahead. Contingency plans are being prepared by the United Nations for an early withdrawal by Indonesia from East Timor following the result of the consultation.

Mr. Michael Connarty (Falkirk, East): In the light of the attacks on the UN posts in East Timor, what have the Government done to try to bring to the attention of the new Indonesian Government the clear view that their pro-integrationist militia will not be tolerated in the period running up to a referendum?

Mr. Hoon: Following the attack on 29 June on Maliana, I summoned the Indonesian ambassador to express our deep concern and to request that his Government bring the pro-integrationist militia under control. On 8 July, my right hon. Friend the Foreign Secretary wrote to the Indonesian Foreign Minister about the situation. The EU has been taking similar action. We welcomed last week's visit to East Timor by half the Indonesian Cabinet to assess the security situation. As a result, we anticipate that the situation should be calmer.

Agenda 2000

5. **Mr. Win Griffiths** (Bridgend): If he will make a statement on progress in implementing Agenda 2000. [90459]

The Minister of State, Foreign and Commonwealth Office (Ms Joyce Quin): Legislation implementing the vast majority of the Agenda 2000 package has now been agreed. The whole package was supported by the European Parliament in May. Much of the legislation will come into force from 1 January 2000. The Berlin summit deal on the budget and on policy reform made provision for enlargement. Pre-accession aid of 3 billion euro a year will be available to help the candidates to prepare for accession. Substantial structural funds will also be available for new member states joining between 2002 and 2006.

Mr. Griffiths: Not unnaturally, there has been a great deal of publicity in the United Kingdom for the Government's huge success in achieving funding under

objectives 1, 2 and 3 and also in achieving the safety net. That is especially appreciated in Wales. However, there has not been much publicity for what has been done on the other side of the coin—the progress towards enlargement itself. Will my right hon. Friend enlighten us on that matter?

Ms Quin: In relation to preparation for enlargement, the Government and the EU are doing a great deal. In particular, Departments throughout Government are working with their counterparts in the applicant countries to prepare those countries in specific policy matters. I especially commend to the House the twinning scheme which links our Departments with several Departments in applicant countries. In the second round of twinning, we have won more successful schemes than any other country.

Mr. John Wilkinson (Ruislip-Northwood): Is not the prerequisite for entry to the EU, the ability to join the single currency, a serious impediment to the applicant nations of central and eastern Europe? They should have been allowed to join long since. The Berlin wall fell almost 10 years ago; is it not true that the EU has demonstrated itself to be a rich man's club—more interested in protectionism and feathering its own nest than in showing itself as a true community of outward-looking nations to which the countries of eastern and central Europe are welcome?

Ms Quin: The hon. Gentleman is right to point out that this year is the 10th anniversary of the fall of the Berlin wall. However, I do not draw the same conclusions from that as he does. There is much to rejoice over in the transformation that has taken place during the past 10 years. I am very pleased that the countries of the EU—including our own—have built up so many political and economic relations with countries that were formerly behind the iron curtain. Indeed, the whole process of enlargement and the funds that have been attached to it should show that we are serious in ensuring that we build a constructive relationship with the countries from which we were formerly divided.

Mr. Andrew Mackinlay (Thurrock): Although I accept that the Minister herself has visited the applicant countries for EU membership, when will the Government address the deficiency in their senior members' visits to such countries on behalf of the UK? Is it not true that, after two and a half years of Labour Government, the Secretary of State for Trade and Industry has not visited any of the applicant states? Why is that? Why was priority given to south America and Australia? Is it not true that the Prime Minister has not yet been able to visit any of the applicant states, either? Bearing in mind the fact that Ministers in countries comparable to the UK have kept a high profile, and have advanced the interests of their commerce, in the applicant states, when will the matter be addressed?

Ms Quin: While I appreciate my hon. Friend's strong commitment to the countries of central and eastern Europe, his information is not up to date. There have been many ministerial visits—in fact, I think that there have been five ministerial visits to Poland in the past month. My right hon. Friend the Foreign Secretary has visited all the applicant countries. My right hon. Friend the Prime Minister has visited certain of the candidate countries and plans to do more: his recent visit to Poland was cancelled, but for a reason that hon. Members on both sides of the House should understand, which is the situation in Northern Ireland. Ministerial contacts across the board have improved dramatically over the past year and I hope that my hon. Friend welcomes those efforts. We shall undertake more visits, but our engagement with applicant countries is already at a very high level.

Mr. Archie Norman (Tunbridge Wells): Does the Minister consider it satisfactory that, in the financial forecast developed after the Berlin Council to meet the Agenda 2000 objectives, the financial forecasts for EU budget payments go up by 12 per cent. between 2000 and 2004? Does she consider it satisfactory that, at a time when people are concerned about extravagance and waste in the Commission, the only line in the six years of those forecasts that continuously rises faster than inflation is expenditure on the EU's administration itself?

Ms Quin: I am amazed that the hon. Gentleman does not welcome the financial package that was agreed at Berlin, which stands in stark contrast to the financial packages agreed by the Conservative Governments in 1992 and 1988, under which overall expenditure soared and the bill to the taxpayer was considerable. The most recent round of financial negotiations is the first time such expenditure increases have not resulted. We got a satisfactory solution that included generous receipts to this country in terms of structural funds, but kept well within the ceiling of 1.27 per cent. of EU GNP.

Kashmir

7. **Fiona Mactaggart** (Slough): What discussions he has held with his counterparts in other Governments about the future of Kashmir. [90461]

10. **Ms Jenny Jones** (Wolverhampton, South-West): What plans he has to assist in negotiating a ceasefire by India and Pakistan in Kashmir. [90464]

15. **Mr. Gerry Sutcliffe** (Bradford, South): What assessment his Department has made of relations between India and Pakistan; and if he will make a statement. [90471]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): I have discussed recent developments in Kashmir with the Foreign Ministers of both India and Pakistan. I expect to meet the Pakistani Foreign Minister for lunch next week. My right hon. Friend the Prime Minister saw the Prime Minister of Pakistan last week and subsequently wrote to the Prime Minister of India. The Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Ashfield (Mr. Hoon), has also discussed the latest fighting with the high commissioners of both countries.

In all those contacts, we have pressed on both countries our support for the Lahore process of dialogue and our concern that that process should not be disrupted by an escalation of conflict. We therefore warmly welcomed the withdrawals from the Kargil heights. We hope that that

will open the way to meaningful dialogue between both countries to address all outstanding issues, including Kashmir.

Fiona Mactaggart: I thank my right hon. Friend for that reply. Does he agree that it is high time India and Pakistan resolved their dispute over Kashmir? While India and Pakistan squabble, the people of Kashmir suffer. Does he recall the energy that Commonwealth Heads of Government devoted to tackling apartheid in South Africa? Given that India and Pakistan are both Commonwealth countries, is there a role for the Commonwealth in helping to find a just and lasting settlement in Kashmir that builds on the United Nations resolutions and on the Simla process to bring peace to that troubled region?

Mr. Cook: As my hon. Friend is probably aware, the majority of the population of the Commonwealth lives in Pakistan and India. It pains all members of the Commonwealth to see two strong members of the Commonwealth with so many difficulties between them. I do not know whether there is necessarily a role for the Commonwealth in resolving the tensions between India and Pakistan: in the first instance, both parties would have to agree to seek that mediation. I hope that, now there has been an agreement to withdraw, the way is open to resume the promise that was held out at Lahore of meaningful dialogue between both Prime Ministers, who showed real courage in making that commitment.

Ms Jones: One of my constituents, a British citizen, told me recently that he saw eight members of his extended family killed during the recent conflict in Kashmir. Bearing in mind the fact that the lives of British citizens are being affected by the conflict, and that, last year, both India and Pakistan demonstrated to the world that they have a considerable nuclear capability, may I urge my right hon. Friend to use whatever power he has to press the Governments of India and Pakistan, however difficult it is for them, to stay with the negotiations and make every effort to ensure that the conflict is finally brought to an end? It is beginning to affect us all.

Mr. Cook: I assure my hon. Friend that the content of my conversation with both Foreign Ministers and the contents of my right hon. Friend the Prime Minister's conversation with the Pakistani Prime Minister were exactly along the lines that my hon. Friend urges—namely, that both countries must, through dialogue, seek to resolve the areas of tension between them. My hon. Friend singles out a worrying aspect of the picture: the near-nuclear capacity of both states. Britain has taken a leading role in trying to encourage both countries to sign up to the global non-proliferation regime, and the task force initiated by Britain met again only yesterday.

Mr. Sutcliffe: My right hon. Friend will know that there is a large Kashmiri community and an equally important Indian community in Bradford, both of which are frustrated and concerned about what is happening between India and Pakistan. Does my right hon. Friend agree that that frustration is caused partly because the 1948 United Nations resolution has not been acted upon? Both communities are frustrated at the failure of the international community to deal with the situation and to bring both parties together. The solution can be determined only between India, Pakistan and the Kashmiri community.

Mr. Cook: I agree absolutely with my hon. Friend's last point. This issue must be addressed, in the first instance, by the parties to the dispute: India and Pakistan, who should have regard to the opinion of the people of Kashmir. My hon. Friend touches upon an important issue for us in Britain: we must ensure that the dispute over Kashmir is not imported to this country.

Mr. David Lidington (Aylesbury): Does the Foreign Secretary agree that any political settlement must command the assent of the majority of people in Kashmir? Does he envisage a more proactive role for the United Nations, the Security Council and the Secretary-General in trying to bring the different sides of the conflict together?

Mr. Cook: I agree absolutely that any outcome—if it is to be just and lasting—must be acceptable to the people of Kashmir. However, I do not wish the hon. Gentleman to underrate the difficulty of establishing what is acceptable, particularly given the line of control that divides historic Kashmir. Whether there is a role for the Secretary-General or anyone else is in the hands of the two parties. Both sides must be willing to accept such mediation and good offices before the offer could be productive.

Lorna Fitzsimons (Rochdale): Does my right hon. Friend agree that one of the problems is the Indian Government's refusal to accept a United Nations role? Although it begrudgingly acknowledges that there are monitors on the ceasefire line, the Indian high commission does not agree with the resolution that India took jointly to the United Nations Security Council. Will my right hon. Friend therefore use all his powers to ensure that all international diplomatic players exert whatever influence they have on the Indian Government, first, to monitor human rights; secondly, to demilitarise the zone, which has the highest military/civilian ratio in the world; and, thirdly, to allow free and fair elections to take place in Kashmir? We all agree that, while there is a continuing military presence, there is no chance of democracy flourishing.

Mr. Cook: It is correct that, if we are to make progress in addressing the underlying source of the problem, the only realistic way forward is through interim confidence-building measures. They might include strengthening the observance of the line of control, because UN monitors in Kashmir regularly detect violations on both sides of that line; or greater transparency in human rights matters and the observation of human rights by outside monitors. Those measures could form part of a process that would lead to tackling the underlying issues of tension. I hope, when the Lahore dialogue recommences, that it will be able to address some of those, and other, confidence-building measures.

Anti-Semitism (Russia)

8. **Mr. Andrew Dismore** (Hendon): If he will make a statement on anti-Semitism in Russia. [90462]

The Minister of State, Foreign and Commonwealth Office (Ms Joyce Quin): We continue to be concerned about anti-Semitic incidents in Russia. As I said in my written answer to my hon. Friend's question on 22 June, anti-Semitic comments by Duma Deputies Makashov and Ilyukhin last year caused widespread outrage. The recent stabbing in the Jewish cultural centre in Moscow also reminds us of the dangers of extremism. We instigated European Union presidency representations on anti-Semitism in January, and my right hon. Friend the Foreign Secretary raised the issue with the Russians during his visit to Russia in March.

Mr. Dismore: I am grateful to my right hon. Friend for her statement. Clearly, there is grave concern in the Jewish community which is fuelled by the growth of anti-Semitic statements such as those that she mentioned and the attacks on synagogues in Moscow and the far east in May, including, most recently, the appalling attempted murder last week of Mr. Kaimonarsky, the director of the Jewish cultural centre in Moscow. Although the Russian Government promise that they will take action, very little appears to have happened on the ground. When Mr. Igor Ivanov, the Russian Foreign Minister, comes to London tomorrow for a two-day visit, will my right hon. Friend raise with him our concerns about the extremely worrying lack of action and find out whether something practical can be done to deal with the problem?

Ms Quin: Certainly, human rights will be one of the issues on the agenda for the discussions between my right hon. Friend and the Russian Foreign Minister, Mr. Ivanov. We constantly seek information about that area of policy via a number of routes, including, not least, our embassy, and we make representations whenever it is appropriate. I also discussed those issues with the President's human rights adviser, Professor Kartashkin, when he visited London earlier this year.

Mr. John Bercow (Buckingham): When the Foreign Secretary made representations about the offensive statements by Russian Deputies, was any apology, whether direct or indirect, forthcoming? In considering the problem of anti-Semitism among the Russian population as a whole, will the right hon. Lady accept that economic adversity, although it can never justify or excuse that evil, provides fertile ground for its continuation? Does she therefore agree that early pressure on the Russians to undertake the reforms necessary for economic progress is of the utmost importance?

Ms Quin: First, shortly after Deputy Makashov's original outburst, President Yeltsin condemned such racial intolerance, and I understand that the Russian authorities have brought charges against Deputy Makashov, so action has been taken.

On the more general issue raised by the hon. Gentleman, obviously we are engaged in dialogue with the Russians on a number of economic and social issues, including economic assistance resulting from International Monetary Fund negotiations. The European Union is formulating a common strategy towards Russia, which is an attempt to have a strategic overview in our relations with the Russians, including economic and social issues. We are concerned to ensure that our policies, particularly on aid and trade, help to tackle some of the problems and have an impact in Russia as a whole.

Middle East

11. **Mr. John Gunnell** (Morley and Rothwell): When he next expects to meet representatives of the Israeli Government to discuss the middle east peace process. [90465]

12. **Dr. Brian Iddon** (Bolton, South-East): If he will make a statement on the UK's relations with the Palestine National Authority. [90467]

13. **Mr. Tony Colman** (Putney): If he will make a statement on Her Majesty's Government's relations with the state of Israel. [90468]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): The new Prime Minister of Israel, Mr. Ehud Barak, will call on my right hon. Friend the Prime Minister tomorrow. We warmly welcome his bold inaugural speech in which he committed himself to achieve

"a peace of the brave".

His early meeting with President Arafat and his commitment to implementing the Wye agreement provide earnest of his good intent.

The people of Israel voted overwhelmingly for peace. Britain will help in any way that we can to support the search for a stable and secure peace for all the peoples of the region.

Mr. Gunnell: I join my right hon. Friend in warmly welcoming the change of atmosphere since Mr. Barak took control. However, for the past few years, under Mr. Netanyahu's direction, there was continued settlement building in the west bank and east Jerusalem. In his discussions with Israel, will my right hon. Friend make it clear that it is important to reverse that position to assist the peace process?

Mr. Cook: I absolutely agree with my hon. Friend that the essential basis for any progress on the peace agreement is the principle of land for peace. For that reason, we have continued to criticise unilateral breaches of the peace agreement by the expansion of settlements on the occupied territories, which we consider illegal. We shall certainly explore that as part of the peace process. Any final settlement will need to be a package, and one acceptable to both sides—Palestinian and Israelis alike.

Dr. Iddon: The announcements from Washington yesterday were particularly encouraging. The Palestine National Authority's economy is badly damaged by severe restrictions on movement of goods and people, especially between Gaza and the north and south of the west bank. Does my right hon. Friend agree that, as a further boost to the peace process, it is important to press for implementation of the parts of the Wye agreement that address that very problem?

Mr. Cook: Yes. We warmly welcome Mr. Barak's commitment to proceed with the Wye agreement and to implement it. That must be one of the best steps towards confidence-building before we can start on the final stages of talks. My hon. Friend is absolutely right about the inconvenience, irritation and very deep economic impact

of the restrictions on movement in the Gaza strip and the west bank. If we are to ensure that the peace process can continue in a stable and lasting way, we must be able to show the people of Palestine its benefits to them individually and its economic gains to their society.

Mr. Colman: I am sure that the whole House will welcome Prime Minister Barak on his visit tomorrow. It shows the very high standing of my right hon. Friends the Foreign Secretary and the Prime Minister. I am obviously concerned about ensuring that the peace process moves forward at great speed. The Wye plantation agreement was accompanied by a memorandum of understanding on arrangements, should the agreement go forward, between British armed forces and Israeli defence forces. Prime Minister Barak has famously called the middle east

"a tough neighbourhood to live in".

As we go forward on the bitter choices of return of land, should not the security vacuum that may arise from it be filled by ensuring the full implementation of the memorandum of understanding between the two Governments?

Mr. Cook: We did sign a memorandum of understanding separately from the Wye agreement, to which we would certainly be committed. We have worked very hard with the Palestine National Authority to assist it with technology and capacity to ensure security, and have provided British advice and support in that effort. It is very important that, although we cannot provide a 100 per cent. guarantee of security, there must be a 100 per cent. effort to achieve security—without which neither side can trust the peace process.

Dr. Julian Lewis (New Forest, East): Does the Foreign Secretary welcome signs—according to reports in today's press—that in response to Israeli peace initiatives, the Syrian Government appear to be instructing Hezbollah to lay down its arms and stop waging its proxy war against Israel in the Lebanon? Is he concerned by reports that Hezbollah is apparently resisting those demands? In the context of any peace settlement between Israel and Syria, does he agree that in order to lay many of the ghosts of the past, it is important that the Syrian Government cease their decades of sheltering Aloïs Brunner, who, as the right hon. Gentleman will be aware, was Adolf Eichmann's henchman in charge of implementing the holocaust in France?

Mr. Cook: I am not in a position to confirm the reports in the press over the past 24 hours about Syria's calling on radical groups to refrain from armed resistance to Israel or to the peace process, but if they can be confirmed, they are very welcome. For today, that is perhaps the appropriate response. Plainly, as we enter into dialogue with Syria, and as Israel carries that forward, there may be other matters to be addressed. If Syria's response is confirmed, it underlines Mr. Barak's courage and wisdom in making a commitment to seek the withdrawal of Israeli troops from south Lebanon in one year. The peace process must be comprehensive; it must proceed on all tracks, not just the Palestinian track. There is now hope that we may be able to take that process forward in the next 12 months.

Mrs. Cheryl Gillan (Chesham and Amersham): May I, like the Foreign Secretary, welcome any progress that is made on the peace settlement in the middle east and offer the Opposition's support to Prime Minister Barak on the occasion of his visit tomorrow?

Does the Foreign Secretary agree that, in the complex and sensitive discussions on the peace process, the Foreign Office should always use Ministers and highly trained professional diplomats? Will he therefore explain why, earlier this year, he used, as an envoy to King Abdullah of Jordan and President Assad of Syria, the Prime Minister's chief crony and Labour party fund raiser, Lord Levy? Will he explain how Lord Levy earned the privilege to represent the United Kingdom in that sensitive area, instead of elected Ministers and trained diplomats?

Mr. Cook: I can give the House and the hon. Lady absolutely no assurance that we shall use only Ministers or official diplomats in areas of sensitivity. If the hon. Lady ever occupies this side of the Chamber, she will discover that it is quite normal, where there are sensitive issues to be taken forward, for Prime Ministers to use special envoys.

Moreover, if the hon. Lady had seen—as I have seen—the telegrams from our posts in Jordan and Syria, she would know that both paint a glowing portrait of the success of those visits, the strength of relations that Lord Levy established and the way in which he was able to take forward dialogue on the peace process with Syria, which may partly have influenced yesterday's statement. I believe that those visits did a good job for Britain and a good job for our relations and the peace process. I wish that Conservative Members would stop carping when we establish good high-level contacts with leaders in the region.

Dr. Phyllis Starkey (Milton Keynes, South-West): Mr. Barak has been quoted as saying that although he wishes to stop the illegal settlement on Ras al-Amud, it is too late to stop the development on Har Homa. Can my right hon. Friend confirm that Har Homa's development would be in defiance of international law and the fourth Geneva convention, and that if the Israeli Government wish to stop that development, they can?

Mr. Cook: My views on Har Homa are well known in Israel and here. Any unilateral breach of the peace process is unhelpful to the peace process as a whole. In fairness to Mr. Barak, he can no more put back the clock to the start of the Netanyahu Government than this Government could put back the clock to 1979. He has to start from the point at which he inherits. We very much welcome the commitment that he has shown to the peace process. We shall be happy to discuss with him tomorrow how he takes it forward.

Iran

14. **Mr. Tom Brake** (Carshalton and Wallington): What plans he has to improve relations with Iran; and if he will make a statement. [90470]

The Minister of State, Foreign and Commonwealth Office (Mr. Geoffrey Hoon): Our policy towards Iran aims to encourage the reforms already under way in Iran while pressing for improvements in those Iranian policies that are of concern.

We strongly support the Iranian Government's efforts to improve relations with their neighbours, to properly enforce the rule of law, and to achieve full freedom of speech. That support was demonstrated by the successful meeting between my right hon. Friend the Foreign Secretary and the Iranian Foreign Minister last September, followed by the exchange of ambassadors with Iran this May.

Mr. Brake: I thank the Minister for his statement. Is he aware that his twin-track policy towards Iran is causing concern among the Jewish community, the National Council of Resistance of Iran and other groups? They consider that a single-track policy that focuses on human rights would be more appropriate. In relation to the Jewish community, will Ministers seek assurances from the Iranian authorities that the 13 members of the Jewish community who are currently detained will have access to family visits and kosher food, will have adequate legal representation, and will have a fair and open trial?

Mr. Hoon: Our twin-track policy does focus on human rights—it is part of the twin track to ensure that where there are continuing concerns about human rights abuses in Iran, we raise those vigorously at every level with the Iranian Government. In particular, on the point about Jewish detainees, I invited the Iranian ambassador to the Foreign Office on 1 July and urged him to ensure that there would be a fair trial and access for visitors, together with legal representation. I received assurances on each of those matters. In particular, I understand that visits have now been allowed.

Mr. Mike Gapes (Ilford, South): Does my hon. Friend share my concern at the reported remarks by leading members of the military in Iran against the policies of the elected President, and the fact that there is clearly a danger of a serious backlash and reactionary moves away from the limited liberalisation that has taken place so far? Will he assure the House that as well as taking up the issue of minorities—including the Jewish minority—in Iran, we will not tolerate any reversion to the dreadful reactionary policies that were adopted under Khomeini?

Mr. Hoon: That is the essence of the Government's twin-track policy—to encourage reform, and at the same time to concentrate on areas of continuing concern. If my hon. Friend is referring to recent events in Iran, I think that it is still too soon to make judgments about their outcome. It is right for the Iranian people to resolve those matters, particularly the role of the army.

Mr. Peter Viggers (Gosport): Is the Minister aware that a considerable number of hon. Members recently attended a briefing on Iran by the BBC? We were all impressed by the quality and breadth of that briefing. Will he join me in paying tribute to the work of the BBC external services, which probably do more than any other institution to promote knowledge and understanding, especially in countries suffering some form of internal difficulty?

Mr. Hoon: I was not aware of that particular briefing, but I happily join the hon. Gentleman in congratulating the BBC on the excellent work of its external services, which serve as a source of information for large numbers of people around the world who otherwise would not have access to that information, because of the policies of their Governments.

Kosovo

16. **Mr. Nigel Griffiths** (Edinburgh, South): What recent discussions he has had with his EU counterparts on the reconstruction of Kosovo. [90472]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): My European Union colleagues and I discussed the reconstruction of Kosovo at yesterday's meeting of the General Affairs Council. We will discuss it again next week at the Sarajevo summit of the stability pact.

We have won the military conflict that has liberated Kosovo from oppression, but our task will not be complete until we have won the peace by building a sustainable economy and a democratic society for all the people of Kosovo.

Mr. Griffiths: Does my right hon. Friend share my concern about reports that the United Nations is running out of money to fund the vital reconstruction of villages such as Qirez and Polac, which I visited in the last weekend of June, and where every house, school and mosque has been destroyed?

Mr. Cook: My hon. Friend, from the evidence of his own visit, is right to draw the attention of the House to the task that remains before us, which is immense. I do not think that the final problem will be one of resources. The European Union and the International Bank for Reconstruction and Development together will undertake most of the reconstruction effort, and resources are available to them and have already been earmarked within the EU. However, we are concerned at the slow pace of development on the ground. That is why we supported the appeal by the Secretary-General of the United Nations for a trust fund to start now on small projects that can provide confidence and hope in Kosovo, and why Britain was the very first member of the United Nations to make a contribution, by offering $1 million.

Miss Anne McIntosh (Vale of York): Will the Foreign Secretary confirm that conditions will be attached to the reconstruction aid being given through the European Community? Will he also say which specific external programmes will be cut because of the additional reconstruction aid agreed by the Budget Council last week?

Mr. Cook: I am not sure what conditions the hon. Lady has in mind. Let us be clear that we are providing the money not to any Government of Kosovo, and far less to any Government of Yugoslavia. The funds being provided for the reconstruction of Kosovo are part of a United Nations effort, of which we are part. We will, of course, want to make sure that that money is used prudently. On the question of the budget, the money will come from category 4, which at present is underspent, and we do not anticipate other parts of category 4 being cut back.

Dr. Nick Palmer (Broxtowe): I understand from animal welfare groups that the state of meat control in Kosovo is extremely serious, because the Serbian heads of the meat management departments who controlled the quality of meat have left and taken much of the equipment. It seems to be a general problem that a great deal of the administration of Kosovo is no longer functioning because of the withdrawal of the Serbian management.

A constituent of mine inquired about the possibility of going to Kosovo to help with the peacekeeping efforts in a specialist role, and was told that the Foreign and Commonwealth Office was promoting such vacancies for British staff there. That was news to me, as it may be to a number of hon. Members. Will the Foreign Secretary encourage hon. Members to seek constituents who can help in such specialist roles in Kosovo for short-term periods while the economy gets back on its feet?

Mr. Cook: I congratulate my hon. Friend on finding a question relating to the reconstruction of Kosovo that I have never previously been asked. I shall consider it and write to my hon. Friend. On the broad principle, he is right. One of the revealing features about the extent to which the 1989 autonomy was cancelled by Serbia, is the stark degree to which all public industry and services were in the hands of Serbian, not Kosovo-Albanian, management. Many of those dismissed in 1989 are still in Kosovo and available to undertake such tasks, but in the short run there is an immense appetite within Kosovo for people with specialist skills who can help in the management of the reconstruction. We have appealed for such people—not just from central Government, as there is also a real role to be played by local government servants working at a local level in Kosovo.

Mr. Paul Keetch (Hereford): I understand the huge and urgent requirement for reconstruction in Kosovo, but can the Foreign Secretary assure the House that that aim will not divert the Government from their long-term strategic support for other countries in the region, most notably, Macedonia, Montenegro and Albania?

Mr. Cook: The hon. Gentleman is right. When we travel to Sarajevo next Friday, we will have an opportunity to give the countries of the region the clear message that we are determined that the outcome of the Kosovo conflict will be a turning point for the region and that we will bring down trade barriers with the countries of the region, promote a climate for private investment there, and tackle the security issues which have resulted in far too high military expenditure in some of the countries of the western Balkans. We must ensure that we not only reconstruct Kosovo, but act throughout the region to prevent future conflict of the same kind.

Turkey

18. **Mr. Robert N. Wareing** (Liverpool, West Derby): If he will make a statement on Her Majesty's Government's relations with Turkey. [90474]

The Minister of State, Foreign and Commonwealth Office (Ms Joyce Quin): The United Kingdom is keen to continue to build constructive relations overall with the Turkish republic. I recently visited Turkey from 12 to 14 July, when a number of issues were discussed.

Mr. Wareing: Have real representations been made to the Turkish regime about the way in which it has suppressed the Kurdish population for years and years? How can we regard Turkey as a democracy when it deals with part of its population in that way? What positive steps will now be taken by the international community—to borrow a phrase—to put right the conditions in that country so that it can enter the world community on the same basis as other democracies?

Ms Quin: On my visit, I raised a number of human rights concerns, including the treatment of people within Turkey's own borders with regard to laws controlling freedom of expression and some of the court and legal proceedings there. The new Government have introduced a number of measures to the Parliament in the past month, which are welcome steps, but there are also a number of ways, through our mutual membership of organisations such as the Organisation for Security and Co-operation in Europe and the Council of Europe, in which those real matters of concern can be pursued.

Cyprus

20. **Mr. Robin Corbett** (Birmingham, Erdington): When he next plans to consult his European Union partners on further approaches to resolve the Cyprus problem. [90477]

The Minister of State, Foreign and Commonwealth Office (Ms Joyce Quin): We and our EU partners are in regular contact about Cyprus and continue to give strong support to the United Nations Secretary-General's efforts towards a settlement in Cyprus. The members of the G8, which met on 20 June, and the UN Security Council, which met on 29 June, have urged the Secretary-General to invite the leaders involved in Cyprus to enter without pre-conditions comprehensive negotiations starting in the autumn. My right hon. Friends the Prime Minister and the Foreign Secretary have assured the Secretary-General that he will have our full support in efforts to get those negotiations under way.

Mr. Corbett: I thank my right hon. Friend for that reply. Will she and my right hon. Friend the Foreign Secretary reflect on the fact that today is the 25th anniversary of the cruel and tragic division of that island? I urge her and all Foreign Office Ministers to renew their efforts to persuade the authorities in Ankara to understand that any ambitions that they may have to join the European family of nations cannot be fulfilled unless and until they facilitate a settlement of the Cyprus problem.

Ms Quin: My hon. Friend is right to remind the House of today's anniversary, and I know that an early-day motion referring to it has been tabled. He is also right that we should renew and redouble our efforts to make progress towards resolving the Cyprus issue and I made that point forcefully during my visit to Turkey last week.

Points of Order

3.31 pm

Mr. John Swinney (North Tayside): On a point of order, Madam Speaker. My point of order relates to the title of this afternoon's Opposition day debate on health care provision in the United Kingdom. On 1 July, when responsibility for health policy was transferred from Westminster to the Scottish Parliament, you were a very welcome visitor to Edinburgh for the Parliament's opening. Is it appropriate for a debate on health care provision in the United Kingdom to take place in the House of Commons, bearing in mind the fact that the Scotland Act 1998 has come into effect and legislative competence on health policy has been transferred from Westminster to Edinburgh, or is this another example of the Conservative party's inability to come to terms with constitutional change?

Madam Speaker: No question of order arises. Let me tell the hon. Gentleman that the devolution statutes have, of course, altered ministerial responsibility, and they therefore affect questions and Adjournment debates to which such responsibility is directly linked, but debates on abstract motions, such as the one to which the hon. Gentleman refers—*[Laughter.]* Debates on such motions are not limited in the same way.

Mr. John McDonnell (Hayes and Harlington): On a point of order, Madam Speaker. I apologise for not giving you adequate notice of my point of order; I have no excuse save my own incompetence. I raised a point of order during last week's debate on the City of London (Ward Elections) Bill relating to the fact that a Minister has to make a statement before Second Reading on the compatibility of all Government legislation with the Human Rights Act 1998, which the House passed last November. The response of the Chairman of Ways and Means to my point of order was:

"No similar provision occurs in the case of either private Members' or private Bills."—[*Official Report*, 14 July 1999; Vol. 335, c. 464.]

That means that the House will debate the Bill without having legal advice on its compatibility with the human rights convention, an onus that I believe was placed on us by the 1998 Act.

In addition, I believe that the promoters of the Bill have received legal advice, but it has not been published. The House has neither its own independent advice nor access to the legal advice given to the promoters. I would welcome your consideration of how we should proceed on that matter.

Madam Speaker: I know that the hon. Gentleman was advised by the Chairman of Ways and Means that private Bills are not covered by section 19 of the Human Rights Act 1998. That Act obliges a Minister in charge of a public Bill to make a statement of compatibility. If he wishes to change the law, he will have to invite the Government to do so or he might have to introduce a Bill himself. If I can be of any further help, I will certainly look at what he has said and come back to him, but I doubt that I can do anything more at this stage.

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Madam Speaker. I also apologise for not having given you due notice of this point of order, and I am not expecting an immediate answer. I should like to ask you to reflect on the proceedings last night under the business of the House motion concerning the Railways Bill, as recorded in column 899 of *Hansard*. A number of issues arose during a fascinating debate. The Deputy Speaker advised us that the matter did

"not have to come under a Standing Order",

and that the motion fell

"to be determined on its merits."

When my hon. Friend the Member for Worthing, West (Mr. Bottomley) asked whether there had to be a Second Reading of the Bill in the next Session, the reply was:

"That is not a matter on which the Chair can rule—it is a matter to be elicited in the course of debate."—[*Official Report*, 19 July 1999; Vol. 335, c. 899.]

That experimental procedure—it was quite clear that it was experimental—leaves unresolved a number of important questions, not least the status of any changes that the Select Committee may seek to make to the Bill as a result of its deliberations. That would, in turn, lead on to the question whether such a Bill in those circumstances required a Second Reading distinct and separate from the first Second Reading.

The House is in an odd position. We are in a state of complete uncertainty as to the status of the Second Reading, the Select Committee deliberations and so on. It would be helpful if you would think about this matter, Madam Speaker, and let the House know your views before the recess.

Madam Speaker: The motion that was passed by the House last night was a free-standing motion, and it was not under any Standing Order. Had it been so, that would have been shown on the Order Paper. The effect of the motion is that the Bill is not committed to a Standing Committee under Standing Order No. 63, but stands referred to the Select Committee on the Environment, Transport and Regional Affairs. I shall ponder what the right hon. Gentleman said, and if I can be of any further help, I shall come back to him.

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. During your response to the hon. Member for North Tayside (Mr. Swinney), the House giggled sympathetically when you used the phrase "an abstract motion". With respect, is that not ducking rather an important issue? What is to be classified as an abstract motion and what is not? Some of us would like guidance on what motions affect the whole of the United Kingdom and what areas—alas, in the opinion of some of us—are no longer the responsibility of the House of Commons. This is a very important issue.

Madam Speaker: I made a statement to the House last week. There is no ducking of any issues. If the House of Commons finds what I say amusing, hon. Members can laugh about it by all means. We should express ourselves in various ways.

Mr. David Wilshire (Spelthorne): On a point of order, Madam Speaker. I, too, apologise to you for not giving you due notice. Late last night in the debate about the procedures that we were to follow on the Railways Bill,

at column 922 of *Hansard,* I drew the House's attention to Standing Order No. 65, which says:

"All Committees to which bills may be committed . . . shall have power to make such amendments therein as they shall think fit".

I wonder whether you could, on reflection, give us some guidance on whether we are able, in the usual way, to table amendments that the Select Committee would have to consider, as though it were a Standing Committee. If any Member of the House tables such an amendment, how is a Select Committee to handle it, and how is the Committee to report the Bill back to the House for us to consider those amendments at a later stage?

Madam Speaker: As I said to the right hon. Member for Bromley and Chislehurst (Mr. Forth), who raised a point of order with me on a similar issue, I have not been given notice of these complicated questions so I shall report back on those matters.

Mr. John Bercow (Buckingham): On a point of order, Madam Speaker. I, too, apologise for failing to give you any notice of my point of order, which follows on from that of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth). He has just pointed out the fact that, last night, the House was advised from the Chair that we should wait to discover whether there would be a second Second Reading, a fact that we were intended to find out in the course of debate. Given that we did not do so, and that you have kindly agreed to look into this matter, can we be told how in future, if such a situation recurs, we are to discover well in advance of any such second Second Reading that it will take place?

Madam Speaker: That may be an issue that has very little to do with the Chair, but a good deal to do with the Government. However, I will look at the points of order that have been raised concerning the issues that were dealt with last night.

Mr. Dalyell: On a point of order, Madam Speaker.

Madam Speaker: I have already taken a point of order from you, Mr. Dalyell. Please resume your seat.

Mr. Nick St. Aubyn (Guildford): On a point of order, Madam Speaker. When you are considering the complicated events of last night, will you bear it in mind that, during our proceedings, Mr. Deputy Speaker advised us that we were debating a committal motion, and not a continuation motion? With the greatest respect, that would seem to be somewhat at variance with your thoughts this afternoon, which make a great deal more sense to me—

Madam Speaker: Order. They are not at all at variance. It was a committal motion last night.

Mr. St. Aubyn: I apologise.

Madam Speaker: So you should. What is your point of order to me?

Mr. St. Aubyn: My point of order is that you have just told the House that the Bill was not committed to the Select Committee.

Madam Speaker: It was committed to a Select Committee. It was not committed to a Standing Committee under Standing Order No. 63, but stands referred to the Environment, Transport and Regional Affairs Committee. Perhaps hon. Members should listen clearly to what I have to say and refer to the *Official Report* tomorrow.

Mr. Dalyell: On a point of order, Madam Speaker. I hesitate to cross you, but are you prepared to issue a Speaker's certificate to any motion or item of business that is abstract, as this is a matter of considerable consequence to Scottish Members of Parliament?

Madam Speaker: The answer is no. Abstract is a term of art, and I have a very wide vocabulary.

Scottish Adjacent Waters Boundaries (Amendment)

3.41 pm

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I beg to move,

That leave be given to bring in a Bill to require the Government to consult interested parties on whether to designate the coastal waters off Berwickshire as Scottish internal waters and to report to Parliament; and for connected purposes.

I seek leave to introduce a Bill whose purpose is to reopen the consultation process undertaken prior to the implementation of the Scottish Adjacent Waters Boundary Order earlier this year. I am particularly interested in the section of the order which affected 6,000 square miles of what was previously understood to be Scottish waters off the coast of Berwickshire. By virtue of the order, the area—known locally as the Berwickshire bank—now comes under the legal jurisdiction of England.

The Bill, if enacted later this Session, would require the Secretary of State for Scotland to reopen the formal process of consultation with fishing and other interested parties, and report back to Parliament. It may be unusual to introduce a parliamentary Bill for this purpose, but I believe that that is the only option open to Ministers—I note with satisfaction that the Under-Secretary of State for Scotland is in his place—if local people in Berwickshire, and the Scottish Fishermen's Federation, are to have a meaningful chance to have their views considered and heard properly.

The Scottish Adjacent Waters Boundary Order 1999 was introduced to create a Scottish zone within British fishery limits. Scots law for sea fisheries applies within the zone created by the order. The order was an integral part, and inevitable consequence, of the overall political settlement enshrined in the Scotland Act 1998. It sets out the boundaries by listing the necessary Ordnance Survey co-ordinates in schedules attached to the order. It was debated in Committee on Tuesday 23 March 1999.

I fully accept that it is not a trifling matter to seek to revisit a statutory instrument properly laid and debated by the House so soon after it has been implemented. Nor do I make any charge against Ministers who, I am sure, acted in good faith at the time. However, they were advising interested parties, including local Members of Parliament, that there was no cause for any concern in the boundary changes and that there would be no practical difficulties for the fishing industry.

Ministers believed that they got a good settlement for Scotland in the totality of coastline classification as waters adjacent to Scotland, and I agree with that judgment. I certainly agree with the judgment as it relates to the national Scottish position, but I believe that the consultation process—in so far as it was carried out on the local situation—was flawed, and flawed in particular in relation to the Berwickshire bank.

I further believe that the Standing Committee was not in full possession of all the principles and facts used internationally in deciding boundary questions between competing jurisdictions. Moreover, because of a lack of adequate notification, the Committee could not possibly have known of the strength of local feeling against the proposals.

I should like now to deal very briefly, in turn, with each of those matters—the first of which is the defect in the consultation system used. The Eyemouth and District Fishermen's Association and the Scottish Fishermen's Federation are very angry that the order was made without any of the usual consultations that are held between the Scottish Office and fishermen's organisations. When, for example, the Scottish Office undertook a review of controls of inshore fishing in Scotland, numerous organisations were personally contacted. The Government maintained, however, that the arrangements in the order involved nothing very significant, and that that had been pointed out by the former Scottish Office Minister, the hon. Member for Central Fife (Mr. McLeish), who, in Standing Committee, said:

"I fear that hon. Members are reading a bit too much complexity into the matter and suggesting that there is something either sinister or cynical about the measure."—[*Official Report, Third Standing Committee on Delegated Legislation*, 23 March 1999; c. 14.]

Additionally, the Secretary of State for Scotland, in his letter to the Scottish Fishermen's Federation, dated 13 July, said:

"decisions on the location of these"—

boundaries—

"are matters solely for the UK Government".

He went on to say that

"the location of the boundary line has no substantive impact on the rights of Scottish fishermen to operate throughout UK waters."

Fishermen's organisations, and the fishermen who fish off the Berwickshire bank, do not agree with those propositions.

My hon. Friend the Member for West Aberdeenshire and Kincardine (Sir R. Smith), who was a Committee member when it considered the order, said that he was unaware that there had been no consultation with the Scottish fishing industry. He has subsequently asked the Government to reconsider the order and review the east coast boundary.

In the Standing Committee, my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) was not alone in expressing concern about the implications of what the Committee was being asked to decide. He said:

"I retain a certain nervousness. I want to be sure that the principles that he"—

the Minister—

"describes have been applied correctly and that, if they prove to have been in error, it is recognised that we shall have to return to the issue, if necessary with a modified order."—[*Official Report, Third Standing Committee on Delegated Legislation*, 23 March 1999; c. 11.]

Therefore, in common with other hon. Members in the Standing Committee, my right hon. Friend the Member for Berwick-upon-Tweed was totally unaware that the Government had failed to consult properly any of the fishermen's organisations.

Secondly, there are also important questions of international law. The Secretary of State for Scotland has argued that median lines are the commonly accepted approach, used internationally, to determining boundaries. On further investigation, however, and with the help of the Library, I have discovered that the main court in adjudicating disputes on maritime boundaries—the International Court of Justice—has never accepted that equidistance should be an absolute rule. Indeed, in the recent dispute on which it adjudicated—between Denmark, Holland and Germany—it was established that the overriding principle should be equitable settlement, rather than strict geometric equidistance.

Significantly, equitable settlement allows for resource and historic use considerations to be taken into account. Therefore, if a truly equitable settlement is to be reached in this case, a proper statutory period of consultation must now occur.

The third, and final, issue is the order's impact on the local fishing industry. Berwickshire fishermen believe that the new boundary will result in administrative and legal problems—for example, Scottish fishermen accused of an offence in the zone south of the new boundary would be tried in an English court. Apart from considerable time, trouble and expense, an English lawyer would have to be hired, as the vessel's Scottish lawyer would have no right of appearance in an English court.

The order creates the absurd situation of there being two quite distinct jurisdiction boundaries in the sea area east of Scotland and England, off the coast of my constituency. Consequently, fishing vessels operating between those lines, if fishing, would be in England, whereas they would be in Scotland if engaged in non-fishing activities. That is exactly the type of nonsensical situation that Standing Committee members, when considering the order, wished to be assured would be avoided.

Berwickshire fishermen certainly believe that the boundary has always—for at least the past century—been at Marshall meadows. Conventionally, the sea boundary went due east from that point, and, 30 years ago, that was confirmed by the definition of the oil fields' location.

The purpose of the Bill, therefore, is to try to reflect the view of local people and of fishermen's organisations that the issue is serious and that it will not go away. If it is not addressed now, it could produce difficult situations in the future. If it is not dealt with in a constructive and conciliatory manner, the sense of betrayal that local people feel will grow.

Fishermen in Scotland are looking to the Secretary of State to engage in meaningful, fresh consultation. This ten-minute Bill would allow for fishermen's demands to be considered and addressed, and I commend it to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Archy Kirkwood, Mr. Michael Moore, Mrs. Ray Michie, Mr. Donald Gorrie and Sir Robert Smith.

SCOTTISH ADJACENT WATERS BOUNDARIES (AMENDMENT)

Mr. Archy Kirkwood accordingly presented a Bill to require the Government to consult interested parties on whether to designate the coastal waters off Berwickshire as Scottish internal waters and to report to Parliament; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 23 July, and to be printed [Bill 145].

Opposition Day

[19TH ALLOTTED DAY]

Health Care

3.50 pm

Madam Speaker: I have selected the amendment in the name of the Prime Minister.

Dr. Liam Fox (Woodspring): I beg to move,

That this House notes the failure of the Government to deliver improvements in the provision of health care in the United Kingdom, resulting in increased waiting times for patients, plummeting morale in the medical and nursing professions, distortion of clinical priorities and the increasingly widespread rationing of drugs and treatments; and believes that repeated announcements, soundbites and photo opportunities are no substitute for a coherent and effective health policy.

After more than two years, we can now start to compare new Labour's promises with what it has actually delivered. We can compare what it said that it would do, and often pretends that it is doing, with the reality of the health service that patients experience and within which doctors and nurses work every day.

As of this morning, two thirds of the trusts and half the health authorities expect underlying recurrent expenditure to exceed income by the end of the year. More than one third of trusts intend to cut direct service provision this year to balance their budgets.

The debate is about the widening gap between the growth in expectations and the ability of the service to deliver quick results.

Mr. Geraint Davies (Croydon, Central): Will the hon. Gentleman give way?

Dr. Fox: I can deliver quick results, but not that quick. No thank you.

The debate is also about the competence of a Government who make announcements about the same spending over and over again and engage in gimmicks and soundbites to hide the intellectual vacuum in a Department that denies that rationing in our health care system even exists.

Mr. John Swinney (North Tayside): Will the hon. Gentleman give way?

Dr. Fox: A surprise appearance. I shall give way to the hon. Gentleman.

Mr. Swinney: The hon. Gentleman has raised the issue of competence and I want to probe that issue further in the context of the motion. The motion is about health care provision in the United Kingdom, but with effect from 1 July, control of health policy was devolved from this Parliament to the Scottish Parliament. How competent is the Conservative party to move a motion about health care provision in the United Kingdom, when that is a matter over which this Parliament no longer has the power to exercise control?

Dr. Fox: I am sure that had the motion been out of order, you would have ruled it out of order,

[Dr. Fox]

Madam Speaker. Besides, all citizens of the United Kingdom are entitled to free treatment wherever they go in the United Kingdom. Furthermore, this Parliament is responsible f making the money available for health care in all parts of the United Kingdom—and long may it remain so.

Mr. Dale Campbell-Savours (Workington): Will the hon. Gentleman give way?

Dr. Fox: No, but I will in a little while.

It is interesting to note how the disappointment that now exists among large sections of the electorate came about. On 1 July 1996, in "The Road to the Manifesto"—which for her was to be a short road to the Back Benches—the right hon. Member for Camberwell and Peckham (Ms Harman) wrote:

"Labour will cut NHS waiting times".

The facts are a little different. In March 1997, 30,100 patients had waited more than a year to be seen. By the end of May this year, 48,300 people were in that position—a 61 per cent. increase.

In December 1996, the Secretary of State for Culture, Media and Sport, who was then Labour health spokesman, said in a speech on "A Health Service for a New Century":

"I am particularly conscious of the need to avoid upheaval yet again within the Health Service. Change is needed, but it must happen in a sensible and phased way, and it must never become change for change's sake."

However, not only has everyone who works in the national health service been avalanched with paper by the Government's attempts to make the system ever more centralised, but Dr. Ian Bogle, in his first speech as chairman of the British Medical Association, attacked the Government, saying that the pace of change was "frightening", and that doctors were

"apprehensive and fearful for their future".

He continued:

"Congratulations, Mr. Blair, you have managed to alienate the whole profession."

Then there is the question of political appointments. The then Labour spokesman also said:

"We want greater accountability and transparency for the planning and funding decisions made by health authorities, hospitals and GPs. Solely political appointments made to non-executive directorships on the boards of trusts and authorities must end."

However, the figures show that 189 Labour councillors have been appointed as chairmen or non-executive directors on NHS trusts since the general election—posts that can boost their incomes by up to £19,000 a year. By contrast, only 25 of their allies in the Liberal Democrat party, 11 Tories and three independent councillors were chosen in the same period. What a bunch of phoneys the Government have turned out to be.

Far more important than the Government's broken promises is the plunge in morale in the national health service to which Ian Bogle referred in his speech. That plunge, which has happened throughout the country, is clearly evident to those of us who visit hospitals and is nowhere more visible than in the destruction of junior doctors' morale. Two weeks ago, the Prime Minister told the House that when the Government

"came to office, 6,500 junior doctors were working more than 56 hours a week—an unacceptable figure."

He was correct. He then said:

"Now the figure is 4,800."

That is wrong. The figure is now 8,508; 26 per cent. of junior doctors work beyond the new deal limits. The Prime Minister added:

"I am pleased to say that only one junior doctor in six works now for more than 56 hours a week"—[*Official Report*, 7 July 1999; Vol. 334, c. 1024.]

That is incorrect. Only the Prime Minister's arithmetic can turn 26 per cent. into one in six. For the rest of us, the figure means that one in four of all junior doctors in this country are not complying with the new deal. That is an increase of 78 per cent. over the previous non-compliance figures of 30 September 1998. If the Minister thinks that those figures are wrong, I hope that he will give us the correct ones.

What do those figures tell us? They tell us either that the Prime Minister does not speak to the Secretary of State, or that the Secretary of State does not know the figures. Perhaps neither of them really cares about the figures.

The truth is that our junior doctors are starting to work more hours than they did before. Rules govern the length of time that a person can drive a lorry or fly an aeroplane, but the Government do not appear to mind the number of hours that people can guddle around with a scalpel in a patient's insides. The Government propose that there should be no limit on junior doctors' hours for the next four years and that the transition to 48 hours a week will take 13 years. When that was decided, the Secretary of State called it "good news for doctors".

Rev. Martin Smyth (Belfast, South): Will the hon. Gentleman give way?

Dr. Fox: In a moment.

Padraig Flynn, the former European Union Employment and Social Affairs Commissioner, said that he was "very, very dismayed" at the decision. He said that it was unacceptable for patients to be treated by doctors who are exhausted, and that such a long transition period was

"not politically feasible or morally acceptable. It does not take 13 years to improve work organisation in European hospitals."

Notwithstanding the interference that may come from Brussels on this matter, it is surely right that the Government should ensure that no junior doctor works more than 56 hours a week by the end of this Parliament. I look forward to the Secretary of State giving that commitment this afternoon.

Rev. Martin Smyth: At a time when a senior consultant has been accused of failing in his duty because of overwork, is it not even more dangerous that junior doctors, who are often a patient's first line of defence, work even longer hours than some consultants? Northern Ireland has the highest rate of junior doctors working hours that are too long.

Dr. Fox: When I was a senior house officer in obstetrics, I worked one weekend that began on Saturday

morning and finished at the end of Sunday night. I had no sleep at all and managed to assist in nine emergency caesarean sections. I thought that those days were gone, and I expected that the progress made by the previous Conservative Government in reducing junior doctors' hours would continue. Apparently, however, the move is in the other direction. That is extremely demoralising for junior doctors and terrifying for patients.

Another worry is the rise in non-UK doctors in the national health service. I was surprised at the figures showing the proportion of our doctors who were born and trained here. *[Interruption.]* The Secretary of State laughs, but will the public laugh when they find out that 18 per cent. of consultants, 67 per cent. of staff grade personnel, 68 per cent. of associated specialists, 31 per cent. of registrars and 38 per cent. of SHOs come from overseas?

Mr. Campbell-Savours: On a point of order, Madam Speaker. Is the hon. Gentleman addressing the House or the Strangers Gallery?

Madam Speaker: I hope that he is addressing the House. That seems to be largely what he is up to.

Dr. Fox: Thank you, Madam Speaker. I am not so thin-skinned as to be deflected by spurious interruptions that are intended to prevent us from discussing the Government's appalling reputation.

All of us support training in the national health service, but we must hope that it does not become an increasingly international health service.

Lorna Fitzsimons (Rochdale): May I offer the hon. Gentleman an opportunity to praise the rich contribution made in my constituency by overseas doctors, who invest in our health care and in saving lives, as well as contributing economically to our communities? Will the hon. Gentleman say that they are welcome, and that they would be mistaken if they heard any racist overtone in what he has said? I merely offer him an opportunity to clarify what could be seen as—I hope that it was not—a sad insult to the rich contribution of overseas doctors to our health care.

Dr. Fox: I have read a lot in the newspapers about the simplicity of the so-called Blair babes, but I have never heard the case better put.

One of the major problems facing us at present is compounding the drop in doctors' morale. In difficult times in the NHS, doctors and nurses used to be able to console themselves that no matter what resources they had to work with, they could properly prioritise patient care. That has changed fundamentally. My colleagues and I have travelled the country, speaking in particular to surgeons in hospitals. As a result of the Government's waiting list initiative, those surgeons are under increasing pressure to get the lists down, irrespective of what that means for patient care. If it means treating more varicose veins and ingrowing toenails, and keeping those who require cardiac surgery waiting, that must be done. If doctors do not act in that way, they face financial penalties.

Clinical priorities are being distorted. When one talks behind the scenes to sympathetic officials, or even—dare I say it—to sympathetic Ministers, one hears them say that they understand that that is happening, but that Tony's promise must be fulfilled. Party politics is being put before patient care. When caring medical professionals say that clinical judgment is being distorted, they are simply told that that is how it must be: the promise was in Labour's manifesto, and if those who are most sick must wait longer, so be it. That is a sad indictment of the way in which our health system is being run.

Mr. Nick St. Aubyn (Guildford): Has my hon. Friend noticed a clear illustration of that point, which appeared in *Hansard*? During a statement on health on 6 July, at column 828, the Secretary of State for Health was told that a 90-year-old patient at the Royal Surrey hospital, Guildford, had been made to wait more than 24 hours before being given a bed on a ward, and he replied: "The craw can wait." Can my hon. Friend imagine such an insulting remark being made about a patient in a Labour area? Does that remark not prove that the Labour party's true feelings are for their own interest, and not for patients?

Dr. Fox: My hon. Friend—

The Secretary of State for Health (Mr. Frank Dobson) *rose—*

Dr. Fox: Does the Secretary of State wish to make a point of order?

Mr. Dobson: Will the hon. Gentleman give way?

Dr. Fox: I am not giving way. I have to reply to my hon. Friend.

Mr. Dobson *rose—*

Madam Speaker: Order. The hon. Member for Woodspring (Dr. Fox) is not giving way.

Dr. Fox: My hon. Friend must appreciate that clinical priority is no longer the deciding factor. What matters is what suits the opinion polls and how statistics can be reduced without their accidentally becoming individuals who have families and needs. If the Secretary of State wishes to put the record straight, I shall give way.

Mr. Dobson: I do want to put the record straight. If the hon. Member for Guildford (Mr. St. Aubyn) reads the corrected *Hansard*, he will find that I was referring to something said by the hon. Member for Mid-Sussex (Mr. Soames). Two newspapers managed correctly to record what I had said, even if *Hansard* did not.

Dr. Fox: I am none the wiser for that correction.

In dealing with clinical priorities, the downgrading of the opinions of medical staff is not in any way the fault of medical staff themselves. Hon. Members on both sides of the House have the very highest regard for doctors and nurses in our health service. I spent all my working time before entering politics working as a doctor in the health service. If the current trend continues, in which statistics

[Dr. Fox]

are all-important and patients are downgraded, we shall shortly find ourselves with first-class staff working in a second-class service.

Mr. John Bercow (Buckingham): My hon. Friend touched on the plight of heart patients. Is he aware that the patients charter specifies that no heart patient should be obliged to wait more than 12 months for cardiac surgery, but that a recent survey of 35 trusts showed that no fewer than 21 of them were failing to meet that target and that some people had to wait up to 17 months to receive the treatment to which they were entitled? Is that not an outrage?

Dr. Fox: It is an outrage and it is a tragedy. The outrage is that patients are being made to wait in order to manipulate the figures. Hernias and varicose veins are being pushed up the surgery list while serious cases that cost more money and take more time are being pushed down it. It is the distortion of clinical priorities that lies at the heart of our complaints about the Government's running of the NHS.

My hon. Friend's complaint about waiting times is mirrored by complaints about waiting lists. Despite all the rhetoric, waiting list figures have started to go up again. They have gone up by 21,197 since March this year. That, the Secretary of State would no doubt say, is an increase of merely 2 per cent., but it is worrying—and not only if one happens to be one of the 21,197. There is a seasonal factor. A rise in waiting lists at this time of year does not bode well for the second part of the year. Waiting times have gone up for many patients. In March 1997, 30,100 patients were waiting more than a year to be seen, but at the end of March this year, 48,300 were waiting—a 61 per cent. increase.

Mr. Geraint Davies: How can the hon. Gentleman reconcile his crocodile tears about alleged waiting lists with the fact that Conservative Members not only want to abolish the road fuel duty escalator, which would cause more asthma and would cost billions of pounds' worth of public money which could otherwise be put into health, but would abolish the escalator on duties on tobacco—a policy that would cost thousands of lives? There would be less money for health and more people would die as a result of the hon. Gentleman's stupid policies.

Dr. Fox: They are not alleged waiting lists. I am citing the Government's published figures for waiting lists. Perhaps the hon. Gentleman might want to have that argument with his Front-Bench team. In the seven years I have been in this place, I have heard some pretty poor red herrings to detract attention from an Opposition attack, but that one took the biscuit.

Waiting lists have started to rise again. The number of patients waiting for their first out-patient appointment following GP referral has increased. What matters to patients is that they get the appropriate treatment at the appropriate time. They do not care how many people are in front of or behind them in the queue. The Government believe that the people of this country will believe them when they put patients on a waiting list to go on a waiting list, say that waiting lists are coming down and pretend that the Government are doing well. Do they take people for fools? Patients care about the time between seeing their GP and getting their treatment. They are not bothered about what statistical measures and accounting procedures are put in place to ensure that the waiting list figures look right.

Department of Health statistics comparing March this year with March two years ago when the Government came to office show that, this year, 208,000 more patients were still waiting more than 13 weeks—an 84 per cent. increase—and 121,349 had waited more than 13 weeks—a 115 per cent. increase. Of those patients, 82,000 were still waiting more than 26 weeks—a 115 per cent. increase—and 50,968 had waited more than 26 weeks—a 92 per cent. increase. All the promises that waiting times and waiting lists would come down were nothing but meaningless hot air, but people know that health care has got worse under Labour.

One of the ways in which the system has got worse is that the Government refuse to accept that there is any rationing in our health care. We all know that there was, is, and will continue to be, rationing in health care as long as medical science is able to provide more than any publicly funded service can afford. That is a matter of fact. To pretend otherwise by entering the state of denial in which the Government find themselves does not help us to move the debate towards a better model of health care. My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe), the then shadow Secretary of State for Health, asked the Minister for Public Health:

"Is there rationing or is there not?"

The Minister replied,

"No".—[*Official Report*, 15 December 1998; Vol. 322, c. 746.]

When I was a GP, health care was rationed; we had to decide whether to state in the referral letter that the case was an emergency, urgent, quite urgent, or not urgent. That is how health care was rationed. As we are told that there is now no rationing, I wonder whether patients with hepatitis C are being refused Ribavirin—a drug that would help them immensely. Is that not rationing? When multiple sclerosis patients in most parts of the country are told that they cannot have interferon, although patients in other parts of the country can have that drug, is that not rationing? That is rationing by postcode—the most unfair rationing of all. When some breast cancer patients pay £12,000 for a six-month course of Taxol, is that not rationing? Are the Government still going to have the nerve to tell the House today that there is no rationing in health care? There is rationing; we accept that. Why can the Government not have the intellectual courage to say what everyone in the medical profession and patients know is true? There is rationing.

Mr. Eric Illsley (Barnsley, Central): Is it not true that the previous Government denied that there was rationing in the NHS? I am aware of that from a personal case. When my daughter was a patient at the Sheffield children's hospital, for month after month the doctors pleaded with me to try to get the Conservative Government to stop the rationing of various drugs in the NHS. Dr. Wales, a consultant at the hospital, was unable to provide drugs for his patients; he had to rely on the patients' GPs to use their own drugs budget to provide the drugs that he prescribed. I received letters from two

previous Secretaries of State—one of whom is in the Chamber today—denying that any form of rationing on those lines took place.

Dr. Fox: The hon. Gentleman was not listening. I was just making the point that, as a practising doctor, I always realised that there was rationing—it takes place now and it will always take place as long as medical advances outstrip our ability to fund them. It does not take membership of Mensa to understand that equation. Perhaps the hon. Gentleman should have a word with Members on the Treasury Bench about the forms of rationing that he mentioned. Does he believe that the argument is progressing when those Members deny that there is any rationing at all in our health care? We cannot move to a more rational debate as long as we remain in this denial process—the intellectual vacuum and thought-free zone that pervades the Treasury Bench.

Mr. Campbell-Savours: Will the hon. Gentleman give way?

Dr. Fox: No, I do not think I shall. The hon. Gentleman has already interrupted—wholly fatuously—although he had the opportunity to make an interesting point for once.

When one has to go on a waiting list for a waiting list, that is all right because it is a people's waiting list. When one cannot receive cancer treatment free on the NHS, one must not worry because it is the new NHS. When the health service keeps people waiting for their heart surgery so that the Government can keep their election promises, that is okay because they are Tony's promises. What we have—dressed up as health policy—are broken promises dressed in gimmicks and delivered with incompetence. Labour said that Britain deserved better. Britain still does deserve better, but all that we have had is let-down Labour.

4.14 pm

The Secretary of State for Health (Mr. Frank Dobson): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

'welcomes the action the Government has taken to turn around the National Health Service by finding £21 billion extra funds for the coming three years, starting building work on 13 new hospitals, modernising every Accident and Emergency Department that needs it, abolishing the unfair and divisive system of fundholding and replacing it with Primary Care Groups putting doctors and nurses in the driving seat, cutting waiting lists, ending 18 month waiting in the NHS, creating the National Institute for Clinical Excellence and National Service Frameworks to promote quality treatment, delivering the biggest real terms pay rise for nurses for 10 years, publishing the most comprehensive strategy ever produced for improving the status, training, pay and job opportunities for Britain's half a million nurses, midwives and health visitors, with 3,800 nurses returning to the NHS so far this year and 2,200 additional doctors in the Government's first year of office; further welcomes the 450,000 more waiting list operations carried out last year plus the 142,000 extra emergency cases treated, and half a million more outpatient cases dealt with; and congratulates the staff on providing record results in what remains the fairest and most efficient healthcare system in the world.'.

Rather than make a statement on an important matter before the debate, it was agreed with Members of the Opposition Front Bench that I should make it before beginning my speech.

In recent years, the number of cases of meningitis has increased. The increase—

Mr. Simon Hughes (Southwark, North and Bermondsey): On a point of order, Madam Speaker. Usually, a statement is advertised to the House. If the Secretary of State is to make a statement now, is it appropriate that parties other than the Conservative party were not notified, and should they have been notified?

Madam Speaker: I have no knowledge of who was notified of the statement—I was not notified myself. However, if the Secretary of State wishes to give information to the House, he should be allowed to do so. If he gave the information outside the House, Members of Parliament would be the first to complain.

Mr. Dobson: In recent years, the number of cases of meningitis has increased. The increase has been caused by meningococcal group C infection, which is often associated with outbreaks in schools and colleges. Last year, that group C infection affected around 1,530 people and caused 150 deaths, mainly among children and young people. I am sure that the House will be pleased to learn that a new vaccine against this infection has been developed, carefully tested and shown to be safe and effective. I am glad to be able to announce that it is now expected to become available on the national health service this autumn, a year earlier than was expected.

The vaccine is being developed by three companies, all of which expect to bring forward production of the vaccine. One company, Wyeth, expects to be the first, with supplies coming on stream this autumn. Following discussions I have had with the company, it has taken steps to increase production capacity and is now confident that it can supply substantially more doses by December than it had originally intended, and even more vaccine next year. The two other companies, Chiron Biocine and North American Vaccines, are expected to be able to supply the vaccine early next year. Therefore, providing the suppliers' timetables are kept to and licensing and procurement proceed smoothly, a new immunisation programme in this country should start in October this year and expand as rapidly as the manufacturers can supply more vaccine.

Because the new vaccine is being produced for the first time, there will not be enough to supply everyone from the start, so it will have to be targeted at the babies, children, and young people who are most at risk. It is proposed that, in the first instance, the new vaccine should be made available for: babies when they get their routine diphtheria-tetanus-whooping cough, polio and Hib vaccinations at two, three and four months; children receiving their first measles, mumps and rubella vaccination at around 13 months; children over four months and under one year who will be recalled specially for immunisation; and young people aged 15, 16 and 17. Children over one and under five will be covered in the second phase, and other age groups will follow as stocks of the vaccine become available. Those priorities have been endorsed by the members of the Joint Committee on Vaccination and Immunisation, the National Meningitis Trust and the Meningitis Research Foundation.

For the rest of this year, stocks of the new vaccine will not be large enough or available soon enough to cover young people going to college and university for the first

[Mr. Dobson]

time. However, this group, especially those in halls of residence, has proved to be vulnerable to meningitis C, especially in the first few weeks of their first term. To meet their needs, I have decided that the existing vaccine, which is effective only for about three years, should be made available to any people in that category who want it. It is recommended that they get vaccinated before they go to college or university this autumn. If they need it, they will be able to have access to the new vaccine at a later date.

I am making this announcement today so that the NHS can make the necessary preparations for the new immunisation programme. The chief medical officer, chief nursing officer and chief pharmacist are writing today to all those working in the NHS who will be responsible for implementing the programme. It would, of course, have been better if we could have had sufficient doses of the new vaccine to immunise everyone straight away, but that is simply not possible as this is a new vaccine and stocks are having to be manufactured from scratch.

Meningitis fills parents with fear because it can arrive out of the blue and bring a healthy child to death's door in a few hours. The brand new vaccine will help to reduce the incidence of meningitis but it will not bring it to an end. Sadly, the development of a vaccine to counter the remaining form of meningococcal infection is still some years away. A substantial number of people will contract meningitis even when the full immunisation programme is in place, and some will die from that disease. However, at least we are making a start, and my announcement today should give us a chance of almost halving the number of outbreaks and deaths among the children of this country each winter.

Providing everything proceeds as intended, the NHS will be the first health care system in the world to have the use of this new vaccine. I would like to pay tribute to the hard work of the companies and the staff of my Department, the Public Health Laboratory Service, the National Institute for Biological Standards and Control, the Centre for Applied Microbiology and Research and the Medicines Control Agency for all they have done, and are doing, to expedite the availability of this brand new weapon in the unending fight against illness and death.

Dr. Fox: I am grateful to the Secretary of State for giving way and for giving me notification of this information earlier. When does he intend to move to a universal programme rather than simply a targeted programme? How many people does he think will be involved? Will health authorities receive extra cash allocations to cover this new programme?

Mr. Dobson: There are two points. First, we are utterly dependent on how quickly the three manufacturers can provide sufficient doses of the vaccine. However, I hope that we will have virtually universal coverage by either the spring or summer of next year. Secondly, the programme will be funded centrally and the health authorities will not have to find a penny out of the money that they have been allocated already.

Mr. Simon Hughes: On the substance of his statement, can the Secretary of State tell the House what cost-effectiveness analysis has been conducted of the announcement and the vaccination? Why did he not make a statement in the usual way?

Mr. Dobson: My officials and the health economists have made their assessments. I looked at those assessments and I decided that it was a reasonable proposition. That is my judgment, whatever others may say. I offered to make a statement in the usual manner but the official Opposition asked me to make my statement in the course of my speech, and that is what I have done.

Madam Speaker: As the right hon. Gentleman has made the statement at the beginning of his speech, I will limit questions because I want him to proceed to the general debate and address the Opposition motion. I shall allow a few more interventions.

Mr. Kenneth Clarke (Rushcliffe): The announcement is obviously welcome. The Secretary of State knows perfectly well that no one in the House will challenge that desirable outcome. However, is it not obvious why he has made this statement today? In line with the press relations machinery of this Government, when Labour is in trouble it finds a piece of readily accessible good news that it believes will divert the reporting. The Secretary of State could have made this statement yesterday or tomorrow. However, he has made it today because he is facing a difficult debate about general health policy and is seeking to divert attention from, among other things, the figures on waiting lists and waiting times about which my hon. Friend the Member for Woodspring (Dr. Fox) has challenged him.

Mr. Dobson: The right hon. and learned Gentleman has obviously tried to raise the tone of the debate.

Mr. Andrew Robathan (Blaby): Answer the question.

Mr. Dobson: If there was a question. The fact is that we did not get everything nailed down until yesterday. I have a speaking engagement in Liverpool tomorrow and it was necessary to get this information to the national health service as soon as practicable so that it can get on with it.

I think that the Tories should abandon this obsession with spin doctoring. It was alleged in several newspapers and on television and radio by Lord knows who that we had timed the release of information about the people who tried to place a racial block on the use of organs donated from a relative. I was told about the incident and, within an hour, I had issued a denunciation of the practice and called for an inquiry. I did not consult anybody—spin doctors or anyone else. I simply thought that it was right to set the record straight. We are making this information public today because I think that it is the right thing to do.

Madam Speaker: Order. I shall call one more hon. Member, who represents the Ulster Unionist party, to put a question to the Secretary of State on his statement and then I shall expect the Secretary of State and other hon. Members to move on to the general debate on the Opposition motion. I call the hon. Member for Belfast, South (Rev. Martin Smyth).

Rev. Martin Smyth: This is an abstract debate on the national health service, but I believe that the national

health service is concrete. I take it that the statement refers not only to England, Wales and Scotland but to all the regions.

Mr. Dobson: I can confirm that the statement is UK-wide, even if the Scottish National party Member who has now departed the Chamber would have wished it not to be so.

On the general debate, the national health service certainly needs improvement, and nobody is complacent about that. We recognise that the NHS needs to change, and we have made a start. Some say that we are going too fast, some say that we are going too slow, and some even manage to make both complaints at the same time.

I have to remind Conservative Members of the state of the health service when we took over. There were record waiting lists, and they were rising faster than ever before. The debts run up by the NHS in the year before we took over amounted to £450 million. The number of nurses in training had been cut. The number of doctors going into general practice had been reduced. The investment in new buildings, new plant and equipment was at its lowest for 10 years.

The system introduced by the right hon. and learned Member for Rushcliffe (Mr. Clarke), who accuses me of politicising a statement on meningitis, had set doctor against doctor and hospital against hospital. The pay system for almost all staff was archaic and inflexible. Expenditure on information technology systems had been a scandal almost from start to finish. There had been no preparation for the millennium. Violence against NHS staff was soaring. We have made a start on changing that.

Despite the increases in the past two months, the waiting lists are 60,000 lower than those that we inherited. Last year, 450,000 extra people from the waiting lists were treated, as well as 142,000 extra emergency cases and more than 500,000 extra out-patients. The debts accrued by the NHS last year totalled £12 million, compared with the £450 million run up in the Tories' last year in office.

We now have the highest number of nurses in training—15,000—for six years. The applicants for places in nurse training have doubled compared with the previous year. There are 481 primary care groups throughout the country, with doctors and nurses in the driving seat. It has been necessary to invest £300 million in dealing with the millennium problem. An extra £21 billion is going to the NHS over the next three years, and £18 billion of that is for England.

This year, £110 million is being invested in bringing every accident and emergency department up to scratch. An extra £350 million is being invested in new equipment, and £100 million is coming from the lottery for equipment to diagnose and deal with cancer. Thirty-seven new hospitals have been given the go-ahead, and 17 of them are already being built. Despite that, public capital is also being increased by 50 per cent. over the next three years.

I do not know what the hon. Member for Woodspring (Dr. Fox) was saying from the Front Bench about overseas doctors but I can tell him that, since we came to power, prejudice and discrimination against overseas doctors in the giving of distinction and merit awards has been stopped. There has been a 50 per cent. increase in the number of such doctors who have received those awards. We owe a great debt to them. The idea that if people do not graduate from medical school, we can expand the number of doctors without getting some from abroad is preposterous, and the hon. Gentleman knows it. He ought not to attack overseas doctors.

Mr. Crispin Blunt (Reigate) *rose—*

Mr. Peter Viggers (Gosport): Will the right hon. Gentleman give way?

Mr. Dobson: No, I shall not because I have to get on.

When Opposition Members talk about the appointment of chairpersons and non-executive directors of boards, I am very proud to stand here and say that for the first time in the history of the health service—and of any public body in this country—50 per cent. of its members are women and 12 per cent. are from black and ethnic minorities. I am proud of that and I am glad that I did it. We have reduced the number of mixed-sex wards. The nurses' pay increase this year was the best for 10 years. Two thirds of qualified nurses are now earning more than £20,000 a year.

Mr. Blunt: Will the right hon. Gentleman give way?

Mr. Dobson: No I shall not.

We are changing the grading system that held down the promotion of nurses. We have introduced nurse consultants so that the top pay for nurses will go up from £27,000 or £28,000 a year to £40,000 a year. As the Prime Minister announced, there is a new and expanded role for nurses, which was welcomed by the Royal College of Nursing, the Royal College of Midwives and Unison but denounced as a gimmick by the Tory Front-Bench team.

We are also trying to ensure better quality across the health service and that we get away from the postcode differences that have developed. With the support of the medical profession, we have set up the National Institute for Clinical Excellence to give authoritative and independent guidance to the health service. We are establishing national service frameworks to lay down what should be provided in the treatment of people with heart disease, old people, mentally ill people and those with diabetes across the country. We are also obliging all trusts to undertake a duty of clinical governance so that, for the first time, instead of just looking at the books, they will have to consider the clinical performance of their units to ensure that they are up to scratch. We are putting in place the Commission for Health Improvement to back them up.

Mr. Viggers: The Secretary of State's amendment says that the Government are

"modernising every Accident and Emergency Department that needs it".

How dare he say that with what in anybody else would be bare-faced cheek when he knows perfectly well that he is closing the accident and emergency unit at the Haslar hospital in my constituency and, despite his bland assurances, making no effort to provide adequate accident and emergency cover for my constituents?

Mr. Dobson: The hon. Gentleman ought to know, for a start, that we have modernised the accident and emergency department at the Portsmouth hospital.

[Mr. Dobson]

The decision to close Haslar hospital was not for me but, as it is a military, naval and Air Force hospital, for the Ministry of Defence. I have said to his constituents—and meant it—that we must ensure that the arrangements implemented following the closure of Haslar meet the full needs of people who live in the area, and I shall ensure that that is done.

Several hon. Members *rose—*

Mr. Dobson: No, I shall not give way.

We have also, partly at the behest of Tory Members—that is the truth—tried to ensure that, for the first time, standards are set and met for the provision of cervical and breast cancer screening services, which had been dispensed with under the previous Government. We have made sure that more effort is targeted on improving the health of people in the worst-off areas through investment in health action zones. We have provided an extra £700 million for mental health services over the next three years, largely to be spent on extra beds and new staff. We are already negotiating with consultants about a future consultant's contract, and more people are opting to become general practitioners.

The hon. Member for Woodspring knows that what he was saying about junior doctors is somewhat adjacent to the truth. We agreed with junior doctors much more rigorous standards for judging whether the new deal was being complied with. When we did that, we said that it would make the figures worse, and it has. However, comparing like with like, the number of junior doctors working longer hours has been coming down since we have been in office—and it will continue to come down.

Junior doctors have quite rightly been saying that they are concerned about their hours, their working conditions and the conditions in which they wait to work. We have been having meetings with them to try to improve matters. Of late, their approach at meetings has been to make a very substantial pay demand, and we have had to explain that the pay of junior doctors, like all other doctors, is a matter for the Doctors and Dentists Review Body. We either have review bodies or negotiation; we cannot use the review body decision as a starting point for negotiations. I hope that we can make some reasonable arrangements with junior doctors' representatives but, as the British Medical Association has recently reaffirmed that it wants to continue with the review body, I assume that they do.

Dr. Fox: So when the figures for junior doctors' working hours—published by the Government—show that they are increasing, they are actually decreasing. That is interesting newspeak, even from the Government. However, I wonder whether the Secretary of State would reconsider a figure that he just gave us. He says that the number of doctors entering general practice is increasing. There has actually been an 18 per cent. reduction in the past two years.

Mr. Dobson: Not according to the figures that I have. There is no point in disputing figures over the Dispatch Box; I shall sort this out with the hon. Gentleman later.

We have also made substantial efforts to make working in the national health service safer for all staff. There was a massive increase in the number of people who were assaulted and abused. We have been trying to improve the situation for nurses and ambulance staff—people working in accident and emergency. When I discussed that with people from the BMA, they said that the previous Government had said that nothing could be done about it—it was the sort of society that we live in these days. It may be the sort of society that the Conservatives want to live in, but we are not going to.

We have just completed successful negotiations with representatives of the pharmaceutical companies and brought about a 4.5 per cent. price reduction in the cost of drugs to the national health service, which will save the health service £200 million and has ensured that research-based British companies can continue to be research based.

Mr. Bercow *rose—*

Mr. Dobson: We have introduced other new developments. NHS Direct, the 24-hour nurse-led helpline, now covers 40 per cent. of the country and will cover 60 per cent. by December. I assume that that will not be attacked by the Tory Front-Bench team because it was welcomed by them the last time that we announced it. It is working very well.

We are developing a limited number of pilot schemes for walk-in centres in city centres, shopping centres and city-centre hospitals. There has been some criticism of that idea on the grounds that the doctors do not like it, but we invited people to apply to run them, and 99 places in the country applied for the right to operate a walk-in centre. All 99 had to have the agreement of the GP-dominated primary care group in their area, and I am very sorry that I have had to disappoint 80 of them and announce only 19.

Walk-in centres are intended to modernise the provision of care in various areas. We shall consider their impact on other services in the areas, but they are popular with the doctors who have applied.

Mr. Bercow *rose—*

Dr. Peter Brand (Isle of Wight) *rose—*

Mr. Dobson: I give way to the hon. Member for Isle of Wight (Dr. Brand).

Dr. Brand: Is it not human nature, Mr. Deputy Speaker, that if you are offered a free good in addition to the work that you are already doing, you will say yes? However, that does not square the profession's problems, in that resources are being taken up and top-sliced from the core services of the NHS.

Mr. Dobson: They have not been top-sliced because the resources are taken from the modernisation fund and had not previously been allocated. Dr. James Kingsland, a GP from the Wirral who has been visiting and considering the various applicants, says:

"It is very much new money available for general practice, to complement the primary care services already in place. It is cash for primary care groups. By the very nature of their applications, they have to be PCG supported. It is a GP-led initiative."

He is right, and it is working.

Mr. Bercow *rose—*

Mr. Dobson: We are trying—although we fail at times, and we are not making as much progress as we should like—to modernise the national health service. We all know that the modern Tory party wants to undermine and privatise it. We have only to consider the history as it relates to the hon. Gentleman's predecessor, the right hon. Member for Maidstone and The Weald (Miss Widdecombe). As the third shadow Health Secretary since the general election, she advocated substituting private health insurance for large parts of the national health service, and has apparently been promoted.

The right hon. Member who was a deputy leader of the Tory party and who rejected the idea of health insurance as barmy has been sacked. If we look at what the hon. Gentleman who is now the Tories' representative has said in the past, it appears that he, too, has a fixation about shifting to the private funding of health. In 1993, it was reported that he had helped the Association of British Insurers with a document entitled "Transfer of Responsibility from the Public to the Private Sector", which urged an expansion of private medical insurance beyond the current policyholders, through tax incentives to the under-60s or through contracting out certain NHS benefits. That fundamentally undermines the concept of the NHS, but it is apparently the Tories' line.

Every time Conservative Members speak in their constituencies, they demand more money for their bit of the health service, but they do not vote for that in the House. The shadow Chancellor described our plans for spending on the NHS as "reckless", and said that when the Chancellor had been goaded on health and education, he had "gone soft on spending." What we say is decent investment in improving the health service, the Tories regard as reckless, stupid spending.

The NHS is far from perfect; it never will be perfect. It is improving, but it will take us a long time to turn things around. So much of it depends on new additional staff. It takes a long, long time to train a doctor. It takes three years to train a nurse or a midwife. We cannot turn things around in a day, but the NHS is getting better. It is not getting better as quickly as we would like. However, it is getting better, and it will get better still.

4.41 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): We welcome the debate. We welcome the announcement that, surprisingly, was made at the beginning of it, although it would have been better if the announcement had been made in the usual way. I do not attribute the fault entirely to the Secretary of State, but announcements on important specific matters should be separated from debates on the health service in general. This is a debate about the Government's record after two years in office.

We welcome the fact that the Conservative Opposition have flagged up a series of issues in the health service where the Government's record clearly has not lived up to expectation. Although the Secretary of State made the case that there have been some improvements in the health service—that is unarguable—it was noticeable that, on the assertions and allegations made by the Conservative party, he did not have an answer.

There has been increased waiting time for patients. There has been plummeting morale. There has been a distortion of clinical priorities. There certainly has been increasingly widespread rationing of drugs and treatment. One of the key propositions on which the Government came to office was that there would not be a difference of treatment for patients depending on where they lived. That is not the case now. The situation has not improved under the Government, and we still have postcode rationing, as we did two years ago.

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Hughes: Not yet.

The Government came to office against the background of the public saying, first, that the NHS was the issue that mattered most to them, and secondly, that they wanted the Government to spend more on the NHS—not just more, but more as a share of our national wealth. That has not yet happened. More has been spent, but the Government have not yet made the commitment to spend more as a share of our national wealth.

When will the Government start delivering on the key promises that they made to the electorate two and a quarter years ago?

"We will save the NHS",

they said in their manifesto. Their first promise was

"100,000 people off waiting lists".

Two and a quarter years later, in England, that figure still has not been achieved.

In its manifesto, the Labour party stated that it

"commits itself anew to the historic principle: that if you are ill or injured there will be a national health service there to help; and access to it will be based on need and need alone—not on your ability to pay, or on who your GP happens to be or on where you live."

What one gets from the NHS still does depend on where one lives, and we want to know when that, too, will change.

The public feel that they have been betrayed or let down on a number of other matters. There are significantly fewer beds—more than 5,000 fewer in the major specialties in England. Nearly 100,000 operations have been cancelled on the day that the operation was booked. Up to April this year, investment was nearly £500 million lower each year than it would have been on the projections of the outgoing Conservative Government. This financial year, NHS trusts and health authorities in England started the year £163 million in debt. We read in the papers yesterday that Wales also now has a £72 million deficit, which means that, on the basis of the current United Kingdom allocation of money, the NHS there may have to close trusts and hospitals.

The Secretary of State has made progress on appointing more women and more members of minority ethnic communities to run health service boards and authorities, but he has not answered the allegation that, during the past two years, he has packed the NHS with more and more of his people. Given the accusations that he and his party levelled at the Tories in office, to increase the number of Labour appointees to NHS trusts' non-executive posts from eight to 226 Labour activists is a complete contradiction. If that is not cronyism, I do not know what the public think it is. Despite the number of

[Mr. Hughes]

women, members of ethnic minority communities and people with disabilities appointed, that record, good as it is, is tarnished by the fact that the Government have insisted on so many people coming from their party.

Some of the stories, apparently true, about the sort of people appointed in the Prime Minister's part of the world, in Sedgefield and round about, who appear to have been appointed simply because they were local party activists, just undermine the credibility of proper management of the NHS.

Mr. Dobson: Has it occurred to the hon. Gentleman that a considerable number of the Labour supporters appointed are women, black and Asian, who therefore make a big contribution to the increase in the number of women, who are up to 50 per cent., of appointees, and the number of black and Asian representatives, who are up to 12 per cent? That is a good thing, and I shall keep on saying that it is a good thing, whatever anybody else says.

Mr. Hughes: I have made it clear to the Secretary of State—I have said it to him privately as well as publicly—that to get a better gender and ethnic balance and a better inclusion of people with disabilities in NHS management is clearly a good thing. But if he is saying that he is willing to appoint those people, particularly or only if they are Labour supporters, that is not a good thing, and the sooner the Government seek an agreement across parties and beyond parties about appointments, rather than consulting and then ignoring what they are told, the better. I have practical experience of a consultation that was not followed, because Labour people were appointed against my advice.

Mr. Bercow: I hope that I do not fatally damage the hon. Gentleman's prospects by telling him what a good speech he is so far making. Given that the Secretary of State referred to the National Institute for Clinical Excellence and to the supply of drugs, does the hon. Gentleman agree that my constituents, Caroline Cripps and Marc Smith, and constituents of other right hon. and hon. Members, who are suffering from multiple sclerosis, are entitled now to ask the Secretary of State exactly how long they are supposed to wait and suffer before NICE issues definitive guidance? Does he further agree that the premise upon which that guidance, when it ultimately emerges, is based, should be that, where it is judged to be clinically appropriate to prescribe beta interferon, it should ordinarily be prescribed?

Mr. Hughes: I understand and accept the general premise of the hon. Gentleman's intervention, and if he bears with me for literally about a minute, he will see that, in my list of specific questions for the Secretary of State, there is one relating exactly to the equality of access to drugs, which was promised in Labour's manifesto when it sought office two years ago.

Lorna Fitzsimons: Will the hon. Gentleman give way?

Mr. Hughes: I will in a moment.

Labour has clearly failed on a final matter: it kept promising us that the famous waiting list targets would be met—not that there should have been such targets in the first place—but that great day has also not yet dawned. There has been not a reduction of 100,000 in the waiting lists—even if that had been the right target—but a considerable increase in the number of people waiting to get on to the waiting list, as the hon. Member for Woodspring (Dr. Fox) said.

I have to say that the recent extraordinary comments of the Prime Minister and the Secretary of State about the attitude of the public service in general have not helped. Only two weeks ago, the Prime Minister told the British Venture Capital Association:

"You try getting change in the public sector and public services".

People in the NHS, who have been subject to change after change after change, did not take that kindly. I should have thought that the Secretary of State, who has traditionally been a good supporter of the public services, would have been well advised not to add fuel to the fire by accusing those in the NHS, and doctors in particular, of

"failing to keep pace with the expectations of the people".

My hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris) attended the British Medical Association conference in Belfast and doctors' leaders were clear about the fact that they respond to the Government's requests for change, but they want a bit more support from them and a bit more understanding of their position.

I shall list the questions that the Government must answer after two years in office and at the end of the parliamentary term. The Secretary of State may be being considered for a move in the reshuffle, or he may stay in his current post, so he could usefully give the answers to the Prime Minister as well as to the country and the House.

When will Labour deliver equality of treatment for patients in the NHS, wherever they live? That question was asked by the hon. Member for Buckingham (Mr. Bercow). When will it deliver equality of treatment for NHS staff, wherever they work and whatever their race? When will it deliver a reduction in the time that people have to wait for hospital treatment in the NHS after referral by GPs? When will it deliver its so-called early pledge to cut by 100,000 in England the waiting list for treatment in the NHS? When will it give up prioritising waiting lists over waiting times in the NHS? When will it make sure that we have enough consultants, hospital doctors, GPs, nurses, midwives, dentists and other professionals? What is the time scale? Is it a year, two years or 10 years? We have never been told the date. When will the Labour Government put an end to the reduction in the number of beds in the NHS? When will they reduce their commitment to use private finance for capital building in the NHS? When will they make a commitment to pay for all long-term nursing care in the NHS? That was expected from a Labour Government. Lastly, when will Labour increase the share of our national wealth that it commits itself to spend on the national health, including the NHS? We have never heard a word about that from them.

I do not want to elaborate on my first point, because equality of access has been discussed so often in the House, by my hon. Friend the Member for Sutton and Cheam (Mr. Burstow) among others, that the case has been well made.

However, I shall elaborate on my second point—racial discrimination in the health service. Not many months ago, the House considered the Health Act 1999, and my hon. Friends and I tabled amendments in Committee and on Report that would have ruled out discrimination in the health service. They were rejected by the Government. The Secretary of State subsequently referred to the incident in Sheffield where it appeared that somebody had donated an organ for use on the basis that it could go only to a white person, and that was accepted. When that became public knowledge, the Secretary of State suddenly said, "Perhaps we need a change in the law to outlaw discrimination in the NHS." My hon. Friends and I, with the backing of the Commission for Racial Equality, argued for that some months ago and it would be helpful to know before the end of the debate whether the Secretary of State accepts that that is now the case.

Mr. Dobson: I am advised by our lawyers—the hon. Gentleman can give that whatever weight he likes—that the Race Relations Act 1976 applies in full to the NHS. If it does, why do we need to change that?

Mr. Hughes: I should be happy to debate that with the Secretary of State outside the Chamber, but my advice and understanding, and that of the CRE, is that not all matters relating to employment, which I shall come to, and to treatment, are governed by the 1976 Act. A general duty of non-discrimination would ensure that the Sheffield case did not arise, and would also cover events such as old people being turned down by the health service and discrimination on other grounds.

I have been approached by colleagues in Rochdale—this may interest the hon. Member for Rochdale (Lorna Fitzsimons)—about a severe case of racial discrimination in the health service. On 24 June last year, the Rochdale Healthcare trust was visited by representatives of the Royal College of Physicians, the Royal College of Paediatrics and Child Health and a dean from Manchester university, Professor Hayden, who was acting on behalf of the colleges to examine training in the Rochdale health service. At the end of her examination she said:

"finally I am disappointed not to find many UK graduates employed in your hospital. I am giving you a clear warning that when I come back in two years' time if this has not changed then I will remove some of the funding for training."

That comment caused great distress to people working in the health service in Rochdale, where recruitment is on the basis of application and ability. Since then, the dean has made only a statement that her comments were misunderstood, and not a full apology. There is no confirmation that her comments will not have an adverse impact on the hospital's assessment in the future. I know that the Secretary of State has received a copy of at least some of the correspondence. One of the hon. Lady's predecessors, Sir Cyril Smith, was asked if he could intervene to ensure that we never have such a practice again.

Lorna Fitzsimons: Will the hon. Gentleman give way, as this matter involves my constituency?

Mr. Hughes: Of course, I shall give way in a second.

Will the Secretary of State investigate what happened? Will he ensure that that trust and all others are never again at risk because of the practice of recruiting more overseas graduates?

Given incidents such as those in Rochdale and Sheffield, will he agree to allow the CRE to undertake an investigation into racism in the health service? Will he bring to the House also the result of a further inquiry into how we can hold the royal colleges to account, because they tell the health service what to do with no accountability to Parliament or to the NHS? Some hospitals have been closed because the royal colleges have said that there was no suitable training. It is time that those professional organisations were held democratically accountable, because they have significant authority throughout the country.

Lorna Fitzsimons: I should have liked the courtesy that the hon. Gentleman asked of the Government Front-Bench team. He raised an issue with which I have been dealing. He waded in, I am sure with utter sincerity, but with political opportunism, which I have got to know well locally. If he cares so much about the health service in Rochdale, he should advise his colleagues that, rather than scaring old people during a council by-election by saying that the council was shutting a hospital, they should acknowledge the investment of £28 million in a new hospital, £15 million in a health action zone, and £27 million in new money for new services.

I have taken this case up with the British Medical Association and the Royal College of Surgeons. If the hon. Gentleman had cared to ask me about it, we could have fought together, because I agree with him about the problem of the Royal College of Surgeons and its intervention in the Bury and Rochdale health authority.

Mr. Hughes: The hon. Lady's comments speak for themselves.

Mrs. Virginia Bottomley (South-West Surrey): Does the hon. Gentleman agree that it is important to distinguish between overseas doctors and UK graduates from black and ethnic minorities? It is completely unacceptable for UK doctors from black and ethnic minorities not to have exactly the same treatment as white UK graduates. There may be issues that affect overseas doctors, whether they are black or white. For those of us who care about race relations in the NHS, it is more helpful if we are clear on precisely what we are talking about. Moreover, as soon as the Overseas Doctors Association changes its name, the better.

Mr. Hughes: The right hon. Lady is right to make the point that there are two different issues. However, it is clear from the correspondence that it is as wrong to discriminate against somebody because they graduated from an overseas university as it is to discriminate on the basis that someone who graduated from a university in this country is a member of an ethnic minority community. The issue—which caused great offence—concerned discrimination, and a suggestion that the Rochdale trust might not be funded if it did not reduce the number of people whom it appointed from overseas universities. That cannot be acceptable. I hope that the Secretary of State will make that clear, and that he will deal with the person who said that that was appropriate policy.

The Government's surprising endorsement of the private finance initiative—contrary to all their arguments when in opposition—is not finding favour either within

[Mr. Hughes]

the NHS or, significantly, outside. It is no good pretending that there is a further £8 million for investment in the NHS when £1.5 million of that is new money and the rest is entirely arrived at by the selling of assets.

A letter that the Secretary of State may have seen—accompanying a BMA press release of 16 July—stated that, in Edinburgh, the Scottish Office had confirmed that the Government had rejected greater bed numbers for the PFI flagship hospital as not affordable. It is entirely on the basis of cost that PFI schemes are now being approved or not. I challenge the Government to make it clear where, if anywhere, a PFI scheme has resulted in more beds and more resources than previously, as opposed—as has happened in every case so far—to fewer beds and fewer resources.

The Liberal Democrats are clear that not just the public demand, but the need of the patients requires that a greater share of our national wealth is dedicated to national health. It is surprising to us that the Labour Government have never made that commitment. They have made it for education, but they have been silent on health. Some of the pressures that the NHS is under, some of the lack of morale among NHS staff and some of the failures set out in the motion could be addressed if the Government were brave enough to say that, to have a decent health service for the next century, rather than funding it just a bit more every year, we have to give it a significant boost in funding, so that we as a country spend on the health service what the country believes that it needs.

We look forward to the Secretary of State saying something like that, but two and a quarter years have passed and nothing has yet come from his lips.

5.2 pm

Mr. David Hinchliffe (Wakefield): I welcome my right hon. Friend the Secretary of State's announcement on meningitis. As the representative of a constituency where there have been fatalities through this terrible problem, I know that his announcement will be widely welcomed. I know how anxious many parents are in my area and elsewhere about this problem.

I have had some difficulty in understanding the Conservative party's tactics over the past few hours. I was in the Chamber at 2 o'clock this morning on either the eighth or ninth totally pointless Division. I do not understand the purpose of such an exercise, where there is no debate. All that appears to be happening is that we are wasting huge amounts of public money in keeping in this place large numbers of people—the staff—who could be better off at home in their beds, preparing for the following day's work.

I do not understand those tactics, and I do not understand the tactics of the Tory motion which I read at 9.30 am—after half a night's sleep. [HON. MEMBERS: "Ah! "] Thank you for that sympathetic response. In drawing attention to the comparative health policies of the previous Conservative Government and the new Labour Government, the motion draws attention to the paucity of the Conservatives' thinking on health care.

I listened carefully to the Opposition spokesman, the hon. Member for Woodspring (Dr. Fox), who has now left the Chamber. I apologise for referring to him when he is not here, but it is not my fault that he has left the Chamber. He did not propose one policy of any type to deal with the concerns that he expressed. Today's official Opposition motion suggests not one idea of what they would do to address those issues if they were in government.

I was disappointed also with the speech of the hon. Member for Southwark, North and Bermondsey (Mr. Hughes)—for whom I have some respect; he has at least some knowledge of health issues, and some belief in what he says—as he was unable to offer any real policies on what he would do were he Secretary of State for Health.

The official Opposition's motion on health is the thinnest motion that I can remember debating in any of the numerous such debates that I have attended in my mere 13 years in this place. Their motion is petty, superficial and only a token attempt to imply that they have some interest in the concept of collective health care—which they have opposed since voting against establishment of the national health service in 1946.

The issue of collective health care highlights the ideological division between the Conservative party and the rest of the nation—the decent-thinking people who believe in collectivised health care, and who believe that we should have a system ensuring that those who are ill are appropriately cared for by the state.

For the Tories, health is essentially a matter for the individual, and a marketable commodity. I have listened carefully to the debate, to detect whether any contradictions are emerging in the Tories' policy commitments of the past two years on shifting patients into the private sector—which is the one health policy that they have proposed in that time.

Mr. Philip Hammond (Runnymede and Weybridge): My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) has made a very clear commitment that the next Conservative Government will increase, year on year, in real terms, spending on the national health service. That is the clearest possible policy commitment, and the clearest possible indication of the Conservative party's commitment to the NHS.

Mr. Hinchliffe: That does not square with the Tories' attack on the Chancellor of the Exchequer for diverting resources into the national health service. The shadow Chancellor attacked Labour for delivering £21 billion to the NHS.

The hon. Member for Runnymede and Weybridge (Mr. Hammond) has also not dealt with my key point. If he has attended our health debates, he will have heard the various statements that have been made. On a number of occasions in the Chamber, I have debated the private sector issue with the right hon. Member for Maidstone and The Weald (Miss Widdecombe)—who now shadows the Home Secretary—and she has quite categorically stated her belief that, to deal with what she perceives as a crisis in the national health service, we have to make greater use of the private sector and ensure that more NHS patients are sent to the private sector.

The right hon. Member for Maidstone and The Weald has, however, never been able to deal with the rather fundamental point about the source of private sector staff. The hon. Member for Runnymede and Weybridge knows as well as I do that private sector staff come entirely from

the national health service—which trains people, many of whom we lose to the private sector. Therefore, if the Tories are pushing staff into the private sector, they are further denuding the NHS of staff. It is also nonsense for the Tories to express concern about junior doctors' hours and consultants' work loads. I should like briefly to deal with the previous Government's record.

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Hinchliffe: No; I have given way once already.

We should consider what the previous Government's 18 years in office meant to people in my constituency and to people across the country. The previous Government introduced the internal market—and I served on the Bill that introduced it. I also remember the House's debates on that Bill. Nevertheless, whatever one's views on the internal market itself, the philosophy underlying it plunged the NHS into cut-throat competition. The idea behind the internal market was to encourage hospitals to compete against hospitals, and doctors against doctors.

The philosophy behind the internal market was fundamentally opposed to that of the national health service—which I had thought that almost everyone believed in. Over the years, even Conservatives in my area—but certainly not the previous Government—subscribed to the NHS philosophy.

On fundholding, I have provided facts, figures, names and addresses of my constituents who had been told that, as they were not patients of general practitioner fundholders, they could not gain access to certain hospital treatments in my area. That is on the record; the names of the people are known. I am not making this up. There was a two-tier system in my area.

Mr. Illsley: The Sheffield hospitals made no bones about it; when the previous Government were in power, they made a public statement that they would not accept patients whose funding might run out as they were not from fundholding practices.

Mr. Hinchliffe: The two-tier system was a fact of life, an inevitable consequence of the move to fundholding. The Conservatives cannot deny that, and they were not unduly worried about it, because in a market there are winners and losers, and they were more concerned about the winners.

My work background was in local authority social services, so it affected me personally when the Tory Government drove a wedge between the national health service and social services. The present Government are trying to repair the damage, and get the two back together.

When my right hon. Friend the Secretary of State made the announcement about the royal commission, the hon. Member for Runnymede and Weybridge, who is on the Opposition Front Bench today, had the brass neck to ask what the Government intended to do about the long-term care crisis. That crisis was entirely created by the Tory Government, who withdrew long-term NHS care from old people and, at the same time, shoved public money into the privatisation of community care. The massive expansion of private care and nursing homes created the crisis.

When I think about the people in my constituency and elsewhere, what particularly concerns me is the fact that that was a gross betrayal of the generation of people who delivered the national health service. They had paid tax and national insurance into the system all their lives, in the belief that when they needed care, they would get it free from the national health service, yet when they did need it, it had gone. They had to pay all over again for what they had already paid for throughout their lives.

For the Tories, public health is a politically inconvenient non-issue. It does their case no good to talk about inequalities in health, because then we get into the real politics and the real reasons why there are winners and losers. From their point of view, it is inconvenient to address such issues.

The Tories also shelved the Black report. One of the most crucial reports on public health this century was allowed to gather dust, although it contained so many significant proposals that could have been acted upon in the early 1980s. Disgracefully, those were ignored.

The Tory party made no attempt to curb smoking, either, because of its relations with the tobacco industry. The tobacco companies provided its poster sites free in 1992, and the right hon. and learned Member for Rushcliffe (Mr. Clarke), a former Secretary of State for Health, is openly connected with the tobacco industry.

The Tories' business connections are important. I know where they are coming from, and I know why they cannot address the problem of smoking—but thousands of people have died needlessly as a result of the 18 years in which they did nothing about people misusing tobacco in a way that affected their health, their children's health and the health of generations to come.

My area was drastically affected by the Tories' economic policies, too. Some of my hon. Friends from nearby areas are here today, and they, too, saw thousands of people kicked out of the coal industry and the industries connected with it. Twenty thousand people were sent down the road in my area, and that was a public health issue, too—one that was totally ignored by the Conservative Government.

In the short time that I have left, I shall contrast that record with what I believe are some of the key achievements of the Labour Government in the past two and a quarter years. There are three key elements that I believe are especially important. First, the abolition of the internal market is perhaps the most important step forward concerning the NHS that the Government have made. It represents a fundamental redirection of the service from competition back to co-operation, and to people working together to deliver a service that provides the best possible care for patients. The move from fundholding practices to primary care groups has put primary care back in the front line, where Nye Bevan envisaged it in the 1940s.

I welcome the idea of walk-in centres, especially as one of the first 19 of them is in Wakefield. I realise that there are debates about whether those centres represent an appropriate way forward, but there will be monitoring of their success or otherwise. The centre in Wakefield is targeted towards certain groups, such as middle-aged men, who tend not to go to see their doctors, and I welcome the accessibility that that will offer such people.

I also especially welcome the reacquaintance of the national health service with social services. The two disciplines are shaking hands again in a way that did not happen under the Tories. The winter pressures initiative was a great success, on which I hope that the Government will build. My hon. Friend the Minister of State knows

[Mr. Hinchliffe]

that I favour going a good deal further, but I welcome the steps taken so far, and especially the public health White Paper that tackles health inequalities.

I also welcome the commitment of various Departments to the assessment of the health implications of Government policies. That makes a crucial connection between health and wider economic and industrial policies. The previous Government gave no thought to that at all.

The motion before the House today shows that the Conservatives have given up on health as an issue. Neither in the motion nor in the opening speech have they offered any concrete proposals. The warning in the Maples memorandum to keep out of health appears to hold sway in the Conservative party.

Dr. Howard Stoate (Dartford): I take issue with my hon. Friend about the Opposition's tactics. I disagree with his contention that they have no tactics; their aim is to frighten people. Talking down the health service by saying how much worse it is becoming brings down the morale of doctors and nurses, and diverts attention from the good work that those people do. The result is lower morale and frightened people believing that the service is worse than it really is. As a doctor in the health service, I do not recognise the description of it given by Conservative Members.

Mr. Hinchliffe: My hon. Friend makes a valid point. People who are frightened of the health service will go to the private sector, which is what the Tories want.

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Hinchliffe: No, I have already spoken for longer than I intended.

Perhaps Conservative Members might care to look at the report about private medical care by the Select Committee on Health, which will be published tomorrow. They want to push people into the private sector, but I hope that they will draw some conclusions from the report's investigations.

Mr. Bercow: Will the hon. Gentleman give way on that point?

Mr. Hinchliffe: No, I said that I intended to conclude.

The Tories have given up on health. I never thought that I would miss their previous spokesman, the right hon. Member for Maidstone and The Weald, but I do. What she lacked in knowledge of the health service she made up for in bluster when she banged around at the Dispatch Box. I miss her already, and this is only the first debate since her departure. She was good entertainment, and livened up debates such as this, even if there was not a lot of content in what she said.

I know that many issues remain to be resolved, and that many challenges remain for the Government to deal with. However, I believe that the Government have started to establish some firm foundations and are addressing the fundamental problems. Whatever happens in next week's reshuffle, I think that the team leading the Department has made a pretty good start in the past two years. I am sure that we can build on that in the years to come.

5.18 pm

Mr. Kenneth Clarke (Rushcliffe): The hon. Member for Wakefield (Mr. Hinchliffe) has followed the pattern of many Labour Members by devoting most of his contribution to a speech that he could have made at the last general election. In the two years since then, I have debated most of the matters that he raised, so I shall not go over them all again.

The hon. Gentleman went back as far as the early 1980s, when he referred to the difference of opinion about the Black committee report. The Labour party turned to the left at that time, and it has accused Conservative Members of wishing to privatise the national health service ever since. That accusation often dominated the debate, and it is still being used today, by the hon. Gentleman and by the Secretary of State. However, the record over more than a decade of the previous Conservative Government shows that we had no such intention.

We have no such intention now, and my own commitment to the national health service is beyond doubt. The debate should be about making the health service better, rather than about exchanging empty slogans.

Mr. Hinchliffe: If what the right hon. and learned Gentleman says is true, what was the purpose of giving financial incentives to elderly people to insure themselves for private medical care? Was it not the Tory party's intention to move towards private medical care?

Mr. Clarke: Many people in private insurance found that, when they reached an age at which they were likely to make a demand on that insurance, there was a risk that the premiums would rise. The aim of the incentive was to ensure that those who chose private insurance when they were of working age would not have to give it up when they were most likely to make a claim. That perfectly defensible policy reduced the demands on the national health service. We otherwise concentrated on improving the national health service—paid for out of general taxation and free at the point of treatment—and I remain committed to improving that service.

The Secretary of State also devoted much of his time to his old election speech. I shall not go over all that he said, but I will attack his lack of policies. I wish the Secretary of State no personal ill will as he and I get on well and he has always been amiable and straightforward in our countless debates on policy on many subjects. I understand his much-publicised desire not to drink from the poisoned chalice by becoming Labour's candidate for mayor of London. But if he is moved, I shall not mind; as an Opposition Back Bencher, I am indifferent to who the Secretary of State is. What matters is that he or she has a coherent policy for a vital service. I have criticised the Secretary of State for having no such overall strategy, and he has merely reinforced that criticism today.

The Secretary of State has made a welcome statement on meningitis vaccines, but I have previously criticised the Government, and will do so again, for putting presentation where strategy should be. A stream of press

releases and initiatives flows towards us. Often, the initiatives have already been reannounced, but they have to be reannounced yet again. Many are entirely beside the point when placed against the day-to-day problems confronting those responsible for delivering health care on the ground.

In the most striking recent example, the Secretary of State, as usual when he is under pressure for failing to deliver what he promised at the general election, grabbed for the headlines. He published targets for health standards well into the next century. I do not want to be accused of being against his worthy objectives, which included careful calculations to show that many lives would be saved if the targets were ever delivered. However, he produced not a scintilla of evidence of anything new being done to deliver them. He offered us, instead of policy today, desirable ambitions that he said would be delivered in a decade or more, long after the Government have gone. All that was intended to divert attention from pressing problems now all over the country.

Today's statement was welcome, but the Government's advisers ought to raise the Secretary of State's standards. On a bad news day, his diversion of attention was blatant. He began with a worthwhile statement on meningitis protection, but was unable to answer our complaints and allegations about the state of the NHS. In addition to his usual election address on the deficiencies of the Conservative party's performance on the health service, he reminded me of the Wilsonian speech-making process of using a stream of statistics to hold together the best bits of the press releases, while coming to no particular conclusion on the future.

I congratulate the Conservative Front Bench team on raising this debate, because the Government are failing to deliver on the expectations that they raised by setting specific targets—some of them unwise—at the last election. Service to our constituents is deteriorating, and the volume of complaints about the inability of the NHS to meet its obligations is growing.

Dr. Stoate: I entirely agree with the right hon. and learned Gentleman on one point. We need debates of substance on matters of policy. Why, then, when this should be an adult, grown-up debate about the running of the health service, is there no shred of policy in the Conservative motion? I should welcome a debate on policy, but there is none before us. The Conservatives offer only a stream of criticisms and no suggestions on how to improve the health service.

Mr. Clarke: I promise the hon. Gentleman that, by the conclusion of my speech, I shall be giving welcome advice to the Secretary of State and making suggestions on how he can move from here to make worthwhile progress towards the ambitions that he holds out for us as targets for the next century. He will not attain them if he continues to cause the damage to the service that he has in two years so far.

I have spoken in health debates before because I am so concerned about the health service. It is one of the weakest areas of performance by the Government. I could choose many others, but with the health service, they are at the greatest risk of getting into more and more political trouble as reality confronts their presentation of what they are doing.

I shall begin by briefly putting points that I have made before about why the Government are getting it so wrong and why we are worried about a crisis in the health service that appears to be looming even in the summer, when demands are not the greatest. I most fear a winter crisis after our experience of last winter. There are some clear reasons why the Government have got themselves into this position.

First, the Government have got the money for the NHS wrong. I am the first to admit that the problem of the health service is not only money. I often said that to Opposition spokesmen when I was in government myself. However, the Labour Government made a serious mistake in the first two years by imposing on the NHS two of the stiffest years that it has ever had. They used to justify that with the misleading claim that they were imposing Conservative spending plans. They know perfectly well that that is not sustainable. We never stuck to the second and third-year figures in our Red Books for the health service. We always had annual spending rounds, and we revised the spending targets in the light of the experience of the previous year. Everyone who works in the health service knows that it is a long time since it has had two such tough years.

As the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) rightly said, the amount of debt being incurred throughout the service is enormous. All the great claims for how well the service is going sit ill alongside the serious financial crisis that rising demand and rising expectations have forced on health authorities, which have had two very severe years. As, to be fair, the Liberals warned us that they would, the Government hope that, in the run-up to the next election, they will be able to put more money into the health service to raise the feelgood factor in the next three years.

The Government have found a misleading and original way of presenting wholly unexceptional figures for those next three years. They are going back to the normal increases in spending roughly attained for most of the past 10 or 15 years. Those increases will not be good enough. The Government have locked themselves in for three years. They have said that they will not reopen the figures or review them in the light of each year's experience. I shall be surprised if they manage to stick to that.

The only good claim that the Government can make on resources is that they have a massive hospital-building programme. I cannot forbear to point out that that is entirely the result of the flow-through from the private finance initiative, which we initiated. The Labour Government inherited a great flow of schemes. The Labour party slowed up progress when we were in office, because its then spokesman kept opposing the PFI and saying that a Labour Government would scrap it, which made it more difficult to conclude the deals. I wish the hospital-building programme well. It is the one piece of good news on resources that the health service has.

To move on to policy, the Government are not distributing money properly throughout the service across the country. Staff, patients and the public read about the figures, but they know perfectly well that they have not got the money in local budgets. A great deal is being held back centrally for presentational purposes. The modernisation fund will be used to fund today's announcement. It is just one little pot of money kept safely under the Secretary of State's lock and key in London to feed the flow of popular announcements over

[Mr. Clarke]

the next three years. The one that we had today was, I suspect, fairly modest in cost and was a perfectly sensible choice of priorities. However, in some initiatives, the Government are obviously pursuing the presentational impact of going for some spectacular area for which the Prime Minister or the Secretary of State can announce that money is now available.

Meanwhile, at local level, people do not have at their disposal to tackle priorities at their discretion the money that they are constantly described as having. Their priorities are being distorted, for example, by the meaningless waiting list targets, which are not being achieved and should never have been set in the first place. Cutting waiting lists is not the best objective to set the health service. In addition, ever-increasing bureaucracy and strangling of local initiative will inhibit the ability of people to deliver the service. That is my indictment of where we are headed and of why things are going wrong. We have been short of money; now we are not distributing it properly and we are not allowing people to use it properly on local priorities. That is evident everywhere and the problem will get worse.

Both sides of the House are committed to the NHS, but when we come to defend it, we discover that it is a hard taskmaster; it requires especially high competence, a rigorous choice of priorities and absolute clarity about what is at the disposal of the people who have to make decisions at the sharp end. Demand always rises inexorably, and has itself to be addressed by those responsible for the health service. The choice of priorities should be clinical and never political; it should certainly never be purely presentational.

The Secretary of State is taking some curious steps. Comments have already been made about his appointments and the right hon. Gentleman gave a curious and slightly tangential explanation. I realise that he is no longer in the Chamber, but I must make it clear that I have no personal complaint to make against him on appointments. I recommended one appointment, which the Secretary of State made—despite the fact that I made it clear that the person was a supporter not of the Labour party, but of the Conservative party.

Apart from the political complexion of the appointments, the Secretary of State does not satisfy me that he appoints on merit, or for the special qualities required for the huge, demanding and stressful task of managing a health authority or an NHS trust. He misunderstands the nature of the appointments that he makes. When I was Secretary of State for Health, I did not make political appointments. I had rows with some of my Back-Bench Members because I refused to make the political appointments that they wanted. I appointed, or re-appointed, at least two ex-Labour Members of Parliament. I might even have appointed people who were Members of Parliament at the time, if they had had the time to combine the job—it is a pretty full-time one—with being a Member of Parliament.

However, I did appoint a much higher proportion of business men; that got me accused of political bias. I appointed professional people and people with managerial experience of running a large organisation that posed difficult challenges outside. It was said that many of those people were Tories. Indeed, in the good days for our party, it was probably true that a large number of business men were Tories, but that was not the reason for their appointment. It is no good removing people from NHS posts, as the Secretary of State does, because they are business men and because the quota of business men is too large.

Of course, people with professional, managerial and other skills can be found in local government, but it is a mistake to believe that one should appoint to those key management tasks a whole lot of elected, local representatives of one's party—elected for their democratic and political skills. The appointments are much more akin to non-executive appointments to large, complex organisations; people are needed who have the substance to sit alongside the executives, and who can share the responsibility for multi-million budgets and for agonising ethical and priority choices. They have to hold the executives to account and assist them in discharging their duties. Those huge lists of local authority or other Labour party activists and worthies completely miss the point.

Mr. Simon Hughes: It may be easier for the right hon. and learned Gentleman to answer my question now that he is in opposition than it would have been when he was in office. Does he agree that it is now sensible that we should move away from such appointments being entirely the responsibility of the Secretary of State of the day? They should be dealt with by a cross-party or all-party process and should be much less political appointments—as Neill has recommended for other public offices.

Mr. Clarke: I am a straightforward chap and I think that it is a pity that Secretaries of State cannot handle those matters. I fear that appointment-making will be taken over by quangos of the great and the good. I am not sure whether all the rules that have been introduced on public appointments have improved the quality of those appointments—all that results is a great paper chase and some curious appraisal methods. With great respect to the officials, more people tend to be appointed whom the officials know and less people whom the Ministers know. That is not an automatic advance. If it is any consolation to the hon. Member for Southwark, North and Bermondsey, when I was at the Home Office, I once made a senior appointment of a Social Democrat who had lost his seat. It should be possible to have clear guidance and the Secretary of State should be held to account. We try to hold him to account, but he offers us a rather unconvincing explanation of the ridiculous total of Labour party activists that he has appointed all over the place.

Even more serious are the bureaucracy, the constraints and the changes that are being imposed on the ground, largely to satisfy the Government's claims that they are reversing the Conservative reforms. I believe that those changes will inhibit the delivery of the service, and the aspect about which I feel most strongly is fundholding. I totally reject the slogan used by the hon. Member for Wakefield that the NHS was made a two-tier service. The whole idea of fundholding was to give incentives to GPs, who act as gatekeepers to the service, to raise the quality of service that they provide to their patients. We discovered that some could do that better than others, but it is no good turning around and saying that the whole system is unfair because some people cannot manage it and make a mess of it, so everything has to return to the level it was before.

I come now to what I trust will be the most eloquent part of my speech, in which I quote a letter I received from a doctor. The letter was entirely unsolicited, although I have expressed strong views on fundholding. I shall not name the doctor, who is a GP in my constituency; I have no idea what his political allegiance is. By chance, he summed up in his letter my fears about fundholding. He writes:

"It is clear that the end of fundholding means that our patients must return to the unacceptably, and in my view, dangerously long waiting times for both inpatient and outpatient appointments. So much for the 'levelling up' process proposed by the government.

In addition to the above concerns, it is not at all clear that the Practice based services such as Physiotherapy, counselling and venepuncturist will be available in the future. Despite strenuous efforts on our part, Nottingham Health can not or will not give us any idea what the future holds for these services. I suspect that through a process of vacillation and procrastination they will wither on the vine . . .

The innovation and local flexibility that fundholding brought to General Practice is being stifled by the plethora of administrative structures, PCGs, TCPs, Trusts etc. The only result of all this reorganisation has been to introduce yet more bureaucratic layers, costing money which could be available for patient care.

You might be interested to discover that the approximate cost of each PCG"—

primary care group—

"of which there are six in Nottingham, is £250,000—not a penny of which has been spent on patient care—and the complaint was that fundholding was expensive!"

I could go on and give other details of the threats to his practice that that doctor fears. Almost every doctor in my constituency was in a fundholding practice by the time the Conservatives left office. Many of them fought the system fiercely when it was first proposed, but discovered the benefits of it and now regret its loss.

One of the great strengths of the NHS is the primary care service, provided by the family doctor who knows at first hand the needs of his patients. The duty of the family doctor is to act as a gatekeeper to access to NHS services, such as hospital care and community care services in his locality, and to get his patients the best possible access for the public money available for their care. That is being threatened by the crisis in local services. I could give a plethora of examples from the rising number of submissions made to me—that the number is rising may be chance, but I think not—of people whom the service fails when they find they want it.

The hospital service is also breaking down. The waiting list initiative is being used shamelessly to distort the length of waiting lists. People are removed from waiting lists for reasons that are administrative and have nothing to do with their clinical need. I have examples of people who need a hip replacement being told that they will have to wait 16 months before they can have a first interview with a consultant, because they only go on to the waiting list figures after the first interview and their waiting time thereafter is thus shortened. I have also found that our health authority has stopped allowing GPs to refer out of area because waiting times are shorter elsewhere, which is one of the flexibilities that the previous system permitted. All that tells of a steady deterioration in what can be done on the ground, and the prospect of a stream of public announcements and initiatives is no substitute.

Dr. Stoate: Will the right hon. and learned Gentleman give way?

Mr. Clarke: No, because I shall answer the point the hon. Gentleman made about what should now be done.

Fortunately, the Government have not reversed the previous NHS reforms. They have kept the purchaser-provider divide. The NHS now has management information that was not at the disposal of anyone before the reforms were made. I used to compare the old unreformed national health service with the Indian state railways: no one was apparently in charge of anything and the system worked only because everyone knew that they had to do roughly what they had done the year before, while hoping that they did not run out of money before the year's end. We now have an altogether better system which is capable of being controlled.

We must release from the centre the great bulk of unallocated money and stop introducing central initiatives. The walk-in health centres sound like a good idea—although they will probably stimulate extra demand, which is a great misfortune. However, they are not a first priority when we consider the strains on the service and they run the risk of diverting resources from other areas. Local priorities will differ somewhat from place to place; that is why we have a postal list variation. Sometimes variations are inevitable and sometimes they should be addressed—especially when big items, such as beta interferon treatment for multiple sclerosis, are involved. People should be allowed to say that, because waiting times are quite good in their region, they want to tackle other areas of the health service.

Money should be distributed and responsibility should be returned to the authorities, the trusts, the doctors in the GP practices, the senior clinicians in the hospitals and trusts and the community services. Health policy must be redrawn on the basis that responsibility for the day-to-day handling of health service demands should be delegated as far as possible to those on the front line in the local hospitals and GP practices. The Secretary of State's job is to hold local service providers accountable centrally for their performance and to ensure that he has in place people who are competent to use the millions of pounds at their disposal for the best purposes.

There is no thread of policy of that kind running through the Government's activities. The Secretary of State delivered a worthwhile statement on meningitis today and, in a fortnight's time, there will be another statement. By autumn, the press will happily report on its front pages stories that we have heard before. I am sure that I have heard the nurse consultant salaries announcement several times—with slight alterations on each occasion. Statements are no substitute for guiding the health service.

It is foolish to believe that increased spending will solve all the problems. The Government must conduct an annual spending review. It is no good accusing the Opposition of attacking health spending. The Government have been far too generous across the field in Whitehall, but I have never heard anyone attack the Government's health spending. My guess is that, despite what they say,

[Mr. Clarke]

the Government will have to allocate more money to health next year. They should face up to their responsibilities, conduct a proper spending review and save money elsewhere in government in order to afford increased health expenditure.

At present, we have drift and no policy. We are halfway through this Parliament and the problems are piling up—and they threaten to get worse, winter by winter. I have listened to this debate and I still have no sense of the Government's direction. The Labour party is at home and content fighting the last election, but it is totally out of its depth when it comes to taking decisions about the most demanding public service of all.

5.43 pm

Mr. Eric Illsley (Barnsley, Central): I welcome the Secretary of State's statement about meningitis. I, too, would have liked a separate statement about that issue as I wanted to question my right hon. Friend about the age ranges for which the vaccine will be available. When my hon. Friend the Minister of State winds up the debate, perhaps he will confirm whether the vaccine will be made available to students in halls of residence throughout the country where meningitis has been a problem.

I agreed wholeheartedly with the comments of my hon. Friend the Member for Wakefield (Mr. Hinchliffe)—except his remarks about the right hon. Member for Maidstone and The Weald (Miss Widdecombe). I agreed with my hon. Friend's views about policy, so I shall confine my remarks mainly to constituency points.

Before I do so, however, I want to take issue with the right hon. and learned Member for Rushcliffe (Mr. Clarke), who refused to accept that the introduction of fundholding resulted in a two-tier system. A few years ago, under the previous Government, the Central Sheffield University Hospitals NHS trust told all GPs in the South Yorkshire area, "We shall not accept any patients who are not from fundholding practices." When I took that up with the trust, it said that the reason for its decision was that fundholding practices' patients came with the money up front, whereas health authority patients did not, and the trust's perilous state at the time—it was, among other things, 9 per cent. over budget—meant that it could not afford to take anyone who did not come with the money in their hand, as it were.

Before I move on to my constituency points, I want also to deal with rationing, which is mentioned in the Opposition motion. As other hon. Members have pointed out, that motion, which claims that the system is deteriorating, is remarkably poor. Rationing existed under the previous Government to a large degree, but previous Secretaries of State refused to admit that.

Mr. Hammond: Does the hon. Gentleman believe that rationing exists under the present Government?

Mr. Illsley: I believe that rationing has existed in the national health service since it was formed. It is obvious that if there is an increasing demand for services and an increasing number of people want access to the system, the strains on the system will lead to some form of rationing. I disagree with the Opposition's accusation that we refuse to accept that rationing is happening. In government, they refused to accept that there was rationing and simply turned their back on the question.

Consultants in my area had to hope that GPs would prescribe to their patients the drugs that they wanted to prescribe because hospital trusts would not allow consultants to prescribe those drugs from the hospital's budget. I can quote chapter and verse on that matter because for many years my daughter was prescribed an expensive drug simply because we have a good, sympathetic general practitioner.

Some of the comments of Conservative Members about bureaucracy beggar belief. The previous Government introduced bureaucracy into the national health service by increasing management to the point where a previous Secretary of State had to remove 3 per cent. of the management staff who had been introduced because they cost too much.

There have been improvements in the national health service under this Government. For a start, there is the extra funding that is mentioned in the Prime Minister's amendment. That is a clear example of Labour's commitment to the NHS.

On funding, Barnsley health authority in my area has traditionally been the lowest-funded health authority in the country. We have been at the bottom of the list for a long time. Similarly, we were at the bottom of the list for the revenue support grant. When we queried our status with the previous Government, we received the scientific response, "Someone has to be at the bottom of the list, so why can't it be you?" There was no explanation of why the funding formula always discriminated against us when we had, and still have, some of the worst health indicators in the country.

I am pleased to say that under this Government my health authority received a funding increase of 7.85 per cent. this year, which is one of the highest increases for any health authority. That is very welcome. However, we still have considerable problems, one or two of which I shall outline, and we are still one of the lowest-funded health authorities.

Some colleagues and I recently attended a meeting with the Trent area health authorities and were shown a presentation in which almost every slide or indicator from the Trent region placed my health authority in the worst position and revealed problems with, among other things, coronary care and so on.

Mr. Jeff Ennis (Barnsley, East and Mexborough): Mortality rates.

Mr. Illsley: I shall deal with those in a moment.

Every indicator that is highlighted by health authorities in the Trent region points to our authority being the worst, yet our funding does not allow us to tackle the problems.

Traditionally, my area has high levels of disability. It is a former coal mining area—sadly, the previous Government decided to close the mines—and we have a legacy of problems from such heavy industry. There is a high incidence of disability, coronary disease, stroke and cancer, most of which relate to poor life style, diet, and so forth as a result of living in a poor and economically disadvantaged area. This Government have recognised that: they have introduced health action zones and I am

pleased to say that South Yorkshire is one such zone. The incidence of heart disease and stroke in particular will be dealt with, I hope, and we will see an improvement.

The standard mortality ratio in the Barnsley health authority area is the worst in the country. Apart from the incidence of heart disease, stroke and so on, I am not sure why, but it is a cause for concern. When the figure is broken down by ward, the difference between the highest and lowest is very small. In other words, no area covered by Barnsley health authority is good or bad; the figure is simply bad throughout. That needs to be tackled. I hope that the regional health authority and my hon. Friend the Minister will consider the matter for the future because in an area that has a history of heavy industry and which wants to regenerate and improve itself economically, such figures are not conducive to people settling.

Another recent indicator that caused concern is that for the prescription of anti-depressants, where again—and I am not sure why—our area is the worst in the country. I do not know whether it is simply a question of GPs prescribing such drugs to get people out of their surgeries, but it should be addressed. I was encouraged recently to hear that the new GP-led primary care group has appointed a GP from within the group to tackle the issue among GPs themselves. That GP can go to the worst offenders and find out why they are prescribing so many anti-depressants and whether their practices—either previous fundholding or single-handed GP practices—are up to scratch. The history of prescribing in my area may not be as good as it should be. Now that we have a PCG, we are able to address that.

For some reason, the highest number of deaths—albeit a low number—from breast cancer occurs in my area. Neither the health authority nor Trent executive region can identify the reason why—nobody knows. Some time ago, I went to the opening of the breast cancer unit in Barnsley district general hospital. It is a superb facility—nicely decorated and situated, and established to make patients feel comfortable and to encourage them to come forward with breast cancer problems and related issues. The unit is excellent, but no one can explain why we have the highest rate of deaths from breast cancer. Nobody has been able to identify whether it is because people are not coming forward early enough or at all.

There is a shortage of GPs in our area. Several are due to retire in the not-too-distant future, but we are not attracting people to replace them, so we may soon have a crisis in such provision. Also, for some reason, we have a large number of single-handed general practices. In fact, the primary care group GP who represents them is responsible for 148,000 patients in the Barnsley area, which appears to be a very high number. Perhaps that too ought to be addressed.

In Barnsley, waiting lists for two types of treatment are far too long. People must wait three years to see a consultant orthodontist. All concerned have acknowledged that, but no one appears to be doing anything about it. I would welcome the comments of my hon. Friend the Minister on whether the matter can be addressed.

Second only to one or two areas in the north-east and Northern Ireland, Barnsley has the highest rate of coronary heart disease in the country, yet patients must wait up to nine months for an angiogram. In one case, which was referred to me recently and is a cause for concern, a man aged 38 was required to wait nine months. He decided to obtain the angiogram privately, at quite some cost, only to find that he needed quadruple heart bypass surgery. He is fearful that, had he not taken the option of private treatment, he might not still be alive.

I welcome the private finance initiative to build new hospitals. The right hon. and learned Member for Rushcliffe referred to the PFI hospital programme, which he apparently started but never got off the ground—he never managed to get the buildings up and running. The PFI in Barnsley is very small: about £1 million to refurbish hospital kitchens. However, the privatisation of all kitchen area staff and of housekeeping on the wards appears to be coming in on the back of it, to the point where the only health service staff on the wards of Barnsley district general hospital will be nurses, and everyone else—from the bed to the door—will be contracted in from private companies. That is a great cause for concern.

I welcome the Government's amendment and totally oppose the Opposition motion. I welcome all the initiatives that my right hon. Friend the Secretary of State is taking and hope that some of the points that I have raised about my constituency will be taken on board.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. Before I call the next speaker, I must inform the House that many hon. Members are still seeking to catch my eye. Unless speeches are considerably shorter, several of them will be disappointed.

5.58 pm

Mrs. Marion Roe (Broxbourne): I congratulate the Secretary of State on his announcement concerning meningitis, which is very good news. I congratulate all those associated with the initiative.

It is with a sense of enormous sadness that I have watched the decline in the standards of health care provision in Britain since the Labour Government and the Secretary of State took control in 1997. I believe in a national health service and in the magnificent work of our doctors, nurses and other health professionals in the face of huge difficulties that have been generated by this Labour Government's policies.

My principal interest is in primary care. I have watched with pride over 14 years the innovative developments in practices in my constituency which have improved the quality and efficiency of their services.

I fully endorse the points that my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) made about fundholding. I watched with pleasure as clinics were established by fundholders in local surgeries to provide convenient local and cost-effective care for the local population. They developed day-surgery clinics, cutting waiting times for surgical procedures. They employed medical professionals such as counsellors to reduce the demands on the mental health services. Since 1997, I have seen those clinics systematically destroyed as a result of the Government's reforms.

The Government seem to spurn innovation and entrepreneurialism. They seem to be working to the lowest common denominator in medicine. They fail to

[Mrs. Marion Roe]

realise that all developments in medicine have always depended on the introduction of ideas in individual pioneering units, rolled out to all for the greater good. The current primary care reforms, corralling and coercing doctors into arbitrary groups and forcing them to work to confusing agendas in disparate environments, deride and destroy the progress that Conservative Governments for so long fostered and nurtured. Those groups, often working to impossibly tight budgets, are being forced to close those clinics and services as a niggardly cost-cutting exercise. The result is less good, less convenient services.

The doctors are being forced to act as Government hit-men, rationing services while the Secretary of State denies that rationing even exists. Indeed, he is setting up the National Institute for Clinical Excellence to intervene in the clinical care provided by doctors by imposing dubious guidelines and applying professional and financial pressures to force the withholding of some types of care. The Secretary of State has certainly caused chaos with Viagra, leaving practitioners unsure how to manage the often serious symptoms for which it is available.

The service will deteriorate further as other new drugs, possibly with life-saving actions, are allocated to patients arbitrarily by a Minister who seems more interested in named diseases and financial constraints than in the distress and morbidity resulting from the illnesses from which patients suffer.

I watch with sorrow as the primary care groups take clinicians out of their surgeries to try to manage the unmanageable. Half a million consultations a month are stolen from the system by their absence to attend committees. Half a million patients a month are deprived of their own doctor and are forced either to wait or to obtain medical advice from other practitioners in whom they may not have as much confidence.

I watch with sorrow as primary care is fragmented by this gung-ho Government, who are introducing NHS Direct and walk-in centres without proper evaluation, putting dogmatism before realism. Why can the royal colleges, the British Medical Association and the profession as a whole all see what the Government fail to see—that these new and gimmicky services will fuel demand, diluting care and consuming enormous financial resources? Worse, to use the words of Dr. John Chisholm, the BMA's general practice committee chairman,

"the Government could casually destroy or weaken our model of general practice."

Dr. Brand: We may be getting slightly carried away by dogma. Does the hon. Lady accept that single-practice fundholding was extremely costly on doctors' time, as they had to negotiate with every clinical department of every hospital with which they negotiated? Does she agree that the setting up of consortiums of fundholders was a great improvement? There is no reason why primary care groups cannot carry forward that effectiveness. It is up to the ex-fundholders to get stuck in to the new system and make it work instead of slagging it off.

Mrs. Roe: I take the hon. Gentleman's point, but the doctors to whom I have spoken feel that the freedom and flexibility that they had as fundholders gave a much better opportunity for appropriate patient care and certainly provided the adequate service that they felt was important within the national health service.

I am saddened to see the British Medical Association so concerned by the Labour Government's changes. Last week in Belfast, Dr. Ian Bogle, BMA council chairman, made an unprecedented attack on the Prime Minister. He pointed out that morale in the health service had never been so low. He offered mock congratulations to the Prime Minister on managing to alienate the whole medical profession. He attacked the Prime Minister's personal style of "spin and grin".

In my constituency, I have never had so many complaints. It is surrounded by deterioration in local hospital services. My constituents have access to three hospitals—the Chase Farm hospital in Enfield to the south, the Queen Elizabeth II hospital in Welwyn Garden City to the west and the Princess Alexandra hospital in Harlow to the east. All are faced with downgrading, closures and service reductions born out of financial stringencies and staff shortages. Up to 50 beds will go at the Princess Alexandra; the Queen Elizabeth II faces a merger with the Lister hospital at Stevenage with the loss of some of its key services; and the Chase Farm hospital has already been merged with Barnet general and, I believe, now faces a declining future.

Many of my constituents are infuriated by a Government who claim to be bountiful while cutting and cutting service after service. In the past 24 hours, I have received several tragic letters from constituents. One was about a frail, elderly and sick lady suffering an appallingly long wait in hospital with nursing and medical shortages, defective equipment and not even any refreshments.

I am hugely concerned about the future security of my local breast disease service, threatened with relocation in an inappropriate merger with another hospital.

Another constituent, a frail, elderly gentleman, experienced a five-and-a-half hour wait for an ambulance to take him home, resulting in his not arriving until late at night, long after his carer had left. If it had not been for the good will of the carer, who returned to help him to bed, he might have had to face a night in his wheelchair.

The Government have ridden roughshod over the health professions, imposing change of dubious benefit and doubtful efficacy. The real success, the jewel in the crown, are the health professionals, who have risen to meet this folly with dedication and vigour, challenging the steady deterioration in service with ever more commitment in time and energy.

I do not believe that this can go on. The Government must realise that they cannot expect dedicated health professionals to bail out unworkable and nonsensical policies. They must remove the coercion to join primary care groups. If they are so good, why are they compulsory? They should reconsider the roll-out of NHS Direct and walk-in centres until proper evaluations have been carried out and the results have been submitted to public scrutiny, and they must realise that GPs cannot subsidise in time and money the management of our vital service. Only then will our NHS start to recover from the ill-conceived and chaotic policies of this Labour Government.

6.8 pm

Dr. Howard Stoate (Dartford): No one seems to have a good word to say for the national health service these days, so it behoves me, as one of the very few medically qualified Members of the House who still does a certain amount of practice, to answer some of the points that have been raised.

Mrs. Virginia Bottomley: Is the hon. Gentleman the Minister?

Dr. Stoate: In answer to the right hon. Lady's question from a sedentary position, I do have the right to answer the debate, even though I am not winding up for the Government. I still feel that I have arguments to make in answer to points that Labour Members and Opposition Members have raised in the debate so far.

Dr. Brand *rose—*

Dr. Stoate: I shall give way in a minute.

In the interests of grown-up debate I decided to look back over the past 20 years, at my experience as a doctor, to see what I could glean from my experience in the health service. During the past 20 years, the health service has changed dramatically. There have been vast improvements all round. Social conditions for most people in this country have to a certain extent improved. Nowadays most people have telephones and many have cars. Most people can now get to the premises where their general practitioners and the primary care professionals work.

The role of the general practitioner has also changed dramatically over the past 20 years. Most people can come to much better equipped surgeries, where a far wider range of facilities is available. More can be done for them in primary care, without their having to be passed on to the secondary sector.

Dr. Brand: I am grateful to the hon. Gentleman for giving way. Is he not surprised that the Government amendment

"congratulates the staff on providing . . . the fairest and most efficient healthcare system in the world",

and that we no longer speak of the best health care system in the world? Can he explain how we can go back to being comparable with the best—at present we are second or even third-rate in our outcomes—without putting in extra resources?

Dr. Stoate: I thank the hon. Gentleman for that contribution, although I do not agree with him. I believe that ours is still one of the best health services in the world. We have one of the most dedicated services available. We have notes that go from cradle to grave. We have a commitment to patients that is unsurpassed in most countries, which still envy us. For example, many people still come to visit the Royal College of General Practitioners, of which I am a fellow, to find out how British general practice can be rolled out into other parts of the world. I still take part to some extent in the college activities, and professors from foreign countries come over frequently to find out how British general practice can be used in their own countries for the benefit of their own people.

I simply do not recognise the idea that British general practice and the British national health service have slipped in their position in the world. I still believe that it is an excellent service, with much to offer people in Britain.

General practice has improved markedly over the past few years. That has not just happened recently. It has been going on over a long period. I shall surprise Opposition Members by saying that I do not believe that the service has become wonderful over the past two years having been dreadful before. I take a rather more grown-up approach and say that improvements have happened gradually, over a long period—and yes, some of those improvements have been due to the Conservatives. To a certain extent, I pay tribute to what the previous Government did.

Much of the debate this afternoon has centred on fundholding. Yes, there are aspects of fundholding that did a great deal of good. There was considerable innovation, and many entrepreneurial ideas came from certain general practitioners who were able to run with the ideas and introduce genuine change and improvements for patients in their surgeries. However, there was a problem, which the Opposition have never grasped and to which they have never owned up.

Every improvement that some GPs were able to glean for their patients was at the expense of other GPs who were unable to do so. The fact remained that if money was being top-sliced to be given to fundholders, less was left for the commissioning groups of other GPs who did not have those advantages. There was indeed a two-tier service. For every innovation from which some GPs benefited, others lost out. As someone who has been a GP for a long time—a non-fundholding GP—I felt that keenly in some aspects of patient care. I felt that on many occasions my patients were missing out, because of the activities of fundholders.

Many aspects of fundholding worked, but the problem was that it was unfair. Opposition Members like to speak about free choice and the right of people, including doctors, to make decisions for themselves. I agree with that, but there is a fundamental difference between my view of the world and theirs. In their view, choice and freedom must be right at any cost. In my view, choice and freedom are right only in so far as they do not impinge on the choice and freedom of others. Choice is good, but not at the expense of others. Fundholding undoubtedly reduced the choice of others.

Opposition Members look quizzical, so I shall give a simple example relating to economies of scale. If a fundholder top-sliced the budget for the family practitioners service, as it was then, that left far less money for the non-fundholding GPs. That meant that they were far less able to negotiate bulk contracts with their local providers. They got a worse service and the money ran out sooner. The money was not available for GPs in the non-fundholding practices to make the best of things for their practices.

Although some good things came out of fundholding, I believe that overall it created inequality, unfairness and a two-tier service.

Dr. Fox: I am grateful to the hon. Gentleman for giving way. If, as he says, fundholding created a two-tier system and there were advantages to fundholding, would it not

[Dr. Fox]

have been logical to move everyone up to the top tier, not to drag everyone downwards by restricting freedom, as primary care groups have done?

Dr. Stoate: The hon. Gentleman raises an important point, but I cannot agree with it. If, as I believe and as many surveys have shown, fundholders were getting a greater proportion of the resources, those advantages would be lost if all GPs became fundholders, because they could not all have more than their share of resources. The only way that fundholding could turn out to be a great success was by reducing the resources available to non-fundholders.

Surely the way forward in that case is to amalgamate fundholding with non-fundholding to produce the best of all worlds. I shall give an example to Opposition Members, who may not believe me. In my constituency, Dartford, more than 100 GPs, fundholders and non-fundholders working together, formed a primary care pilot. About 70 of them were fundholders and 30 were non-fundholders. They voluntarily gave up that status to work together as 100 GPs. They reduced bureaucracy and achieved much better economies of scale and improvements in services.

Those GPs acted as a model for primary care groups. Now that they have become a primary care group, they are a year ahead of most other GPs and are providing genuine and sustained improvements in service for their patients. They have taken the best of fundholding and rolled those benefits out for all patients and all GPs in the community. They formed a primary care group, precisely as the Government intend, to reduce the inequality that was apparent under the previous system.

We have taken the best and ensured that it is available to all. Of course I accept some of the criticisms from some of my GP colleagues who say that things have happened very fast, that they are not sure what is happening and that there are gaps in service. Some PCGs have obviously been faster and more organised than others, and some are falling behind. However, that is more a matter of things settling down over time and the new service bedding in, rather than a fundamental problem with the service.

I genuinely believe that in a year's time, primary care groups will prove to be the best thing that we could have done under the circumstances. They will provide the maximum improvements for all patients in the community, not just for the favoured few. That is surely what is needed to improve health care for people in Britain.

It is right for this debate to take place and for the House to examine how the health service is working, but it is not right to table motions that run the health service down and frighten people into believing that the health service is getting worse, when it clearly is not. We should be talking up the best of the health service, improving aspects in which improvement is still needed, and most of all building on the successes of the past and ensuring that they benefit everyone.

I pay tribute to the enormous number of doctors, nurses and other health professionals who work extremely hard, who show such dedication, and who work long hours, sometimes at thankless tasks. We should pay tribute to those people, instead of making them look as though they are running a second-rate service of which no one wants to be part. That is not the case.

I have sat through the debate this afternoon and listened to the comments, and I do not recognise the health service that many hon. Members profess to know all about. I still work in the health service to a certain extent and I shall give Opposition Members three examples of patients whom I have seen in the past few weeks.

We talk about priorities and about whether people get the service that they want, when they need it. I saw a lady with breast cancer. It was in quite an advanced state. I picked up the phone and spoke to a surgeon. He said, "I am still here. How quickly can she get to see me?" She was seen that very morning. That is not a bad service.

I saw a patient recently who had come back from Thailand with a nasty tropical illness which clearly needed investigation. I picked up the phone and arranged for him to be seen by a consultant the same day. He was dealt with immediately with no problem and no queues.

I saw a patient a few weeks ago who was suffering from post-natal depression. I sent a fax to my local psychiatric hospital asking whether she could be seen as soon as convenient. I got a phone call from the consultant the same day, asking me to track the patient down so that she could be seen the same afternoon in the consultant's clinic. That is not a bad service.

The health service can still deliver the best. For every example that Opposition Members can list in which things have gone wrong, I can give examples in which things have gone very right indeed. We should pay tribute to the health service and talk it up, instead of talking it down. It is the best that we have, and I do not believe that the Opposition have any ideas about how the system that we have introduced could be improved on.

6.20 pm

Mrs. Virginia Bottomley (South-West Surrey): Like the hon. Member for Dartford (Dr. Stoate), I can give three examples of what has happened to patients—a gentleman, Mr. Roger Humphreys, admitted to the Royal Surrey county hospital on Sunday lunchtime but not admitted to a ward until Monday evening; a lady, whom I shall not name, with cancer who was left in the accident and emergency department for more than 10 hours; and a young man, a schizophrenic, who should have been seen by either a social worker or a psychiatric nurse as he had just burned his parents' house to the ground—all suffering from the Government's blight on the home counties.

Undoubtedly, matters in South-West Surrey are worse than ever before. I have had more letters than ever before. The waiting lists are up. When I went to the Department of Health, I took the view that a one-year wait was too long to be acceptable. At that time, there were 270,000 one-year waiters. When I left, there were 30,000. When this Government came to power, there were still 30,000; there are now 48,000. How many more examples do the Government want of the fact that the rhetoric, the spin and the trivial nature of their approach to the health service are not delivering?

For the first six months, time and again every Minister said of the previous Government, "We keep our promises; they broke theirs." We have not heard that trite claim today, because it is so blatantly not being delivered.

The Government were going to reduce waiting lists. As we know, that promise is costly—the Government are not delivering, and that promise is distorting priorities.

The Government have attacked managers. They have now reached the stage where managers apparently have to be appointed by the Secretary of State. Breaking all precedents, the chief executive of the National Institute for Clinical Excellence has to be appointed by the Government. I hope that the First Division Association will make its voice heard about that.

The Government are opposed to postcode prescribing. I take the view of my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) that postcode prescribing may not be desirable, but the alternative is centralisation, lack of innovation and the lowest common denominator. We see old Labour at work more in the health service than in any other area.

Professor Le Grand of the London School of Economics health unit—I declare an interest as a governor of LSE—has described how the third way has been adopted across the social agenda by the Labour party, but not in health. I urge the Government to look more pragmatically at the NHS, to have more of a partnership approach and to stop being so politically driven, because these endless irrelevant initiatives are irritating the professionals more and more and creating quite unrealistic expectations among patients.

Walk-in centres and NHS Direct are not bad ideas, but they are centralising. They are taking power to Ministers at exactly the time when, as my right hon. and learned Friend the Member for Rushcliffe said, we should be devolving power down to the levels closest to the patients and the professionals.

Today, we had a welcome announcement on meningitis C. I declare an interest, which appears in the Register of Members' Interests, because I work with Wyeth, which has been closely associated with that initiative. Despite all the rhetoric about health action zones and inequalities, let us consider what the previous Government delivered—please can this Government do better?

Let us take the example of MMR immunisation. In 1989-90 in west Birmingham, among the worst areas in the country, only 49 per cent. of children were immunised. Two years later, as a result of the changes put in place by the Conservative Government—rewarding general practitioners for immunisation, against which the Labour party voted—that figure had risen to 82 per cent. In Newham, again an area of great deprivation, the party which Labour always said did not care about inequalities was responsible for an increase in the number of children immunised from 50 per cent. in 1989 to 81 per cent. in 1991.

I urge the Government to take more seriously the delivery of results. Health care is not about initiatives; it is about implementation and the follow through. That is why I am so appalled by what is happening on junior doctors' hours. I was the Minister who signed the new deal. I was also the Secretary of State who signed up to the targets in the "Health of the Nation" White Paper. I hope that in "Our Healthier Nation", with many similar targets in many similar areas, the Government will deliver. The Government would gain more respect if they left party politics aside—they do not need it with such a big majority—quietened down and delivered.

All these trivial initiatives take the time and energy of senior managers, Ministers and others at a time when, with more humility and pragmatism, they should be asking what the NHS can deliver. My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) put the rationing issue well and truly on the agenda. The worry is that unless the Government are more truthful—this is why I so welcome the appointment of my hon. Friend the Member for Woodspring (Dr. Fox)—they will always give way to the articulate greedy as opposed to the inarticulate needy. The challenge will be the unfashionable causes and the inarticulate groups. The Government should say, "We cannot deliver everything for everybody."

Let us have some realism, integrity and honesty. The danger that the Government are storing up for themselves is that they will end up exactly like the previous Labour Government—expectations were massive, and the disillusionment and disappointment with the implementation was so great that people started to take industrial action and patients suffered.

We have had a welcome announcement but, please, now, two years into office, will the Government calm down and put the patients and the professionals, not the politicians, in the driving seat?

6.25 pm

Sir Raymond Whitney (Wycombe): My right hon. Friend the Member for South-West Surrey (Mrs. Bottomley) speaks with great knowledge and understanding of the health service and makes an extremely valid case. By nature, I am an optimist and I came here today thinking that, perhaps, for the first time in 53 years, we could have a sensible political debate on how to provide health services in Britain. I thought that because, after 26 months of the realities of office, I hoped that the Labour party might, as my right hon. Friend suggests, face up to the problems that we all share in providing a proper health service for Britain, but that was not to be.

The reason that we have not had a sensible debate for 53 years is the myths that surround what happened in 1946. Sure enough, the hon. Member for Wakefield (Mr. Hinchliffe) tried to resurrect those myths this afternoon. The fact is that all three major parties in Britain were, for many years before the health service was created, totally in favour of a health service which was comprehensive, universal and free at the point of delivery. There was great unanimity on that throughout the war, culminating in the 1944 White Paper introduced by a Conservative Minister. That White Paper was strongly endorsed by the Labour party at its Blackpool conference in October 1944.

The only difference—it was a significant difference—was that the majority of the Labour party, led in particular by the then Lord President of the Council, Mr. Herbert Morrison, the grandfather of the right hon. Member for Hartlepool (Mr. Mandelson)—and who, in the light of the problems that we have had since, would say that he was wrong?—said that we needed not the centralised and over-bureaucratic structure which Aneurin Bevan eventually put through the House, but a much more devolved structure with local autonomy and a great deal

[Sir Raymond Whitney]

more freedom from bureaucracy. Let us therefore be clear that we should not be fobbed off with the myths that we have heard this afternoon, and have had—

Mr. Hinchliffe *rose—*

Sir Raymond Whitney: No, sorry; no chance at all.

We have had those myths for 53 years. For 53 years, Health Ministers have had the same challenges. I was a junior Health Minister for a short time and, like every other Minister, junior or senior, I accepted the basic framework of the health service with the two overriding essentials of universal care free at the point of delivery and the need to get as much money as possible out of the Treasury and spend it as wisely as one can. Governments of both complexions have tried that. The previous Conservative Government had a great record. We had a 74 per cent. increase in expenditure in real terms, an 86 per cent. increase in hospital treatments, and we doubled the number of hip replacements. We can all swap such statistics.

We should concentrate on the hospital sector. The hon. Member for Dartford (Dr. Stoate) spoke about general practitioners. I accept that the level of GP provision in Britain is something of which we should be proud, but we should not be proud of the hospital problem, particularly the waiting times and all the ancillary services.

The Conservative Government tried hard with their massive increase in spending over 18 years. We produced a long list of improvements. We have now had two and a bit years of the Labour Government. In many ways, they have gone backwards. The previous Labour Government's record was appalling. Nurses' pay fell in real terms by 3 per cent. in one year, the hospital building programme was cut by a third, and doctors said that the health service was on the point of collapse. They are saying that again. I utter these words with care, but does not that suggest that the NHS is not the envy of the world? If it was, it would have been copied elsewhere.

The New Zealanders established a national health service for a short time and then walked away from it. The Swedes had something similar for a while, but they do not have such a service any more. There must be lessons that we can learn from other countries and it is about time that we, as responsible politicians, faced up to our responsibilities and accepted that reality. Instead, we always hear flannel from Labour spokesmen, and the Secretary of State gave us a prime example of that this afternoon.

Let us look to other countries. Of course they have great problems, but I am sure that there are things to learn from them. I believe that we have to go back to where Herbert Morrison was when he lost his battle with Aneurin Bevan 53 years ago, and look for a much higher degree of local autonomy and less of the centralisation that the Labour party by instinct enjoys so much.

We also have to look at additional sources of funding. We all know that money is not everything in respect of health care, but it is crucial. The latest figures available for per capita health spending in Britain are given in American dollars, which is usually the case with statistics. We spend $1,300 compared with $4,000 spent in the United States. I would not dream of suggesting that as an example, but we should look at our sister countries—the other advanced industrial countries such as Germany and France—where average per capita spending is $2,000. That is a difference of $700 per person.

Laura Moffatt (Crawley): Will the hon. Gentleman give way?

Sir Raymond Whitney: I am sorry, but I cannot.

With such a difference in spending, no wonder we have these problems. We should therefore open our minds and tell ourselves that the health service will not be safe in the hands of Labour or any other party unless we consider new solutions.

6.32 pm

Sir Geoffrey Johnson Smith (Wealden): I fear that only a few minutes remain, and one of my hon. Friends—

Dr. Julian Lewis (New Forest, East): Two.

Sir Geoffrey Johnson Smith: Two of my hon. Friends wish to make further comment. I am relieved from discharging some of my duty, however, because the speech of my hon. Friend the Member for Wycombe (Sir R. Whitney) followed in thought, if not word by word, exactly what I have in mind.

Members of my family work in the national health service, and I have great admiration for such people and for the achievements of the NHS. I have no wish to scrap it but, like my hon. Friend, I have to recognise that no other country has copied us. The representatives of nation after nation have visited this country and rejected our solution, but they have suggested that there are ways of topping up public expenditure. They believe that that can be achieved through friendly societies and insurance, and we can do that in this country. A whole raft of measures has made it possible for a better service to be delivered in continental countries, with which we should compare this country.

In my judgment, it is disgraceful that, instead of recognising that, we indulge in the sort of political rhetoric that so often destroys the ability of the House to give some lead to the Government and the public and to help to explain to them why change is necessary. By doing that, we do a disservice to those who work in the health service. They suffer from some of the same frustrations as us and they do not want the health service to be destroyed, but we will not give them a pointer to ways in which the health service can be improved if we do not recognise that alternative sources of finance and training would enable them to discharge their duties more effectively.

I am not referring to creeping privatisation or anything of that kind, but I am concerned that we will lead people to ever declining standards of practice if we go on blindly assuming that we can continue to have a health service free at the point of demand and subsidised almost exclusively by the taxpayer.

6.34 pm

Mr. David Amess (Southend, West): I am increasingly angry about the style and lack of substance of Her Majesty's Government. Frankly, they should be

absolutely ashamed of the way in which they have let the British people down by mismanaging the national health service since 1 May 1997.

Mr. Eric Martlew (Carlisle): Basildon!

Mr. Amess: From a sedentary position, the hon. Gentleman shouts the name of my former constituency. Yesterday, I visited a friend who is seriously ill in hospital and that gentleman has everything to thank the hospital for in respect of the treatment that he has received. This might take the smile off the hon. Gentleman's face: he might be interested to know that the staff who work at that particular hospital—

Mr. Martlew: Will the hon. Gentleman give way?

Mr. Amess: We have only five minutes to go, and if I gave way I should be abusing the procedures of the House.

Every hon. Member should thank the women and men who work in the NHS for the wonderful work that they do on behalf of our constituents. Many of us have relatives and friends whose lives have been saved by them. For example, the gentleman who runs my office has had two heart bypass operations and he is thankful for the skill of the surgeon concerned.

For 18 years, the Labour party politicised the health service. Day in, day out, it tried to blame the Conservative party for everything that was reported by the newspapers, but it is interesting that it is now a little bit uncomfortable with the headlines. This week, a leader in *The Times* headed "Patients and Patience" said:

"In health reforms outcomes are what matter".

A headline in the *Daily Mail*, which the Labour party does not like, says:

"At 103, Amy King had a right to expect exemplary treatment when taken to hospital. Instead, she was left weeping on a trolley for 28 hours, just another victim of our crumbling health service".

Day in, day out and week in, week out, headlines that are clearly criticising the Government appear in the newspapers.

It has sickened me to listen to Labour party apologists during this debate on an Opposition motion, which I believe has already been abused by combining it with a statement. Labour Members say, "What has been reported since 1 May 1997 is all wrong." The hon. Member for Dartford (Dr. Stoate) and others were not Members of the House in previous Parliaments, but we all remember Jennifer's ear and all that. I believe that Labour Members should be absolutely ashamed of the way that they politicised the health service for 18 years.

Who thinks that the Labour party is doing a good job? Labour MPs do, but the professionals and the people who work in the health service know that the Labour party has let them down. Last week, I had the privilege to meet representatives of the Royal College of Nursing, which has said:

"The NHS is facing its worst nursing shortage in 25 years. The RCN revealed in January 1999 that there are now up to 13,000 full-time nursing vacancies".

Local medical committees in Essex have passed two motions. One said that the conference had

"no confidence in the present government's handling of the National Health Service"

and

deplores the fragmentation of the structure of primary care delivery in the UK".

Another motion was passed, also saying that

"conference has no confidence in this present government's handling of the National Health Service."

We have already heard what the British Medical Association has had to say. Labour MPs quoted what it had to say for 18 years—it was their greatest comforter—but it has turned against the Labour party. I am not sure whether the Liberal party still supports it; we shall find out when it elects its new leader in the middle of August. Now that it has turned against Labour Members, they do not want to know about it. As far as I am concerned, no one is satisfied with the NHS reforms except Labour Members. Those of us who sat through 77 hours of Standing Committee sittings on the Health Act 1999 know at first hand what those reforms amount to.

Lorna Fitzsimons: Will the hon. Gentleman give way?

Mr. Amess: No. We know what those reforms amount to and the Minister of State, who was a member of that Committee, was responsible for overseeing a complete shambles. On Report, Labour Members had no idea what new clause 18 meant, and we did not have a satisfactory debate on the health service.

On 1 May 1997, the Labour party said, "Vote Labour and you will save the national health service." It should have said, "Vote Labour and you will have to save the national health service." The two people whom I blame for the mismanagement of affairs since 1 May 1997 are none other than the Prime Minister and the Secretary of State for Health. The sooner the pair of them go, the better.

6.40 pm

Mr. Philip Hammond (Runnymede and Weybridge): I begin by expressing our support for the Secretary of State's statement on meningitis vaccination, which builds on the immunisation programme that was at the heart of the previous Government's public health programme. It is extremely good news for all of us, especially those with small children.

We had the familiar speech from the hon. Member for Wakefield (Mr. Hinchliffe). Many of us have heard it before, and I do not intend to address it point by point. However, it was interesting that he attacked the previous Government on their record on the funding of long-term care. I noticed that he did not ask his Front-Bench colleagues when they were going to respond to the recommendations of the royal commission on the long-term care of the elderly. I suspect that the answer is that they will not respond, and that we shall discover that that is just one of the many promises made in opposition that the Government have now broken.

I am extremely grateful to my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) for nailing the hon. Member for Wakefield and the Secretary of State for once again making the cheap and unfounded slur that

[Mr. Philip Hammond]

the Tory party wants to privatise the NHS. That is their only response to health debates these days. It is untrue: the Government know it, and it is unworthy of them to keep repeating it.

I was interested to note that the hon. Member for Barnsley, Central (Mr. Illsley) acknowledges that rationing exists in the NHS. I look forward to hearing from the Minister whether his hon. Friend has got it right, or whether he has a pager defect.

I am also grateful to my hon. Friend the Member for Broxbourne (Mrs. Roe) for her eloquent exposé of the weaknesses and pitfalls of the Government's primary care reform agenda, and to my right hon. Friend the Member for South-West Surrey (Mrs. Bottomley), who drew attention to the problems of areas that are not among the Government's most favoured.

The focus of the debate is on the gap between the NHS that we were promised by the Government at the last general election and the NHS that is being delivered to us. It is about the deception that was practised on the British people by the party that posed as the saviour of our national health service, and about the betrayal of NHS staff, many of whom—of all political persuasions—placed their trust in the Government in May 1997. If the Secretary of State has achieved one thing unequivocally, it is, as the chairman of the BMA said, the alienation of the whole medical profession in just two years.

The Government are obsessed with style over substance. They believe that saying it is doing it, and they put politics before patients.

Lorna Fitzsimons: Will the hon. Gentleman give way?

Mr. Hammond: No, I shall not give way, because there is no time left in the debate.

No one doubts the Government's desire to achieve a better national health service, but wishful thinking is no substitute for policy competence. Spin doctors cannot deliver pain relief, and they cannot cure patients. Patients who are on waiting lists or waiting to get on those lists, or who cannot get the drugs that they need to prolong their lives or to relieve their pain, know that the Government have failed to deliver the better health service that they promised them at the general election. Their families, neighbours and friends know that.

The Government are presiding over an unprecedentedly centralised national health service. It is an NHS in crisis: clinical priorities are subordinated to political targets, and the nursing shortage is at its worst level for 25 years. We now have a year-round winter crisis, fewer beds; routine, same-day cancellations of operations; rising total waiting lists; and more people waiting longer for their treatment. The morale of the medical profession is at an all-time low, and we have creeping rationing of drugs and treatment across the system and across the country. The worst thing is that the Government deny that all that is happening. They will not address the issues because they do not even acknowledge them.

The contrast between the reality and the expectations that were deliberately, recklessly and irresponsibly raised by Labour's rhetoric at the last election could not be greater, and is already beginning to haunt the Secretary of State. I wish that I could say that that applies to the Secretary of State for Health alone, but it does not, because this admixture of deception, betrayal and incompetence is a common theme throughout the Government. It applies to taxation, transport, education, environment, welfare reform and law and order.

The Secretary of State is also not alone in being responsible for the problems of the NHS. His colleagues on the Government Front Bench have helped him with those. The working time directive has added £100 million to his problems. The extra pension contributions that are required have added another £0.5 billion. The minimum wage, higher taxes on fuel and social chapter costs have also compounded his problems.

However, the Secretary of State alone is personally responsible for impaling himself on his ludicrous assertion that there is no rationing in the NHS, thus singlehandedly stifling the most important debate that we need to have about the future of our national health service.

We are discussing the promises that the Government made and the promises that they have broken. They promised to cut waiting lists by 100,000 as a first step by saving £100 million on NHS red tape. How have they done on that? According to their own figures, they have spent almost £1 billion on the waiting list initiative. They have not cut red tape; they have increased it. People in the NHS tell us that they are drowning in policy initiatives, targets, circulars and executive letters. After spending all that money, the Government have utterly failed even to achieve the target of a 100,000 reduction. Two years on, the figure is only 40,000 lower than it was in May 1997, and that is if we accept the Government's figures at face value and take no account of the additional 200,000 people who are waiting to see a specialist to have the chance and the privilege of getting on the Secretary of State's waiting list for treatment.

The Government have done no better on waiting times. As my hon. Friend the Member for Woodspring (Dr. Fox) said, they have not achieved equality of treatment across the country. In opposition, they explicitly recognised the dangers of upheaval in the service, yet they have introduced wholesale change, which the BMA has called "frightening".

The Government have abolished GP fundholding, and have created a levelling down of expectations in primary care. They betrayed the nurses in their first year of office by staging the nurses's pay claim, which did irreparable damage to morale in the nursing profession. *[Interruption.]* The Secretary of State snickers. He has recently introduced an expensive initiative to lure nurses back to the profession. He has told us how many people have made inquiries, but we do not know how many people have rejoined the NHS. The Government's amendment says 3,800, but the Secretary of State may be interested to know that the Minister of State, in a written answer to me just last week, gave the figure of 1,223, so there must be more than one spin doctor working in the Department of Health giving us two separate answers.

The Secretary of State should beware. The last time, the electorate judged the Labour party on what it said it would do for our national health service. The next time, they will judge it on what it has achieved, not on what it says.

More immediately relevant to the Secretary of State is that others may be judging him on what he has achieved in the NHS. Perhaps, somewhere in Downing street, the

Secretary of State's own end-of-term report—prepared by some faceless wonder—is gathering dust. The salient achievements that that report will list are: the alienation of the entire medical profession in just two years; the largest fall in public confidence rating of any Government Department since May 1997; and a failure to deliver on a single key pledge, despite a cynical manipulation of the system in an attempt to achieve that.

The Government will be judged on their competence to address the problems in the NHS, and not just on the sincerity of their aspirations for it. On that measure—competence—the sad but inevitable conclusion is that the Government have failed. The Secretary of State has failed, and Britain's health service is getting worse under Labour.

6.50 pm

The Minister of State, Department of Health (Mr. John Denham): It is quite clear from the debate that there is a difference between the Government and the Conservative party, but equally it is clear how the Tory party has changed. For years, the saving grace of the Conservative party—as it presided over the break-up and decline of the NHS—was that, at least, it felt that it should claim that the NHS was safe in its hands. We have seen in the past year, first under the leadership of the right hon. Member for Maidstone and The Weald (Miss Widdecombe), and now under the hon. Member for Woodspring (Dr. Fox), that the Conservatives have dropped that pretence.

It was explicit in the speeches by the hon. Member for Wycombe (Sir R. Whitney) and by the right hon. Member for Wealden (Sir G. Johnson Smith) that the NHS would not be safe in the hands of the Conservative party, and that will be on the record.

Sir Geoffrey Johnson Smith: The hon. Gentleman has no right to say that. The suggestions that I have made about the need for extra topping-up from the private sector have been proposed by the Fabian Society and others, including Front-Bench spokesmen. That does not signal the break-up of the NHS.

Mr. Denham: The story now is that, in the view of the Conservative party, the NHS cannot be saved. The aim of what we have heard today has been to undermine, to demoralise, and to persuade people to abandon the NHS for the private alternative. Some Opposition Members seem to be under the impression that private health insurance works by giving money to patients. We should explain to them that it works the other way round.

We were elected as a Government to modernise the health service. The people knew at the last election, as they still know, that we were the only party which had faith in the future of the NHS. We said that it would take 10 years to modernise the NHS—we said that when we published the White Paper, and it will. However, the right start has been made in every part of the NHS.

The NHS depends on its staff. We need more staff, who are better trained and fairly rewarded, and that is what we are doing. Already, more people want to go into careers in nursing. More than 31,000 people have applied for pre-registration nursing and midwifery training this year, compared with just over 18,000 last year. The recruitment campaign that we launched after this year's pay award has brought more than 1,200 trained nurses who had left the NHS back on to the wards in just five months, with more than 2,500 more in the process of returning. We are determined to tackle violence and harassment, and we will promote family-friendly employment to ensure that those nurses will want to stay in the NHS.

We implemented the pay review body awards for doctors and nurses for this year in full and without staging—for the first time in five years. There will be more doctors. The comprehensive spending review will allow the appointment of up to 15,000 extra nurses and 7,000 extra doctors. Some 2,200 more doctors joined the NHS in our first year, and there are more than 90,000 doctors for the first time in the history of the NHS.

I say to the hon. Member for Woodspring that I did not understand—I hope that I did not misinterpret—his comments about overseas doctors. A quarter of doctors in the NHS are overseas doctors today—about the same proportion as under the Conservative Government. His attack on the role of overseas doctors in the NHS will have alarmed many people in the House, and I hope that he will soon take the opportunity to make it clear what he meant.

Let me also point out to the hon. Gentleman that there is no evidence that the hours worked by junior doctors have risen. He should know that we agreed with the junior doctors to improve the conditions for the new deal on rest and other aspects, not the working hours, and that has led to an increased number of posts that do not comply with the "new" new deal. That is because we want tougher standards for junior doctors. I can assure the House, as we have on many occasions, that the hours worked by junior doctors have fallen since we came to office, and we will make sure that they continue to fall.

We have increased the number of nurse-training places. More than 1,500 extra pre-registration nurses will go into training in the next year, and we are on track to create an extra 6,000 training places by 2002. We are putting in an extra 1,000 medical school places for doctors. We are making sure that NHS staff will be properly trained and properly rewarded.

The NHS is changing, and all change can be disconcerting for some. However, right across the NHS there is a new leadership, which shares the Government's faith in the NHS and our vision, and which wants to make it work. We have abolished the internal market, which means that we will be able to put about £1 billion saved from bureaucracy back into patient care in this Parliament.

The managers have managed. With the doctors, nurses and other staff, they have delivered the biggest-ever fall in waiting lists. As my hon. Friend the Member for Dartford (Dr. Stoate) said, in 481 primary care groups, doctors and nurses are now in the driving seat, taking the responsibility for shaping the new NHS at local level. Some 170 primary care groups have expressed interest in becoming primary care trusts. Some 91 primary care groups, grass-roots GPs and GP co-operatives have applied to run the first NHS walk-in centres.

Primary care groups, and particularly GP co-operatives, are working closely with NHS Direct to bring about the new nurse-led helpline, and to bring services closer to patients. Over 400 doctors now work in personal medical service pilot schemes, and many hundreds more wish to do so.

[Mr. Denham]

Those people are taking part not because anyone told them to, but because they want to. They can see that the changes that we have introduced will be better for their patients and better for the services that they want to offer. The Royal College of Nursing described our new nursing strategy as a breakthrough document. There will be better careers and wider roles for nurses, and already we are training 23,500 nurses to take on the responsibility of nurse prescribing.

Doctors, nurses and other health professionals are developing new roles in the new NHS, building on the best of what is already there and tackling new needs in new ways. We have started the modernisation of the NHS and we will see it through. We promised to tackle waiting lists, and we are doing so. When we came into office, waiting lists were at record levels and rising. Now, waiting lists are falling and, as waiting lists fall, waiting times will fall.

In 1992, when the Conservative Government launched the patients charter, they said that no one should wait for more than two years. A bit later, they said that no one should wait for more than 18 months. However, they never achieved that target—not for one month in any year did they achieve the waiting target that they set themselves. In England, for the past nine months in a row, no one has been reported as waiting for more than 18 months.

We should all like waiting lists to be shorter; but for some conditions, waiting lists must be shorter. Therefore, we set out to ensure that, from April, any woman with suspected breast cancer needing urgent treatment is seen by a specialist within two weeks. In 2000, we want to extend that to cover all cancer conditions.

Across key health problems—such as coronary heart disease, mental health and the needs of older people—national service frameworks will state the service standards that we want the national health service to provide to everyone, everywhere—not with local, postcode prescribing—

Mr. Hammond: On a point of order, Mr. Deputy Speaker. The Government's amendment states quite clearly that 3,800 nurses have returned to the NHS "so far this year". In his speech, the Minister has just confirmed that the real number is 1,233—as he has confirmed to me in a written answer—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Perhaps I can help the hon. Gentleman by saying that that is a matter for debate.

Mr. Denham: An awful lot more nurses have returned to nursing under the current Government than under the previous one. Moreover, the amendment mentions nurses "returning" to the national health service. Nurses are returning to the national health service because they, like Labour Members, have confidence in the future of the national health service. If there is one lesson to be learned from this debate, it is that we have a choice not between the new and old NHS, but between the new NHS, represented by the Government, and no NHS, represented by Conservative Members.

Sir Patrick Cormack (South Staffordshire): On a point of order, Mr. Deputy Speaker. I completely understand why you said what you did a few moments ago, but the 3,800 figure appears on today's Order Paper. Therefore, the House is being given—inadvertently, I trust—misleading information on which to vote. Surely that is a point that you can address, sir.

Mr. Deputy Speaker: That is a matter not for the occupant of the Chair, but for hon. Members in deciding how to vote on the motion.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 169, Noes 327.

Division No. 260] **[7.1 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burns, Simon
Cable, Dr Vincent
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew

Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith,
Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lansley, Andrew
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Major, Rt Hon John
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Page, Richard
Paice, James
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Roe, Mrs Marion *(Broxbourne)*
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mrs. Jacqui Lait and
Mr. Geoffrey Clifton-Brown.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack
(Copeland)
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally

Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Clelland and
Mr. Mike Hall.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the action the Government has taken to turn around the National Health Service by finding £21 billion extra funds for the coming three years, starting building work on 13 new hospitals, modernising every Accident and Emergency Department that needs it, abolishing the unfair and divisive system of fundholding and replacing it with Primary Care Groups putting doctors and nurses in the driving seat, cutting waiting lists, ending 18 month waiting in the NHS, creating the National Institute for Clinical Excellence and National Service Frameworks to promote quality treatment, delivering the biggest real terms pay rise for nurses for 10 years, publishing the most comprehensive strategy ever produced for improving the status, training, pay and job opportunities for Britain's half a million nurses, midwives and health visitors, with 3,800 nurses returning to the NHS so far this year and 2,200 additional doctors in the Government's first year of office; further welcomes the 450,000 more waiting list operations carried out last year plus the 142,000 extra emergency cases treated, and half a million more outpatient cases dealt with; and congratulates the staff on providing record results in what remains the fairest and most efficient healthcare system in the world.

Energy Tax

[Relevant documents: The Ninth Report of Session 1998-99 from the Trade and Industry Committee on the Impact on Industry of the Climate Change Levy, HC 678.]

Mr. Deputy Speaker (Mr. Michael J. Martin): Madam Speaker has selected the amendment in the name of the Prime Minister.

7.14 pm

Mr. David Heathcoat-Amory (Wells): I beg to move,

That this House notes that the proposed energy tax represents a huge transfer of cash from manufacturing and energy intensive industries to the public and service sectors; threatens to drive large energy users out of the United Kingdom altogether and is a badly targeted and inefficient way of reducing CO_2 emissions; believes this is another stealth tax on industry and notes the Government has increased the Landfill Tax without applying the revenue to offsetting cuts in National Insurance Contributions as was done by the last Conservative Government; and calls on the Government to consult on alternative ways of meeting Britain's international commitments to counter global warming and to withdraw this damaging threat to industry.

The subject of the debate is familiar; it is Labour's addiction to new taxes. The House knows that before the election the Prime Minister promised not to raise taxes, but that he and his Government have broken that promise repeatedly in every Budget since then.

The Government talk of supporting the family, but they tax the family. They talk about encouraging savings, but they tax savings. They talk of encouraging competitiveness in industry, while regulating industry and taxing it. Halfway through this Parliament, British industry already faces £30 billion in extra taxation over the lifetime of the Parliament. That is not my figure but that of the British Chambers of Commerce.

Now the Government plan another new tax—an energy tax, which was announced this year, will be enacted in next year's Finance Bill, and will come into effect in 2001. It is designed to raise an extra £1,750 million a year—a figure recorded in the Red Book.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): I am grateful to the shadow Minister for giving way at this early stage. Does he accept that the proposal is revenue neutral, because all the money raised will be given back in cuts in national insurance contributions?

Mr. Heathcoat-Amory: Later I shall deal specifically with the untested assertion that the tax is in some sense revenue neutral. It is anything but revenue neutral for the companies and sectors that pay it.

The Government are building on what they have already done to the British haulage industry, which faces annual escalating rises in diesel duty. The rise amounts to 12 per cent. for this year alone. The haulage industry has been made uncompetitive in the single market, and to the extent that it can pass on its costs to British industry as a whole, it has made the rest of British industry uncompetitive too.

All those increases in diesel taxes and other taxes are being made behind an environmental smoke screen, but the real reason is to raise revenue. Not content with what they have already done, the Government plan to raise another extra £1.75 billion. They claim that that is revenue neutral, because they will cut employers' national insurance contributions by an equivalent amount.

Ms Joan Walley (Stoke-on-Trent, North): The right hon. Gentleman talks about a smoke screen, but does he agree that we desperately need an international agreement to deal with carbon dioxide emissions and global warming? Does he not realise how important it is to ensure that the United Kingdom plays a leading part in that?

Mr. Heathcoat-Amory: It may be news to the hon. Lady, but there already is an international agreement; it was signed at Kyoto. What she wants has already been done. Those are binding legal commitments, and the Conservatives agree that we must meet our international commitments. Later in my speech I shall explain how we will do that.

First, however, I shall deal with the point raised by the hon. Member for East Carmarthen and Dinefwr (Mr. Williams) about the so-called revenue neutrality. No one believes in that. Let us consider what the Government have already done in terms of other environmental taxes. An instance would be the landfill tax introduced by the previous Conservative Government. We applied all the revenue—a smaller sum but substantial nevertheless—to an offsetting cut in national insurance contributions. The then Labour Opposition supported us.

What happened when Labour took office? The Labour Government put up the tax on landfill from £7 to £10 a tonne. Not a penny is going back to industry in offsetting cuts. Moreover, they have announced a new tax escalator. The landfill tax will now go up every year for the next five years, but none of that extra revenue will be returned to industry. The Government will have more than doubled that tax, and none of the revenue will be recycled.

Mr. David Chaytor (Bury, North): Will the right hon. Gentleman give way?

Mr. Heathcoat-Amory: No; I want to ask the Economic Secretary a question, as she will answer the debate. Will she confirm now that all the revenue, now and in the future, will be used to cut employers' national insurance contributions? Such a simple question demands a simple answer.

The Economic Secretary's silence is very eloquent, and we are entitled to draw one conclusion from it—that the Government will do to the energy tax what they did to the landfill tax. They will introduce it at a lower rate, and then they will put it up, forgetting all their promises and waffle about tax neutrality. That is the Government's game, and we are now forewarned.

However, even if we accept that the revenue will be applied to an offsetting cut, the proposed tax represents a massive transfer of cash from the manufacturing and energy-using sectors of the economy to the service sector, and to the public sector in particular. The public sector alone will benefit to the tune of about £150 million a year, even if it takes no action to cut energy bills.

Mrs. Anne Campbell (Cambridge): Is the right hon. Gentleman aware of the report from Cambridge Econometrics, published on 6 July? It states that the

[Mrs. Anne Campbell]

climate change levy will create more jobs and save more CO_2 than the Government predict, and that new energy-saving devices will help manufacturing industry in the long term, by creating jobs and making them more efficient.

Mr. Heathcoat-Amory: That prediction takes no account of job losses in industries hit by the levy, nor of the jobs that will be exported as firms migrate away from the United Kingdom to avoid the levy.

Mr. Desmond Swayne (New Forest, West): Is my right hon. Friend aware that agriculture—and especially the protected horticultural sector, which recycles all its carbon dioxide—will be disproportionately hard hit by this perfidious tax?

Mr. Heathcoat-Amory: My hon. Friend is right. Many sectors and industries will be badly hit, and I shall give some more detail about one in particular. Sir Brian Moffatt, the chairman of British Steel, estimates that that company will pay a net £220 million a year under this tax. He says that British Steel will be forced

"to close plants here which will be replaced by inefficient plants in other parts of the world."

That answers the point raised by the hon. Member for Cambridge (Mrs. Campbell). If efficient British plants are replaced by inefficient plants in other parts of the world without environmental control, the global atmosphere will suffer and British industry will be grievously hurt.

Mr. Llew Smith (Blaenau Gwent): I represent a steel community. Can the right hon. Gentleman explain why British Steel is bleating about the financial costs of the energy tax when recently it was able to return about £700 million to shareholders? It has also been making people redundant and throwing them on the scrap heap, in an area of Wales with one of the highest levels of unemployment.

Mr. Heathcoat-Amory: I should have thought that the hon. Gentleman would have welcomed the renaissance in steel making plants since privatisation and the other industrial reforms introduced by the previous Government. It is a British success story. However, the British Steel chairman should know something about the industry. His point was that that renaissance is being put at risk because of a badly targeted and ill considered tax that will drive plants overseas.

Mr. Denis MacShane (Rotherham): I hope to be able to make some points about steel if I catch your eye later, Mr. Deputy Speaker, but the right hon. Gentleman will be aware that he is describing the worst case. Last week, one of British Steel's most senior executives came to the House and talked about a tax of £55 million. The eventual level that is set may be higher or lower, but the right hon. Gentleman must use accurate and honest figures, not the worst-case projection.

Mr. Heathcoat-Amory: I am glad that the hon. Gentleman admits that the industry will be damaged. We are now talking merely about the extent of that damage. The chairman of British Gas might have got it slightly wrong, but the impact on investment and employment in an important British industry will be devastating.

Mr. Ian Bruce (South Dorset): My right hon. Friend has been generous in giving way, and too generous with the Government. The Government say that the tax will be revenue neutral, but as jobs in the chemical and steel industries go overseas, so will their tax-raising potential. To pay for the offset, the tax on energy-using industries will therefore have to be increased. Will not the result be that we will lose the jobs, but that the carbon dioxide will be created in other countries rather than here?

Mr. Heathcoat-Amory: That is an interesting point. The Government are committed to raising a certain sum. If the tax is rendered impossible to collect due to migration overseas by businesses—if they in effect evade the tax—there will be an extra burden on the firms that remain. When the Select Committee on Trade and Industry quizzed the Economic Secretary, she was unable to "offer any clear guidance" on the point. Perhaps this debate will get some hard answers to hard questions, such as that posed by my hon. Friend.

I have spoken about steel, but I shall now move to aluminium. There is an Alcan plant in the constituency of the Chancellor of the Exchequer. Alcan is a very responsible company that recycles most of its product and already derives more than a quarter of its energy needs from hydro sources. However, the price of its product is set internationally on the London Metal Exchange. It can do nothing about that. Therefore, the extra costs being loaded on Alcan by the Government have to be met by the company, through lower production, employment and investment. There is a real threat that such an internationally owned company will seek to invest and expand abroad, rather than in the United Kingdom.

Mr. A. J. Beith (Berwick-upon-Tweed): Will the right hon. Gentleman give way?

Mr. Heathcoat-Amory: No, I must make progress.

Other sectors will be in trouble too. The whole chemical industry is threatened, and firms involved with paper, cement, horticulture, sugar and farming will all pay far more in tax than they will ever receive back in national insurance contribution cuts. All those firms will be rendered uncompetitive. I am grateful that those and other points were drawn out in the Select Committee report published earlier this week.

It is a most useful report. The Select Committee has a Labour majority but the report is unanimous, and could not be more clear about the threat. It states that the tax

"could prove a blunt instrument which does considerable damage to sectors of the British economy already struggling to maintain their competitiveness."

In the same chapter, the report states that the north-west of the country could lose £500 million in tax paid by those industries and that all that money will go from north to south.

That is a bizarre form of industrial support. The Labour Government long since gave up representing the interests of manufacturing industry, but surely even they can see that it is bizarre that the north-west of England, one of the

United Kingdom's poorer regions, should pay £500 million that will go to support service industries, and the public sector, in places such as the south-east.

Mr. John Bercow (Buckingham): With regard to my right hon. Friend's references to the north-west, is he aware that the debate is graced by the presence of a distinguished member of the Select Committee on Trade and Industry who also represents a constituency in the north-west? I refer to the hon. Member for Chorley (Mr. Hoyle), who, I feel sure, will wish to catch the Speaker's eye in order to reinforce my right hon. Friend's powerful arguments.

Mr. Heathcoat-Amory: I shall stay specially to hear the hon. Member for Chorley (Mr. Hoyle) speak. I hope that he will not resile from a report published only yesterday with his signature on it. We all look forward to hearing from him.

It is not only heavy industry that will suffer. Rural England will be hit—again. Calor Gas—an essential supplier of energy to remote rural areas, small businesses, caravan parks, horticulture and agriculture—observes that gas is to be taxed for the first time, but its competitor fuel, oil, will not. That will induce a switch from gas towards oil, which is both bad for the environment and contrary to the Government's transport policy, for which duty on gas is being cut to persuade people to switch away from oil.

Northern Ireland's economy is sensitive and vulnerable, but the *Financial Times* has reported:

"Energy tax threatens N Ireland plans for gas link".

Taxing gas—making it relatively less competitive—puts at risk the proposed pipeline between Belfast and Dublin. That is an odd way in which to support the peace process. The Northern Irish economy is being made less competitive as people are encouraged to switch from gas to less environmentally benign oil.

Mr. Christopher Leslie (Shipley): Will the right hon. Gentleman give way?

Mr. Heathcoat-Amory: I hope that the hon. Gentleman will forgive me if I do not. I have given way generously and should like to make an important point.

An additional muddle is that the proposals do not even try to tax carbon. The Government want to reduce carbon dioxide emissions, but electricity from sources that produce no carbon dioxide, such as nuclear plants, will be taxed at the same rate as electricity derived from coal or oil. There is no incentive to switch from a source of energy that produces CO_2 to one that does not. That runs contrary to Lord Marshall's report, and to the recommendations of the Select Committee. I risk embarrassing the hon. Member for Chorley, but the report states, on page xxiv:

"There would appear to be some confusion within Government about the extent to which the Climate Change Levy could and should reflect the carbon content of fuels . . . We recommend that the Government seek ways to link the Levy, at least broadly, to the carbon content of fuels."

Will the Minister clear up the confusion? If the Government aim to reduce production of carbon dioxide, why do they not tax carbon instead of energy in general?

The whole botch of proposals is illustrated by the case of Britannia Zinc, a smelter in Avonmouth. Many of my constituents work at the competitive plant, which operates on thin margins in an international business. Unavoidably, it uses a great deal of energy. It is a matter of physics, not politics, that certain chemical reactions cannot occur unless a lot of energy is used. The firm calculates that it will pay 20 times more in tax than it will receive back in national insurance contribution reductions. The plant is foreign-owned, and it has a sister plant in Germany. The parent company says that tax in Germany is capped at a much lower level, intended to protect industries vulnerable to international competition.

The Government will rebate the levy by only 50 per cent., and only selected, privileged industries deemed fully energy efficient will receive it. That is wholly inadequate. No matter how efficient Britannia Zinc and many other plants become, they will have to pay large sums, and that will make them uncompetitive in world markets. Will the Minister promise that such companies will be exempted—or substantially exempted—from the tax? There is great uncertainty in the market about the Government's proposals, which are already jeopardising the inward investment on which the UK depends. Will the Minister put it beyond doubt that the Government will take no action to prejudice the position of highly vulnerable international industries?

Ms Walley: The right hon. Gentleman is spreading needless alarm. Under the Government's proposals, opportunities exist for negotiated agreements with energy-intensive users. We seek consensus with industry. How can the right hon. Gentleman ignore that?

Mr. Heathcoat-Amory: The hon. Lady is quite wrong. The 50 per cent. levy means that no matter how efficient companies are, they will pay 50 per cent. of the tax. They cannot reduce energy consumption below a given technical level. Anyone making chlorine must pass an electric current through a solution: there is no other way to do it. No matter how efficient anyone is, an irreducible minimum of energy must be used. The Government are telling firms that they must pay the levy, no matter how efficient they are. That will drive chlorine production out of the UK.

Mr. Paul Keetch (Hereford): The right hon. Gentleman is right. The third largest employer in my constituency, Special Metals Wiggins, employs 1,000 people to produce specialist nickel alloys. The firm shares many of the concerns that the right hon. Gentleman has raised. The hon. Member for Stoke-on-Trent, North (Ms Walley) may wish to know that a small specialist company that talks to another may end up disclosing to its competitors large amounts of its business. In specialist areas, such as high-intensity metal production, the tax will cost jobs. For Special Metals Wiggins—

Mr. Deputy Speaker: Order. The hon. Gentleman has had long enough for his intervention.

Mr. Heathcoat-Amory: I agree with the hon. Gentleman. Although the main impact of the tax will be more direct, the associated disclosure of information to competitors and use of management time will undermine British industry.

[Mr. Heathcoat-Amory]

A further lunacy requires our attention. Britannia Zinc wants to cut carbon dioxide emissions by installing a gas-fired electricity generating station. The company has applied to do so, but the Government have placed a moratorium on such stations. The Government threaten the company with a tax but, at the same time, they stop the company making required cuts in carbon dioxide emissions. There can be no better example of how Government policies pull in opposite directions. The Government must sort out some of the mad paradoxes and contradictions at the heart of their policy. We have a tax-driven policy that is clumsy and counterproductive. We need a policy to deal with the specifics of global warming in a way that does no damage, or as little damage as possible to our competitive position.

The Conservative party fully understands the dangers of global warming. We will meet our international commitments. We have always done so. When Lady Thatcher was Prime Minister she was the first to recognise the importance of the issue. When my right hon. Friend the Member for Huntingdon (Mr. Major) was Prime Minister, he went to Rio to negotiate and sign the international agreement to stabilise CO_2 emissions. We met that commitment. Most other countries did not, but the United Kingdom did. We knew that one could do that only if one worked with industry and listened to the alternatives to taxation.

Many industries are willing and anxious to play their part. The Chemical Industries Association has already obtained an agreement with the Department of the Environment, Transport and the Regions which commits the industry to improving its energy efficiency by 20 per cent. up to 2005. If such agreements fail, that will be the time when penalties may be appropriate, but it is not right to impose a tax even if companies meet targets and become as efficient as is technically possible.

Emissions trading was one of the options proposed by the Marshall committee. A cut in CO_2 would be required from an industry or sector and firms able to make larger cuts would be able to sell them to firms unable or unwilling to make the same reductions. The result would be that the specified, targeted, definite overall reduction in CO_2 would take place in the most cost-efficient way. It is a market solution and it does least damage to industry. It works in the United States, where there is emissions trading for sulphur. BP Amoco in Britain already uses it within its own plants. It is anxious to talk to the Government about it. The Conservative party supports it, but again the Government are dithering.

The Select Committee from which I have already quoted said:

"The Government has sent out mixed messages".

How can the Government expect industry to get its act together when the Government cannot decide whether they will introduce a tax, emissions trading or a mixture of both? The only clear message coming out of the Government at the minute is that if they face any problem, they reach for the tax lever.

Mr. Damian Green (Ashford): My right hon. Friend has pointed out the perverse effects of the Government's actions, which are more to do with raising tax than controlling emissions, which we all want to do. Does he agree that the game is given away by the fact that, of the money that the Government intend to raise from the climate change levy, a derisory amount will be reinvested in renewable and sustainable energy sources, showing that they are not serious about reducing emissions, but are very serious about raising money from British industry?

Mr. Heathcoat-Amory: Absolutely. It is a token amount. About 4 per cent. of the yield is to be allocated to renewable energy and other types of environmentally benign energy production. That is an inadequate response.

Mr. Andrew Robathan (Blaby): Will my right hon. Friend give way?

Mr. Heathcoat-Amory: Forgive me, I wish to conclude on this point.

What we know after we have been through all the fog of uncertainty around the Government's policy is that they have come up with a tax-driven solution. That tax is badly thought out, badly targeted, damaging, anti-competitive, wrong and we will oppose it.

7.44 pm

The Economic Secretary to the Treasury (Ms Patricia Hewitt): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

'notes that there is now compelling evidence that climate change needs to be tackled, that there is therefore a need for action to reduce greenhouse gas emissions, and that the United Kingdom has a legally-binding target for reducing greenhouse gas emissions set under the Kyoto Protocol; welcomes the recommendations of Lord Marshall on the case for a climate change levy; further welcomes the measures taken by the Government to help British business, including cutting corporation tax rates to their lowest ever level; welcomes the Government's decision to pre-announce the introduction of the climate change levy by two years to give time for further consultation on its design; and supports the Government's determination to work with industry and other parties to ensure that it meets its environmental objectives whilst safeguarding Britain's international competitiveness.'

Before I turn to the substance of the matter, I should like to apologise to you, Mr. Deputy Speaker, and through you to the House. The debate has come, as all right hon. and hon. Members will be aware, in the middle of a particularly busy week, and I am afraid that I have prior engagements that I have not been able to abandon completely so I will not be able to fulfil the normal courtesies of the House and be present for the winding-up speeches. My hon. Friend the Financial Secretary to the Treasury will respond fully to the debate and I look forward to reading the record of what I am sure will be an extremely interesting occasion.

The debate is about climate change and what we do about it. There is increasing evidence that it is happening. As the Department of the Environment, Transport and the Regions report on indicators of climate change notes, in England, four of the five warmest years in the 340-year record have occurred in the last decade. We have certainly all noticed that in recent days.

We cannot doubt that climate change is the result of human activity. What industrial development since the 18th century has created, sustainable development on the

dawn of the 21st century must start to put right. In the words of the report of the Select Committee on Trade and Industry published yesterday:

"The question is how, not whether, greenhouse gas emissions can be reduced."

I am sure that I shall not be alone tonight in referring to the Select Committee's useful report. Indeed, the right hon. Member for Wells (Mr. Heathcoat-Amory) has already referred to it. I take this opportunity to thank my hon. Friend the Member for Ochil (Mr. O'Neill) and other members of the Committee for their contribution to the debate.

The United Kingdom has a legally binding target for reducing greenhouse gas emissions, set under the Kyoto protocol, of a 12.5 per cent. reduction on 1990 levels on a basket of six greenhouse gases by the period 2008-12.

Mr. Quentin Davies (Grantham and Stamford): Does the hon. Lady have any plans to deal with the other five greenhouse gases? The matter for debate this evening, of course, merely affects CO_2.

Ms Hewitt: Of course we have plans, but I shall focus on CO_2 emissions, which is the main greenhouse gas. We have discussed them, especially in relation to road transport, to deal, for instance, with emissions of sulphur.

Dr. Peter Brand (Isle of Wight): Will the hon. Lady give way?

Ms Hewitt: No. I wish to make this point.

Meeting the Kyoto target is the beginning, not the end of the process. As Lord Marshall put it in his report:

"The commitments made at Kyoto are only the beginning if we are really going to tackle the problem of climate change. . . . Whatever programme the Government designs will need to look beyond the current round of targets and provide long-term, continuing, incentives to reduce emissions."

That is why we committed ourselves in the manifesto on which we were elected to a 20 per cent. reduction in CO_2 emissions by 2010.

Mr. Barry Jones (Alyn and Deeside): I thank my hon. Friend for the urgency with which she saw my steel workers. May I tell her of the concerns also held by my cement and paper-mill workers? Having heard the fulmination of the right hon. Member for Wells (Mr. Heathcoat-Amory), does she intend to include in her speech the remarkable way in which she plans to consult across industry and is already receiving deputations? Surely, with two years to go, we can see a done-deal for the industry.

Ms Hewitt: I am grateful to my right hon. Friend, who has made an extremely important point and, more broadly, a constructive contribution to the debate.

Mr. Swayne: Will the hon. Lady give way?

Ms Hewitt: No. I will make a little more progress.

The United Kingdom is not alone in having to meet the targets set under the Kyoto protocol. On current projections, most overseas countries will have to introduce new measures in one form or another if they are to meet those targets. In many cases, the targets set for those countries are even more stringent than ours. That is why since 1990, seven European countries have introduced carbon or energy taxes. The Italian Government recently announced plans for a new CO_2 tax.

Mr. Swayne: Why is the Minister introducing a tax that will penalise protected horticulture, which recycles its CO_2? Why does she not introduce a tax that provides an incentive to reduce CO_2 emissions?

Ms Hewitt: I thought that the hon. Gentleman would ask about protected horticulture; we shall consider that matter in the course of our consultations. If he will be a little more patient, I shall come to the detailed way in which we are considering the design of the levy.

I want to stress that all sectors of the economy must play their part in meeting those targets. In respect of transport, of course, the previous Government introduced the road fuel duty escalator, which we have maintained. In the domestic sector, we have made it clear—unlike the previous Government—that we will not introduce new taxes on the domestic use of fuel power.

Mr. Dominic Grieve (Beaconsfield) *rose—*

Ms Hewitt: Let me finish my point before I give way. To introduce new taxes would only add to the appalling problem of fuel poverty that we inherited from the previous Government—some 5 million families and elderly people who cannot afford to heat their homes properly. I shall now give way to the hon. Gentleman, who presumably supported VAT on fuel.

Mr. Grieve: The hon. Lady might recall from her appearance before the Environmental Audit Committee that I may well be broadly supportive of her on some of the issues that she has raised. On domestic carbon dioxide emissions, does she agree that simply to say that nothing more can be done because of fuel poverty ignores the fact that growth is greatest in the domestic sector, whereas the reductions have been greatest in the manufacturing sector? Are we not in danger of missing the targets that we should be addressing?

Ms Hewitt: The hon. Gentleman is quite wrong. Of course, we must tackle fuel poverty; we shall do that by expanding the home energy efficiency scheme, by revising building regulations and by working with our European partners to ensure that we have high-efficiency products in the domestic sector—backed up by mandatory labelling and minimum legal standards. As I said, every sector must play its part, but, because of fuel poverty, taxation is not an appropriate policy weapon for the domestic sector.

Mr. Green: Will the hon. Lady give way?

Mr. Stephen Dorrell (Charnwood): Will the hon. Lady give way?

Ms Hewitt: I should like to make a little more progress before I give way again.

[Ms Hewitt]

Business needs to play its part. My hon. Friends and I welcome the lead already taken by many British companies in helping to cut greenhouse gas emissions. There has been a 65 per cent. improvement in energy efficiency in the aluminium sector since 1990.

Mr. Beith: The hon. Lady mentioned the contribution of the aluminium industry. Will she take account of the overall environmental record of that industry—especially its recycling capacity and the energy saving that it has already undertaken? Will she take seriously the suggestions made by the industry so that the design of the tax can take account of the industry's special problems?

Ms Hewitt: That is precisely what we are doing. I have recently held valuable discussions with representatives of Alcan and of the aluminium sector. That is one reason why I specifically mentioned the industry.

In the public sector, we have set a target for energy efficiency throughout the Government estate of a 20 per cent. improvement on 1990 levels by March 2000. All of that—and much more—is welcome.

Mr. Dorrell: The Minister has placed considerable stress on the importance of every sector making a contribution to reducing carbon dioxide emissions. Is it not extraordinary that the Government should continue their moratorium on gas-fired power stations—the single effect of which is to create an incentive for the electricity-generating sector to shift back towards higher carbon dioxide emissions?

Ms Hewitt: The right hon. Gentleman is quite wrong. There is no moratorium on gas-fired power stations; every application is considered on its merits—*[Interruption.]* I am delighted to say that a large number of applications have been accepted for the use of gas in combined heat and power plants. That is the most efficient way of using gas for the production of energy.

Mr. Robathan: Is the hon. Lady aware that the combined heat and power industry is extremely concerned that there has not yet been any reassurance that it will be exempt from the energy tax? Indeed, it would fly in the face of everything if CHP and renewable energy were not exempt from the energy tax.

Ms Hewitt: In the consultation document, we specifically stated that we wanted to consider the right way to treat combined heat and power within the climate change levy. That is what we are doing.

The welcome improvements that have been made by many—not all—British companies are not the end of the issue. Much more can and must be done. As Lord Marshall stated,

"there remains scope even in energy intensive industries for energy savings and emissions reductions which are relatively cost-effective."

He continued:

"many business representatives acknowledged that their industries were by no means at the technological frontier on energy efficiency."

Mr. Ian Bruce: Will the hon. Lady cut through some of the subterfuge that will, no doubt, continue throughout the debate? Will she admit that the only logical, sensible way forward would be to cut carbon emissions, and that the reason the Government will not do so is because that would cut the amount of coal burnt in this country compared with other fuels? That is why she has been sent to the Dispatch Box with such a weak case.

Ms Hewitt: I am sorry that Conservative Members regard as frivolous or as a subterfuge a serious response to this serious issue. I suspect that that reflects the way that they behaved when they were in government.

The climate change levy—as spelled out in the consultation document—needs to be primarily based on energy because, for the reasons that I have given, this is a downstream, not an upstream, tax. Given the electricity pool arrangements, it is not possible for any business user to tell how much of his electricity comes from a particular source—whether it be coal, gas or a renewable source. The hon. Member for South Dorset (Mr. Bruce) simply reveals the fact that he does not understand the electricity pool arrangements.

The prices paid by industry for gas and electricity have tumbled in recent years. Between 1990 and 1998, average industrial—*[Interruption.]* Conservative Members might not want to hear the facts, but it is important to understand them. Average industrial gas and electricity prices—*[Interruption.]*

Mr. Deputy Speaker: Order. We cannot have hon. Members shouting at the Minister. The Minister must be heard.

Ms Hewitt: I am grateful, Mr. Deputy Speaker. Average industrial gas and electricity prices fell by 44 per cent. and 24 per cent. respectively in real terms.

Mr. Quentin Davies: Does the hon. Lady accept that her argument about the pool does not stand up to examination? Why not exempt companies that either sign contracts for, or themselves install, dedicated capacity based on lower carbon emission generation, or non-carbon emission generation—such as renewables?

Ms Hewitt: That is not how the electricity pool works at present. I am not sure whether the hon. Gentleman seriously suggests that the rate of the climate change levy should vary every half hour according to the marginal supplier into the pool. However, of course we are considering the whole issue—

Mr. Davies *rose—*

Ms Hewitt: Let me finish with the hon. Gentleman's previous intervention.

We are considering how the review of electricity trading arrangements and the possibility, after that review, of the establishment of contracts for green trading arrangements should be treated in the climate change levy. I shall give way once more to the hon. Member for Grantham and Stamford (Mr. Davies), but then I must make some progress.

Mr. Davies: I think that the hon. Lady does not understand how the pool system works. It is perfectly possible for industry to sign contracts for supply outside

the pool—to sign contracts with a dedicated supplier or to install its own capacity. Why does she not exempt from her levy the type of capacity that is delivered outside the pool, based on low carbon or non-carbon emission generation?

Ms Hewitt: The previous Administration left us a mess in respect of the electricity pool. We are sorting it out.

The right hon. Member for Wells referred to the DTI Select Committee. I refer him to another part of its report, which stresses:

"Because of lower international oil prices, the price reductions stemming in part from liberalisation and competition, and the fall in the Fossil Fuel Levy on electricity, taxes upon energy might need to rise rather than fall."

As the report rightly stressed, no single measure can solve the problem: regulation alone is not enough; and economic instruments alone are not enough. Voluntary measures, regulation, emissions trading and taxation all have a role to play. That is why, following Lord Marshall's report, my right hon. Friend the Chancellor announced, in March, our intention to introduce the climate change levy on the business use of energy.

My right hon. Friend stressed, as I do this evening, that the climate change levy is not a revenue-raising device: it will be revenue neutral for business as a whole. He also stressed that it is not an across-the-board tax, because energy-intensive sectors must have and will have different treatment. As we said at the time of the Budget, the levy will be designed in a way that protects the competitiveness of United Kingdom firms. The scale and rates of the climate change levy will, of course, be a matter for my right hon. Friend's Budget next year, but, as my right hon. Friend the Member for Alyn and Deeside (Mr. Jones) indicated, we continue to consult with business and industry on the design of the levy—for example, on the treatment of renewables and combined heat and power, the appropriate treatment of electricity used in electrolysis, the best way of recycling the revenues and how to deliver extra help to small firms to become more energy efficient.

Following Lord Marshall's recommendation, we are negotiating with energy-intensive industries on the extent to which they can achieve further energy efficiency through binding agreements, in return for significant reductions in the levy. My right hon. Friend the Secretary of State for the Environment, Transport and the Regions and his colleagues at his Department are leading those negotiations, and I am glad to say that they are proving to be positive and constructive. Next week, together with my right hon. Friend the Minister for the Environment and my hon. Friend the Minister for Energy and Industry, I shall meet representatives of those sectors to hear directly from them. We have asked those industries to make proposals on agreements.

As I have repeatedly stressed, the figures quoted in the consultation document are purely illustrative: no decisions have yet been made on the detailed design of the levy. On all those matters we have an open mind. We are listening to industry, we are working with industry, and we shall make our decisions on the basis of what is good for the environment and what is good for competitiveness. It has been suggested by, among others, the right hon. Member for Wells that the climate change levy will destroy competitiveness. That is nonsense. When we published our statement of intent on environmental taxation, we specifically stated that care must be taken to consider the implications for international competitiveness.

We will not sacrifice the competitiveness of our industry to our environmental goals—it would be madness to do so. Climate change knows no boundaries, so if industry were to move elsewhere and the greenhouse gases simply came from a different country, we would have damaged our jobs without protecting our children and grandchildren. However, nor will we sacrifice the environment to our competitiveness goals—it would be madness to do that, and industry is not asking us to do so. Industry is as committed as we are to cutting greenhouse gas emissions and to working with us to make the climate change levy work effectively.

Dr. Brand: The Economic Secretary refers to greenhouse gases, but does she recognise that the glasshouse industry makes an enormous contribution to reducing carbon dioxide? Will any thought be given to granting carbon dioxide reduction tax credits to those industries that need to use carbon dioxide to produce oxygen, as well as useful by-products such as tomatoes on the Isle of Wight?

Ms Hewitt: That is precisely the sort of issue that we are considering in the negotiations and consultation with industry.

Mr. Geraint Davies (Croydon, Central): Does my hon. Friend agree that the big question tonight is how the Opposition would fulfil their Kyoto obligations, given that, on the one hand, they are doing a U-turn on the fuel duty escalator on consumer consumption and, on the other hand, they will not support any sort of industrial levy, even one produced in consultation with industry? Would they not simply raise VAT on fuel? Is that not really what the debate is about?

Ms Hewitt: My hon. Friend is absolutely right—he makes the very point that I was about to come to. The Opposition's motion calls for

"alternative ways of meeting Britain's international commitments".

It has been made clear that their true intention is to raise VAT on fuel to 17.5 per cent., which policy was voted for by the Leader of the Opposition, the shadow Chief Secretary to the Treasury and every right hon. and hon. Member whose name appears above the motion. That is the Conservatives' real purpose and policy. Every pensioner in this country knows that, under a Conservative Government, VAT on fuel would rise to 17.5 per cent.

Mr. Grieve: Will the Economic Secretary give way?

Ms Hewitt: No—I have been extremely generous in giving way.

In the modern economy, a cleaner environment and a more competitive industry go hand in hand. Getting the design of the climate change levy right is not only about minimising a possible competitive disadvantage, but about maximising the competitive advantage that comes from giving all our businesses effective incentives to develop and market the cleanest products and processes.

Mr. Peter Brooke (Cities of London and Westminster): In the context of the argument that the

[Mr. Peter Brooke]

Economic Secretary is currently developing, why is our public sector research into energy-saving issues so comparatively low by international standards?

Ms Hewitt: I have great respect for the right hon. Gentleman, but I draw his attention to the fact that the energy technology support unit, which advises the Government on energy efficiency, includes world-class scientists whose expertise is renowned. They are playing an important part in the negotiations and they have stressed, both to Lord Marshall and to the Government, the scope for significant further savings, even within the energy-intensive sectors.

The development of trading schemes for emissions permits offers us a new competitive opportunity. We see emissions trading as part of the long-term solution to reducing emissions in the United Kingdom. That is why we are working closely with representatives from the Confederation of British Industry and from many companies on the design of a domestic emissions trading scheme. By developing such a scheme now, we can learn valuable lessons ahead of the international trading scheme envisaged under the Kyoto protocol, which we expect to be in place by 2008.

As I have said repeatedly, emissions trading is one of the ways in which energy-intensive sectors can choose to meet their targets. However, as Lord Marshall pointed out, emissions trading is unlikely ever to cover the majority of small and medium-sized enterprises in the UK or firms in the commercial sector, which together account for about 60 per cent. of the total greenhouse gas emissions from business. Therefore, emissions trading and the climate change levy are complementary measures, and the Select Committee on Trade and Industry specifically endorsed that conclusion.

Mr. Green: Will the Economic Secretary give way?

Ms Hewitt: No—I have been generous in taking interventions.

"It is vital to protect the air we breathe. We are determined to rid our air of the pollution which endangers human health and the environment. From climate change to waste collection, from the ozone layer to the protection of birds, the search for sustainable development is unremitting. It will require a change in life style for all of us, as we learn to live fuller lives without jeopardising our children's future or their opportunities to use the world's resources."

That is the Conservative party's green manifesto, on which the right hon. Member for Wells and his right hon. and hon. Friends stood for election only two years ago. They stood on those principles two years ago, but mock them as motherhood and apple pie tonight. They have abandoned every principle in favour of the extremism and cynical opportunism to which we have become accustomed from the modern Conservative party. They were right two years ago and they are wrong now. It is my hope that, even now, they will admit their errors, abandon that extremism, and join with my right hon. and hon. Friends in voting for the Government's amendment.

8.8 pm

Mr. Andrew Stunell (Hazel Grove): I draw the House's attention to the amendment standing in my name and the names of my right hon. and hon. Friends, which sets out clearly the Liberal Democrats' views.

We broadly welcome the climate change levy that the Government have proposed—at least, we welcome the principle, but we have some reservations about the details. We welcome it because, as the Economic Secretary said, and as I believe the right hon. Member for Wells (Mr. Heathcoat-Amory) acknowledged, the problem of climate change and climate degeneration is a real one and one that has to be tackled both nationally and internationally with appropriate policies. The Liberal Democrats believe that the Government must set targets and implement policies that will tackle it. Listening to the right hon. Member for Wells, it was easy to conclude that the Conservatives have missed the point. It is clear that they oppose several aspects of the levy, but it is extremely unclear how they expect the United Kingdom to meet its treaty obligations if nothing is done with the climate levy.

Mr. Grieve: Let us put aside the motherhood and apple pie aspect of this issue. We can try to achieve the Kyoto targets principally because the transfer from coal to gas for electricity generation makes the targets feasible, even if we do nothing else. I am perfectly prepared to acknowledge that we must do much more, but that is the true situation.

Mr. Stunell: I am not sure whether the hon. Gentleman is saying that we should do nothing else to achieve the Kyoto targets or whether he is making another point.

Lord Marshall and the integrated pollution prevention and control directive have said that we must work towards achieving much tougher carbon reduction targets beyond 2010 both nationally and internationally. If we approach the current exercise as a way of just about reaching the target and we then plateau and make no further changes, we will be making a mistake that will ultimately damage the competitiveness of United Kingdom industry far more than any of the proposed changes that are currently on the table.

I draw the attention of the House to the comments of the Energy Saving Trust, which was established by the previous Conservative Government. It has pointed out that the assessed cost of climate change—or climate degeneration—is about 170 ecu per tonne of carbon emitted. It points out that the cost of the levy is lower than the cost of allowing climate change to continue unhindered. We welcome the measure because we believe that the target must be met and because we believe that there are opportunities, as well as problems, in responding to the change.

The report of the Trade and Industry Committee is somewhat disappointing in that it does not appear to recognise some of the opportunities that international competitors are already exploiting in developing new technologies and renewable energy sources. That is what is happening in the real world.

Mr. Grieve: The hon. Gentleman referred to "new technologies". Is he suggesting that British Steel is not at the technological forefront of steel production? It has minimised the amounts of energy required to produce every tonne of steel.

Mr. Stunell: I welcome that intervention because it gives me the opportunity to draw the hon. Gentleman's attention to our amendment. It is absolutely vital that,

when a sector is engaged in international trade, the measures put in place are appropriate and do not render United Kingdom industry uncompetitive. I was encouraged by the Minister's comments on that subject, but I draw her attention to the remarks of the Select Committee, which said that the Government appear to be including in that category almost every complainant and lobby group they can find. By including other sectors, one is in danger of diluting the necessary protection for those sectors genuinely engaged in international trade which might be at risk

As regards the use of energy by industry and commerce, although the major users consume a significant amount of energy, they constitute only 30 to 40 per cent. of total energy consumption. The majority of energy used in the industrial and commercial sectors is consumed not by major energy producers but by those running small workshops, by small businesses and the service sector—some 1.4 million businesses in this country, which are not major energy users by any stretch of the imagination.

Conservative Front-Bench Members have indulged in a certain amount of exaggeration and hype—I hesitate to suggest that such a thing would happen in this place. However, the price of gas for industrial and commercial firms has fallen by 46 per cent. in the past 10 years and the price of electricity has fallen by 22 per cent. Even if the levy were introduced at what I understand—if the Minister is to be taken seriously—are described as "illustrative rates", it would increase those prices by less than a third. There is a certain level of hysteria which we must keep under close control.

Mr. MacShane: If the index is 100 for United Kingdom electricity and energy prices for steel, what is the price of energy electricity in Germany, France or in any other major European competitor country?

Mr. Stunell: That is an interesting point. I draw the attention of the House to a logical conclusion of the Conservatives' argument: there should be a level playing field for energy taxation across the world. Six—perhaps seven—European Union countries are moving to introduce, or have introduced, either a carbon tax or an energy tax. I was prompted to intervene on the right hon. Member for Wells to ask whether he was, rather unusually, arguing in support of an EU-wide tax system in order to ensure that the United Kingdom does not lose its competitive advantage. However, the right hon. Gentleman drew back from that logical consequence.

Mr. Tim Loughton (East Worthing and Shoreham): Will the hon. Gentleman acknowledge that all but one of the EU countries that is contemplating introducing, or has introduced, energy taxes have taxed carbon content? All but one of those countries have introduced large rebates for high-intensity users, including 100 per cent. rebates for steel producers in Belgium and Luxembourg. That is a very different kettle of fish from what is on offer here.

Mr. Stunell: The hon. Gentleman points to the extremely important difference between an energy tax and a carbon tax. The Liberal Democrats believe that we should base our levy regime on the carbon content of fuel. The hon. Gentleman also points out that we should ensure that exemptions take account of the competitive environment—and I have made that point myself.

We welcome the levy in principle because it will reduce carbon emissions to some extent. It will help to slow down the rate of climate degradation and will perhaps direct investment into green technologies. However, we have some major reservations. Perhaps the most important of those is the one to which the hon. Gentleman referred: the levy does not discriminate between carbon-based and non-carbon-based fuels. That means that the environment for renewables will become increasingly difficult.

I was impressed to see a press notice from the Office of Gas and Electricity Markets—I suppose we should call it Ofgem—which stated that it will reduce the rate of the fossil fuel levy in England and Wales from 1 October and that

"The reduction follows a slow-down in the expected rate of commissioning schemes approved at the last rate setting exercise."

In other words, renewables are already finding the going tough. For example, an aluminium smelter that would otherwise be able to draw on renewable fuel to bypass the levy will be unable to do so. The incentive to invest in renewables will be cut as much as the incentive to invest in carbon-based energy sources.

A second criticism is the levy's lack of transparency. The Inland Revenue has published a consultation document. We are surely not short of consultation documents. We could have a refuelling and recycling exercise with that paperwork alone. The Inland Revenue's document recommended against showing the energy levy on the bills that consumers receive, so they will not know that they are paying it. There are built into the proposals serious disincentives for the business sector to make changes that would improve efficiency.

Businesses face a situation in which their prices are down; in which the marginal, invisible cost of the levy will not appear on their bill; and in which the grant that will be recycled from that to provide an incentive to them to improve their efficiency is trivial. The tax will raise £1.75 billion, and only £50 million will be recycled to improve the efficiency of businesses. That is less than £40 per firm per year, which will never provide an incentive for small firms to reinvest to get rid of inefficient plant or to reduce heat loss from their buildings.

We have reservations also about the shotgun approach for major energy users. The debate has already covered that point. We strongly believe that adapting to the Kyoto targets, and beyond to the further reductions in carbon use, can and should be a job-promoting transition, not a job-destroying one.

Mr. Loughton: Why, in the Liberal Democrats' amendment to the motion, is there no mention of the hon. Gentleman's article in *The Parliamentary Monitor*, in which he says that the levy should be

"introduced at a modest level, but with a very clear signal that it will be raised progressively year-on-year."?

Will he now confirm that the Liberal Democrats' policy is to have an energy tax escalator, as he stated in black and white a few days ago?

Mr. Stunell: My article does not appear in the amendment, first, because I am too modest, and secondly, because the amendment would have been too long. I am very happy to talk about the future direction in which the tax should go, although I am not sure that that is the point that the Conservatives are making. If you will permit me,

[Mr. Stunell]

Mr. Deputy Speaker, I will take the argument a little further. If we have to tackle climate change not only by a one-step change by 2010, but by further steps in 2020, 2030 and 2040, it is absolutely clear that we will have to use market forces and fiscal measures to effect change more quickly.

I repeat that the amount of money being recycled to business to promote that efficiency is far too small. The Government should clarify how they will support investment by industry in increased efficiency and the promotion of renewable sources of energy. What moves are they prepared to fund to ensure that the switch to renewables takes place?

Finally, the House needs to remember that the debate is not about getting through to the next general election, or even reaching 2010 with our treaty obligations intact. It is about putting in place industrial, fiscal and market-friendly policies that will ensure that we cut pollution, reverse climate degradation, create jobs and wealth and improve the nation's quality of life. Sadly, the debate so far has produced, on the one side, a very timid response, and on the other, a complete and ostrich-like avoidance of the fundamental issues facing the House and the planet.

8.24 pm

Mr. Peter Snape (West Bromwich, East): It is always a pleasure to be lectured by the Liberal Democrats about what we should do. Motherhood and apple pie are second nature to them, and dispensing them is what they are here for. A good dollop of both does the House no harm. Personally I find the apple pie a bit sickening, although I have listened to such talk for many years.

At least the Government are consulting on their proposals for the climate change levy. It would be remiss of me not to point out that there are, to say the least, misgivings about the likely proposals among industrialists in the west midlands, part of which I represent. I shall come to the detail of those misgivings in a moment, but first I must say to my hon. Friend the Financial Secretary that she will have to tell us exactly what a revenue-neutral tax is. I have been in the House for a long time—too long, perhaps, in the opinion of some—but that is a creature that I have never yet come across in my 25 years here. It is a one-legged fish, a Loch Ness monster or a mythical figure.

Mr. Grieve: Will the hon. Gentleman give way?

Mr. Snape: I cannot be interrupted while I am talking about mythical figures. The revenue-neutral tax is a very odd creature. The best brains in the Treasury have been putting together a tax that is revenue neutral, but the very words are contradictory. This is the first such tax that will have emerged from the Treasury if it proves to be truly revenue neutral.

Mr. Grieve: On the assumption that taxation that is raised is not used to line Ministers' own pockets—one rather hopes, and I am prepared to accept, in the context of this House, that that does not happen—there is in fact no such thing as revenue-neutral taxation. As with any other tax, the money will be taken from some people for the benefit of others. Some businesses will suffer and other businesses will get the benefit.

Mr. Snape: I suspect that this is the last time that the hon. Gentleman and I will agree this evening, but I am similarly inclined to think that revenue neutral is an unnatural description for any tax levied by the Treasury. If it turns out to be revenue neutral in the truest sense, it will be a first. I cannot speak for Ministers in the previous Government, but I am sure that Ministers in this Government will not seek to line their pockets in the manner that the hon. Gentleman mentioned.

I want to ask my hon. Friend the Financial Secretary a couple of questions about the impact on companies such as British Steel of possible proposals in next year's Budget. I find the Conservative party's expressions of concern hypocritical—I speak collectively, Mr. Deputy Speaker—if only because those of us who were around in the 1980s saw the damage that the Conservatives' policies did to companies such as British Steel. We witnessed the decimation of the steel industry, particularly in the west midlands, south Wales and Scotland, which was regarded as being part of the Thatcherite pattern that was prevalent at the time. Conservative Members' present expressions of great concern strike me as a deathbed repentance.

Is it true, as British Steel says, that it is likely to come off worse than its rivals in the system of rebates under the climate change levy? The company's view is that the most that it can hope for is a 50 per cent. rebate, whereas elsewhere in Europe the rebates will be between 60 and 100 per cent. If British Steel is right, it is, as the company says, unfair that it has, by voluntary means, cut its greenhouse gas emissions by 6 per cent. since 1990, but those reductions will not be taken into account for the purposes of any rebate under the climate change levy. That would obviously render British Steel pretty uncompetitive compared with, for example, the Dutch and the Germans.

British Steel makes a genuine point. As my hon. Friend the Member for Rotherham (Mr. MacShane) implied in his intervention on the hon. Member for Hazel Grove (Mr. Stunell), energy costs for British industry are already higher than for other European countries such as Holland and Germany. To load additional costs—if that is what is likely to happen—on British Steel is, to say the least, likely to be pretty damaging to its competitiveness.

Of course, it is not only the bigger companies that are fearful of the likely impact of the climate change levy on their profitability. I have in my constituency a company called Sandwell Castings Ltd., which employs 200 people. It was part of a large group and would undoubtedly, like many similar companies, have gone to the wall had it remained so. It was bought out by its management some years ago, led by the then managing director, who is now sadly deceased, Mr. Alan Wilson, who worked very hard to turn around the company's prospects. Although he has died, the company still regards itself—understandably—as successful and is anxious to continue in business for years to come.

The sales and marketing director wrote to me last month about what he calls "an energy tax". It is all very well calling this measure a climate change levy, but it is a little like the poll tax being called the community charge. A climate change levy will be seen and described

as an energy tax and there will be no point in Ministers sending out directives instructing people to call it by its proper name. The sales and marketing director said:

"We are now faced with an ENERGY TAX which I understand will add 12 per cent. on our melting costs. At this company we are using the very latest technology to melt aluminium but the imposition of this tax compromises the existence of companies such as ours and the 200 people we employ.

My request is simple, please make sure your colleagues, many of whom I believe have never been in a foundry, understand the implications of this tax because at this rate Mr. Blair will not have the credentials to sit at the G7"—

the G8—

"table as an industrial nation."

Those are some of the fears expressed locally.

I wrote back to try to allay the fears of Mr. Green, the sales and marketing director. He sent me a further letter, breaking down the likely impact, in his opinion, of the climate change levy on his company. He envisages a total increase—obviously, melting aluminium is a particularly energy-intensive business—in costs of more than £72,000, and a 14.4 per cent. increase in fuel costs.

Against that we must set the proposed 0.5 per cent. reduction in the company's national insurance charges under the—I have to keep checking the phraseology—revenue-neutral tax, which amounts to a fraction over £17,000. The company believes that that will leave it worse off to the tune of £55,723. That is a precise figure for the imposition of a tax, the details of which have not yet been published, although I think that my hon. Friend the Financial Secretary will get my drift. These are the genuine concerns of a company that has been successful. It was saved from the brink of closure but now very much fears that its future will be imperiled unless the climate change levy is handled differently from the way it is rumoured.

I have one suggestion on the levy, however it is introduced. The House will know—as a former railwayman, I have bored hon. Members for many years with such sagas—how I think that the railway can better compete in various areas. Since rail generates less than 25 per cent. of the CO_2 emissions produced by road transport, what about a rebate on the climate change levy proportional to the amount of additional freight that companies move by rail instead of by road? I hope that that constitutes at least one constructive suggestion in my speech which the Minister will be able to take on board.

As I said, I welcome the opportunity to express some of the fears of industry, both large and small, about the impact of the climate change levy on profitability. I know that it is the Government's avowed intention to ensure that no legislation has an adverse effect on the profitability of companies such as British Steel, or smaller ones, like Sandwell Castings Ltd. During the consultative period, I hope that my hon. Friend the Financial Secretary will take on board the very genuine fears that exist. If she wants, I will send her a copy of the letters to which I have referred so that she can see for herself just how concerned such companies are about the future.

I have been in this House too long to make threats. I spent too long sitting on the Opposition Benches waiting for a Labour Government—nearly 20 years—to make threats, but if legislation appears in the way in which companies such as Sandwell Castings very much fear, I shall be unable to support my right hon. Friend the Chancellor in its introduction. That is how serious it is.

I appreciate the necessity to do something. I have said that Liberal Members—who, as usual, want to be all things to all people—are in favour of the climate change levy but not, please God, in their constituencies, affecting companies that they represent. I hope that I do not fall into the same category when I say that there is a problem throughout the west midlands, which was decimated by the policies of the previous Government. Any proposals that my right hon. Friend the Chancellor makes in his Budget should take account of the needs of British industry in general and west midlands industry in particular.

8.35 pm

Mr. Tony Baldry (Banbury): I am a member of the Select Committee on Trade and Industry, which yesterday published a unanimous report on the impact on industry of the climate change levy. The Register of Members' Interests shows that I have a declared interest in the cement and construction industries.

Given the scope of the levy, there is hardly anyone involved in United Kingdom industry who will not be affected by it. The Amalgamated Engineering and Electrical Union convenor at British Aluminium Extrusions in Banbury has written to me, reminding me that British Aluminium employs just over 400 people in Banbury. He says—remember that this is a union convenor:

"The net extra cost of energy to this company will be £507,000"—

just over half a million pounds—

"(net of a £40,000 NIC Contribution reduction) per year at the full rate of the Levy . . . companies like ours in manufacturing will be net payers while service industries will benefit.

Even at the reduced rate allowed for companies under IPPC"—

integrated pollution prevention and control—

"in exchange for a negotiated agreement to reduce energy consumption, the Levy will be a crippling extra burden. If the Government takes this money in extra taxation, our company will not be able to invest in the new equipment required to enable us to fulfil the requirements of a negotiated agreement.

The Levy will hinder our competitiveness against companies in Europe and beyond . . . Unless the workings of this Levy are changed fundamentally from those put forward in the Consultation Paper, the UK will lose jobs, the Treasury will lose the tax revenues from employment, the country's balance of payments will suffer and global warming will get worse and not better."

That is in an industry that the Economic Secretary only a short while ago said had produced a 65 per cent. increase in energy efficiency in recent years. Therefore, it is not surprising that the hon. Member for West Bromwich, East (Mr. Snape) has found widespread concerns about the levy throughout the west midlands. Those concerns are obviously mirrored in industry throughout the United Kingdom, as became apparent in the evidence that the Select Committee received.

In June 1998, the UK accepted a legally binding 12.5 per cent. reduction target of greenhouse gas emissions as part of the European Union effort in reaching the Kyoto target. I do not believe that there is any dispute in any part of the House that the UK must meet its Kyoto target for reductions in greenhouse gas emissions. The question is how, not whether, greenhouse gas emissions can be reduced.

Shortly after the Government were elected, the Treasury issued a statement of intent on "environmental taxation", which said that the Treasury would seek to ensure, among

[Mr. Tony Baldry]

other things, that environmental taxes would have acceptable distributional impacts and take account of the implications of those taxes for the international competitiveness of UK business.

The climate change levy, as proposed, fails both those tests resoundingly. It fails to have an acceptable distributional impact—its distributional impact is obviously very unfair—and it clearly has a substantial adverse implication for the competitiveness of UK business.

Lord Marshall's task force concluded:

"there probably is a role for a tax if businesses of all sizes and sectors are to contribute to improved energy efficiency and to help meet the UK emission targets".

There is no quarrel with his conclusion, but in terms of design, the task force concluded, among other things, that any levy should give special treatment to energy-intensive industries and recycle revenues in full to business, including by means of a fund geared to promote energy efficiency. Again, the proposed levy fails both those tests. It does not give special treatment to energy-intensive industries, and the revenues will not be recycled—indeed, the Treasury will take almost all the benefit of them for other purposes.

This is a levy on manufacturing industry that can only damage UK industrial competitiveness. A crude method of recycling revenues has been chosen that has nothing to do with energy efficiency. It simply transfers resources from manufacturing industry to the service and public sectors.

That is not surprising. The more the present proposals are examined, the clearer it becomes that the Treasury's principal policy objective is not to meet the Kyoto target, but to use the target as a means of raising money to cut national insurance contributions by 0.5 per cent. The Treasury clearly sees the levy as an opportunity for a significant reduction in employers' national insurance contributions in the next Budget. However, that will be at the expense of UK jobs, UK businesses and UK investment, particularly in manufacturing, where we cannot afford to lose industrial competitiveness.

In evidence to the Select Committee on Trade and Industry, the Electricity Association argued that the levy will, crazily, have the effect of

"limiting the resource to pay for capital investment in energy efficiency."

Moreover, most of the industries that stand to be hardest hit because they are substantial users of electricity have over recent years, for sound commercial reasons, tried to ensure that they are as energy efficient as possible. An energy levy will not make them more energy efficient; it will simply be a tax on manufacturing industry.

I have in my constituency Kraft Jacobs Suchard, manufacturer of Maxwell House, which employs 1,200 people in Banbury. The firm writes:

"In 1990 and 1993 substantial investment was made to install Combined Heat and Power (CHP) units, achieving a 27 per cent. saving in fossil fuel and a corresponding reduction of approximately 16,000 tonnes per year of CO_2 emission."

Clobbering a company like Maxwell House will not make it more energy efficient; it will simply cause it to lose international competitiveness with other companies elsewhere in Europe.

It is therefore little surprise that the Select Committee on Trade and Industry in a report published yesterday—the House should be reminded that that was a unanimous report of a Committee that has a substantial Labour majority—states:

"We have been disturbed by the unprecedented scale of the reaction to the Government's proposal. We share the view expressed by several witnesses that, without appropriate modifications and exemptions, the Levy could prove a blunt instrument which does considerable damage to sectors of the British economy already struggling to maintain their profitability".

The report continues:

"It is imperative that the Levy makes special provisions for energy intensive industries, such as to minimise any damage to their international competitiveness".

In opening the debate, the Economic Secretary sought to give the impression, as most Ministers do at this time, that concerns could be allayed because the Government were consulting. I am glad that the Government are consulting. One of the concerns of witnesses who appeared before the Select Committee was that in their view the Government had not consulted sufficiently. The test for the Government is not how the levy is perceived by industry now, but how it will be perceived at the time of the Chancellor's next Budget.

I hope that those on the Treasury Benches will take note of the Select Committee's findings, having heard all the evidence not just from manufacturing industry and others but from proponents of the levy, of the concern that it may do considerable damage to sectors of British industry. We said:

"we are concerned about the investment implications of the uncertainty about the rates of Levy which will apply to many major UK manufacturing industries".

Although we found that

"the Levy would be a powerful symbol, both domestically and internationally, of the UK's commitment to its Kyoto obligations, this should not detract from the need to ensure that the details of the Levy are fair to UK industry."

I very much hope that the Government in general and the Treasury in particular will give careful consideration to the Select Committee's report. It is a proportionate report based on evidence taken directly from representatives of those most concerned. It does not seek to make party political points and its conclusions are fairly based on the evidence.

The Government, of course, have sought to spin the levy on the basis that it will in some way be revenue neutral, that somehow it will be all swings and roundabouts. But even in this regard the Select Committee found that it

"received the distinct impression that there was considerable confusion over the meaning of the phrase 'revenue neutral', and that some witnesses had wrongly assumed that it was intended to convey the impression that no firm or sector would lose out as a result of the introduction of the Levy."

I suspect that that is exactly what the Government did hope would be conveyed, and that was confirmed by the way in which the Economic Secretary opened the debate this evening. She sought to give the impression that the levy would in some way be revenue neutral, but as the Select Committee found, the phrase is not even an accurate description of the levy's effect on public finances since there will be a net saving in public expenditure due to the public sector's reduced liability for national insurance contributions. None of that should be surprising

because, in truth, the Treasury sees the levy not as a contribution to combating climate change but as a contribution to the Consolidated Fund.

However, the greatest irony of the Government's proposal is that it fails to discriminate between energy sources according to their carbon content. Under the proposal, electricity generated from renewables, nuclear fuel, coal and gas will all attract the same rate of levy, and that is somewhat bizarre. Clearly, a carbon tax that hits carbon-rich fuels will give energy users an incentive to switch to using fuel with a lower carbon content. But, again, there is inconsistency in the Government's proposals, as the Select Committee found. It said:

"There is a tension between the Government's desire to protect the coal industry and the need to cut back carbon dioxide emissions which, at least partly, explains the reluctance to link the taxation of energy use to carbon content of fuels."

The simple fact is that the present proposal on the levy meets neither the public criteria set out by the Treasury for environmental taxes, nor those set out for an energy levy by Lord Marshall's task force. It comprehensively fails on all those criteria. The energy tax is just another stealth tax. It does little to help the environment but will inflict injury on UK manufacturing industry and will undermine the United Kingdom's international competitiveness.

The Government need to rethink the climate change levy comprehensively, and they must do so.

8.49 pm

Mr. Bob Laxton (Derby, North): The climate change levy is noble in intent. If we do not take action now to reduce greenhouse gas emissions, not only will future generations pay the price in the form of the consequent environmental damage but actions postponed will be necessarily more painful and burdensome than if we were to take them today.

Lord Marshall's report fashioned an economic instrument which sought to batten down the use of energy and its resultant carbon dioxide output. We must consider whether that instrument as currently fashioned is carefully calibrated or a bludgeon.

I suggest that a climate change levy that made British industry uncompetitive—and perhaps destroyed jobs and the capacity to create wealth—would not be very sensible; nor would it make any sense if it seriously distorted the British economy. Labour Members have traditionally championed the cause of manufacturing industry as the foundation of wealth creation, but I am concerned that this economic instrument may result in the large-scale transfer of resources from manufacturing to the public sector and, of course, the service sector.

Devising a system of incentives and, for that matter, disincentives that encouraged people to switch between fuels so that less polluting fuels are given a boost over more polluting fuels should not be beyond our capabilities. Lord Marshall has acknowledged that the economic instrument that he devised does not achieve that, and the Trade and Industry Committee, of which I am a member, was even confronted with evidence of some glaring anomalies in respect of the proposed levy. They could have had the perverse effect of encouraging the use of mineral oils over the less polluting liquid petroleum gas in rural areas and encouraging the switching of electricity generation from the relatively benign alternative of gas-fired plant to the less friendly alternative of oil-fired plant. They are not marks of the well designed tax without undesirable side effects that Lord Marshall was commissioned to outline.

We need a careful rethink, not a simple, knee-jerk reaction, which is what we have seen from the Opposition. After all, if they had taken timely action when they were in government, we would not be facing such difficult choices. Other countries seem to have struck a better balance, and perhaps our Government should look more closely at some of the mechanisms that have been planned or put in place by them.

Mr. Snape: I have to tell my hon. Friend that he is being less than fair to Conservative Members. They not only signed up to Kyoto but applied the fuel tax escalator year on year. The fact that they are seeking to rat on that now is entirely predictable. At least they made an effort at that time, but in their present guise of a pretty ineffective Opposition, they deny their past.

Mr. Laxton: I agree with my hon. Friend; Conservative Members give the appearance of being 40-faced on this issue.

I have received correspondence from a company that operates close to my constituency of Derby, North. Accordis is a Dutch-owned international company, and I well know that it is facing some difficult market conditions. Although it may not be too well known—certainly not in the Derby area—it took over from Courtaulds. I have no reason or ability to check its figures, but I shall repeat what it has said for the benefit of the House. It calculates that, at the highest rate, the levy would cost it nearly £7.4 million in the United Kingdom and nearly £3.2 million at the Spondon site. Clearly and understandably, there is concern that the Dutch owners may consider switching production outside the United Kingdom. I certainly hope that that is not the case, and the Government are consulting on that issue.

Hon. Members will see from the Select Committee report that we have called for the Government to work closely with industry to achieve energy efficiency gains, but changing behaviour does not necessarily have to be all stick and no carrot. Most of the negotiations between the Government and energy-intensive industries, as I understand them, have revolved around credits for anticipating future lower use of energy, but we have the opportunity to be more creative here.

The Government are consulting on this tax. I believe that we should consider three points. First, we should recognise moves towards the use of less polluting fuels as well as the use of less energy. We should remove entirely any perverse incentives implicit in this levy as currently designed that encourage the opposite.

Secondly, there should be recognition, by some means or other, of industries that have recently invested to improve their record, so that they are not disadvantaged compared with industries that have cynically delayed such investment. There was some suggestion of that in the evidence given to the Select Committee on Trade and Industry.

Thirdly, there should be credits available for those who reduce their output of greenhouse gases, which are far more damaging than carbon dioxide in their environmental effects. The Iceland supermarket chain is

[Mr. Laxton]

re-equipping its refrigeration with environmentally benign hydrocarbons and is moving away from hydrofluorocarbons which, when they leak, are more than 2,000 times more environmentally burdensome than carbon dioxide. Why not let Iceland and other supermarkets chains that are fearful of the levy see the upside as well as the down?

The Select Committee on Trade and Industry was anxious that the levy should not damage sectors of the economy that are already struggling to maintain their profitability. Surely the purpose of the levy should be to make life better for all of us, not appreciably worse. As with all sound Government policy, its effects should be proportionate and considered.

8.56 pm

Mr. Tim Loughton (East Worthing and Shoreham): I am grateful for the opportunity to speak in the debate. I am a member of the Select Committee on Environmental Audit, and I have had a longstanding interest in green taxes and carbon tax, but what is on offer today is not a carbon tax. Let us dispense with all the spin. The climate change levy is nothing more than an energy tax, and that is rightly the title of the debate. It is a tax by stealth, another red herring of a green tax, and a masterful piece of political presentation by the Government.

Worse still, the proposals are indiscriminate and unfocused. As Labour Members have said, no allowance is made for businesses that have already heavily invested in energy efficiency, or for more environmentally friendly energy such as combined heat and power and liquid petroleum gas. This is a downstream tax with no regard to the carbon content of the production method used. It prompts the question whether a genuine carbon tax was ruled out because of the powerful vested interests in the coal industry.

In energy-intensive industries, energy is a raw material for the production processes. It is integral to those industries, which will be hit particularly hard. Industries will be constrained from switching to more environmentally friendly gas by the Government's moratorium on gas-fired power stations. The Economic Secretary to the Treasury had the audacity to suggest that there is no moratorium on gas-fired power stations. I fought long and hard to get such a power station built in my constituency in the teeth of opposition from the Government, so she cannot tell me the opposite.

This tax represents a massive cross-subsidy from manufacturing to service industries. One of the biggest beneficiaries will be the Government, as a major employer in the service industry. Contrary to what the Economic Secretary said, the proposals contain no safeguards to preserve competitiveness, which is not the case in the many European countries that have differing forms of energy tax. Despite all the Government's reassurances about the rebate on national insurance, it is highly arbitrary, and we have had no undertakings on how long the NI rebate will last. Is it a one-off? Will energy tax rates change in the future, while the rates of NI rebate, if they remain, stay static? My right hon. Friend the Member for Wells (Mr. Heathcoat-Amory) referred to the landfill tax, and the fact that the Government have been raking in more cash without recycling any of it, contrary to the previous Government's intention when they introduced the tax in the first place. Can we expect from the Government, as we patently can from the Liberal Democrats, an energy tax escalator? I am sure that that would be just as counterproductive to the environment as the road fuel duty escalator is proving to be.

Mr. Grieve: My hon. Friend will recollect the criticism of the Conservatives' change in stance on the fuel escalator. However, is not it the case that the Labour Government have ratcheted up the fuel escalator vastly higher than the Conservatives ever did? Furthermore, is not evidence emerging that, however well intentioned the tax may have been, its impact on road haulage is minimal and its impact on competitiveness considerable?

Mr. Loughton: That point is well made. The Government have turned out to be past masters at escalating the escalators. Where companies and industries have no alternative, that must impact on their competitiveness, with resulting losses of jobs and profits to this country.

The Government set up the commission under Lord Marshall of Knightsbridge, but they seem to be ignoring his words. In his report, he said that any measures must be subject to careful design to protect the competitiveness of British industry and maximise the environmental benefit; any tax must be designed in a way that protects the competitiveness of British industry; the design of any tax should ensure that combined heat and power is not disadvantaged; and revenues should be recycled in full to business, with at least some of the revenues channelled into schemes aimed directly at promoting energy efficiency and reducing greenhouse gas emissions. On all counts, these proposals fail dismally, and they must be radically overhauled. That is despite the warm words from Treasury Ministers in support of Lord Marshall's report.

The Government have not thought this one through, as the words of the hon. Member for Ochil (Mr. O'Neill), the Chairman of the Select Committee on Trade and Industry suggest. The figures do not add up, and this is another example of an unlevel playing field. The Government claim that the measure is intended to raise £1.75 billion, but, on the anticipated rates of 0.21p per kWh for coal and gas and 0.6p for electricity, it will raise over £2.1 billion if it is applied evenly to all companies.

It was a bold measure by the UK Government to sign up to a 12.5 per cent. reduction in carbon dioxide emissions as our target by 2010. It was particularly bold when one considers that the average for our European neighbours was just 8 per cent. It was an even bolder measure for the Government to claim a 20 per cent. reduction in their manifesto, which may turn out to have been foolhardy.

Of those six or seven European countries which have some form of energy tax, all but one reflect a carbon content—which this proposal does not. Every one grants special treatment to some parts of industry—as much as 100 per cent. relief for the steel manufacturers of Belgium, France, Luxembourg and Spain.

We have signed up to a 12.5 per cent. reduction in greenhouse gases, so that we will have 87.5 per cent of our 1990 emissions by 2010. However, some EU countries will have a licence to increase their greenhouse

gas emissions by 2010. The target for Greece will be 125 per cent. of its 1990 levels; for Portugal, 127 per cent.; and for Spain, 115 per cent. France will be level, at 100 per cent—that is, no reduction on its 1990 levels.

Mr. Grieve: Is it not the case that, in France, there is no belief in climate change and global warming at an official level?

Mr. Loughton: That is another story, and a much higher proportion of electricity comes from nuclear power in France—something that Labour Members would not countenance.

There is a licence to pollute more in the case of greenhouse gases for the countries to which I referred because they do not have the incentive to decrease. Yet we are being saddled with one of the heaviest decreases. We support that, but it should be acknowledged that the UK had one of the best records of decreasing carbon dioxide emissions between 1990 and 1995, under the Conservative Government. In many cases, therefore, our European partners have far greater leeway than we do. Nevertheless, the Government expect British industry to bear the full brunt, the effect of which on industry will be quite catastrophic.

As for end users, CO_2 emissions from industry comprise about 27 per cent. of the overall target, whereas domestic emissions are 28 per cent., and road transport 22 per cent. However, by source, iron, steel and other industrial combustion and production processes account for only 17 per cent. of CO_2 emissions, as against power stations—which are by far the largest source of such emissions—at 28 per cent.

As we have heard, the Department of Trade and Industry is having to update its 10-year-old figures on energy use by United Kingdom industry sector to identify which firms and plant are energy intensive. Therefore, the Government are largely struggling in the dark on which sectors will be hit hardest—yet, they want to bulldoze ahead with their proposals.

The energy tax has universally been given the cold shoulder by industry. The head of the Confederation of British Industry has said:

"We do not believe that an energy tax levy is the most cost-effective way of encouraging business to make carbon reductions and are extremely concerned as to the likely impact of the current proposals on UK global competitiveness."

I entirely agree.

The most damning response has perhaps come from the British iron and steel industry, which exports 50 per cent. of its production to 200 different countries around the world. It is a fiercely competitive business. The chairman of British Steel said:

"Making it impossible for us to operate our plants profitably is not a sensible policy. Forcing us to close plants here which will be replaced by inefficient plants in other parts of the world is the height of NIMBY nonsense.

There is no need for an energy tax. We can meet the Government's environmental goals without it."

Steel—even on the very rough figures provide by the Government—will be the biggest loser of all the industrial sectors. The fact is that £238 million in tax will be taken from the sector, but only £5 million will be rebated to it in national insurance. If we take the hints of the hon. Member for Rotherham (Mr. MacShane) that there will be a generous 50 per cent. rebate of energy tax, we reach the figure of £119 million—which will still be more than 20 times what steel receives in national insurance rebate. Even his own figure of £55 million in energy tax would be more than 10 times what the industry will receive in rebate.

Not only the iron and steel industries but the chemicals industry will be hit by the tax. That industry will pay £175 million in tax, but receive only £25 million in national insurance rebate. Paper will pay £60 million, but get back £2.5 million. Cement will pay £40 million, to get back £600,000. Aluminium will pay £30 million, to get back £1.6 million—and so it goes, on and on. So much for revenue neutrality in any of those sectors.

Water will be another victim. It will spend £36 million, but receive back only £3 million in national insurance rebate. Surely that must impact on the industry's water quality improvement schemes.

The tax's effect on the steel industry will be ironic, as the industry has been one of the greatest proponents of improving energy efficiency. In the past 25 years, the amount of energy needed to produce a tonne of steel has decreased by 40 per cent., and the amount of CO_2 involved in the process has been halved. British Steel has been a pioneer in producing lighter steels that are most cost-effective and efficient in car production, so that production requires less energy. British Steel, with other intensive users, has invested greatly in energy efficiency.

Other European Union countries ensure a zero net effect for their steel industry. In Germany, the energy tax is equivalent to only 4p per tonne of steel. The Government's proposals, implemented at the full rate, will be the equivalent of £6.70 per tonne of steel—whereas the average in Europe is only 40p.

After closures—because of sheer competitiveness and foreign competition—in the steel industry, British Steel was a big contributor in recycling jobs into new industries. With the tax, British Steel will of course lose out to foreign competitors. Even more damaging, however, is the fact that 40 per cent. of the world's steel is made in countries that are not covered by the Kyoto agreements.

Last year, for the first time, Europe became a net importer of steel. Last year, steel imports from non-Kyoto-covered countries increased by 113 per cent, and such imports into the United Kingdom alone increased by 60 per cent.

The Government do not seem to realise that, as of the end of June, 84 countries had signed up to Kyoto. However, the figure does not include countries such as South Korea, India, Turkey, South Africa, Hungary, Singapore or Taiwan, many of which have burgeoning iron and steel industries that are simply slavering at the lips to pick up business that will be lost by the United Kingdom if the Government's proposed energy tax is levied. China may, on the face of it, have signed up to Kyoto, but how many people here genuinely believe that it will stick to the strict limits? There will be a big redistribution of funds within the steel industry, from Wales and the north to London and the south-east, where the service industry jobs are.

[Mr. Loughton]

My right hon. Friend the Member for Wells (Mr. Heathcoat-Amory) said what a highly global industry the aluminium industry was, and described how it had introduced significant measures to reduce energy use since 1990.

Dr. Brian Iddon (Bolton, South-East): Has the hon. Gentleman carried out an analysis of the effects of the tax proposed by Lord Marshall compared with those of a carbon tax? How would a carbon tax damage the steel industry less? That is what he claims, and his entire speech is based on such comparisons, so may we have the analysis, please?

Mr. Loughton: The iron and steel industry, like many other industries, has set up alternative forms of fuel, such as combined heat and power, and renewables. Under the blanket measures proposed, it would have no capacity to diversify into more environmentally friendly forms of energy. The hon. Gentleman, who served on the same Committee as me, knows that perfectly well.

I shall not go into detail about the aluminium industry. The tax will also affect material producers and the sugar industry, in particular British Sugar, which has been in the forefront of promoting investment in combined heat and power, on which it has spent a great deal of money. It now faces unfair competition—for example, from Germany, which has a 100 per cent. rebate for its domestic industry.

Retailing, too, will be affected. The British Retail Consortium said:

"This tax is a blunt instrument. It will not meet the Government's targets under the Kyoto protocol to reduce carbon emissions, as it is targeted at energy consumption rather than carbon emissions. Neither will it encourage suppliers to switch to green sources of electricity."

I could also mention water, farming, food and drink, chemicals and many other sectors, including many smaller businesses. What the Government say about small businesses is another red herring in their proposals. The CBI report identifies many small industries that will lose considerably by the proposals. It gives the examples of a west midlands castings manufacturer that will pay £13,000 and get back only £230 in reduced national insurance contributions, and a Welsh mould maker that will pay £2,000 in tax and get back only £70. The tax will affect all areas of business and industry.

I shall not go into the details of the report by the Select Committee on Trade and Industry, because my hon. Friend the Member for Banbury (Mr. Baldry) has told us about it in great detail.

The liquid petroleum gas industry is highly environmentally friendly, so it is ironic that the tax will worsen environmental conditions in the United Kingdom by encouraging LPG users to switch to more polluting, less efficient fuels. Calor estimates that the price of LPG will have to rise by 10 to 15 per cent., whereas hydrocarbon oils will not be affected because they are already subject to excise duty.

That is ironic because, in the Budget, the Government rightly made much play of reducing excise duty on road fuel gases by 29 per cent., recognising that they produce less carbon dioxide, benzene, and sulphur dioxide, and fewer particulates. Yet now the industry concerned will be clobbered by the blunt instrument of the energy tax.

I could also talk about renewables, but my hon. Friends have already mentioned those.

The energy tax represents an enormous missed opportunity, especially as it means that we shall not be forging ahead with emission permit trading systems, as Lord Marshall suggested in his report. Such a system would exert much stricter control over CO_2 emissions, with less cost to industry. The United States, Canada, Norway and Australia already have such systems. In the Sydney futures market, a facility has been set up for trading pollution emission permits, and that suggests enormous opportunities for the City of London, which could take on that challenge and set up such a system rapidly.

BP Amoco has its own internal emissions trading system, and PowerGen and British Gas have endorsed the idea. Trading permits between countries would go some way towards reducing the likelihood of distortions emerging in national economies as emissions are reduced, and costs and patterns of energy use change.

The Marshall report highlights the attractions of the scheme but, for some reason, the Government do not seem to want to take it on. Ironically, however, they have recognised the scheme's attractions by backing plans being drawn up by 24 large companies and six business organisations for an emissions trading system.

The Government have set up a steering committee under Rodney Chase, deputy chief executive of BP Amoco, which will report in October, but the proposals contain no agreement about whether companies taking part in the schemes will still face the full rigours of the energy tax. The Government's inaction represents an amazing lost opportunity to arrange the voluntary agreements that have been set up in the chemical and steel industries, and by energy users.

The Government compound that lost opportunity by sticking with the gas moratorium, even though the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Mansfield (Mr. Meale) has admitted that the switch to gas and nuclear made a major contribution to the fall in CO_2 emissions in the 1980s and 1990s.

It is also a scandal that a Government who have talked about hypothecation—as the Secretary of State for the Environment, Transport and the Regions has done so proudly—should propose to recycle into energy efficiency programmes only £50 million, or less than 4 per cent. of the revenues from the tax. The amount recycled is much greater on the continent: for example, about 20 per cent. of the take from Austria's energy tax is recycled. The Under-Secretary told the Select Committee on Environmental Audit that the amount was as much as could be "squeezed" out the Treasury.

The recycled tax revenue could be put to so many uses, such as promoting home energy grants and tackling the problem of fuel poverty. It could also be used for house energy efficiency schemes, renewable subsidies, or even for handing our energy-saving light bulbs. All those represent more missed opportunities. Above all, however, the Government have missed an opportunity to introduce a genuine carbon tax and establish the UK at the forefront of the establishment of a new permit trading system.

The Government have a word to say to the following people: wise users of energy, who have voluntarily invested millions of pounds in more efficient and therefore more environmentally friendly energy use and who intend to continue that investment; those who have switched to cleaner forms of energy, such as combined heat and power or liquid petroleum gas; those who have made internal arrangements to help achieve Kyoto targets; those who have supported the Government's warm words on greenhouse gas emissions; those who operate in an industry facing intense competition from overseas companies not subject to such rigorous energy tax applications; and those who operate in countries that have not signed up to Kyoto. That word is, tough. Those people will have to bear the full brunt of the energy tax, or a reduced amount that is still woefully inadequate.

The watchword must be flexibility. Forcing industry into rigid frameworks will impact on costs and competitiveness. We need a mix of taxes and tax reliefs, of emissions permits trading, and a culture change by domestic and business users. The energy tax proposed by the Government is far too rigid. It is a blunt instrument, disguised in a green wrapper. Ultimately, the main beneficiary of the extra revenue to the Exchequer will be the Government who, as a major employer, will also benefit from the reduction in national insurance payments in service industries.

The revenue-neutral tag will ring hollow in the steel, chemical, paper, cement, aluminium industries, and in many others. One environmental economist has said that it will be close to useless, except as a revenue-raising instrument. As such, it is a major disappointment to those of us who want a comprehensive approach, involving genuine and practical environmental taxation and incentive measures.

9.18 pm

Mr. Denis MacShane (Rotherham): I have an amazingly long speech, which I shall throw away to allow other hon. Members to contribute. However, I shall make a short declaration of interest, in that my constituency of Rotherham, in which steel has been made for some 300 years, has in it Europe's most advanced engineering steel plant. I am proud to say that I work closely with the industry, and with the Iron and Steel Trades Confederation, the main union.

The debate will have served some purpose. We have heard some remarkably lightweight speeches about heavy industry from Conservative Members, but I hope that my hon. Friend the Financial Secretary will take on board many of the comments that have been made.

To announce a tax and then discuss it for a full year is a remarkable fiscal innovation. No doubt my hon. Friend feels that she is getting all the pain and little of the gain, but I pay tribute to her and to my hon. Friend the Economic Secretary to the Treasury for their willingness to receive delegations and to speak either privately or formally. I am not necessarily the Treasury's biggest fan but they exemplify the new Labour listening Treasury, and I hope that some of the points made will be taken on board.

We need not take lessons from the Conservatives whose main interest in manufacturing lies in manufacturing offshore tax havens to secure the flow of funds into the sleaze bag at central office. When in Government, the Tories destroyed 150,000 jobs a year, and no Conservative Member from the asset companies and the financial sector could makes the same speeches in Rotherham as they give to the House.

My constituents were most offended by the article written by the hon. Member for Hazel Grove (Mr. Stunell) in *The Parliamentary Monitor*. He suggested that those concerned about the tax represented dinosaur interests, but manufacturing is sick and tired of being patronised by Liberal Democrats, Greens and the City boys from the Conservative party. Manufacturing is sick of being told that it represents the past; it is in fact the internationally traded competitive sector of our economy, and the men who work in manufacturing, from top management to new recruits, deserve much more time and attention than the Conservative party has given them over the past 20 years.

I find some of the language used in the debate disagreeable. There is an idea that we tax "bads" and give tax relief to "goods". We cannot moralise about taxation in that way. Manufacturing, particularly the steel sector, is full of good men who make good products. The hon. Member for East Worthing and Shoreham (Mr. Loughton) read us the British Steel handout, and I agree with it. If anything, it needs to be reinforced, because manufacturing trades competitively in international markets.

The biggest hit taken by the British steel sector in recent years will not come from the tax. The forced rise in the pound engineered by the previous Conservative Government during their last year in office put the pound up from DM2.17 in May 1996 to DM2.70 in May 1997. The pound has been stuck ever since at that rate, which ripped the guts out of British steel's profitability. The export-killing pound inherited by the Government has caused much damage. The utter hostility of the Conservatives to Europe reinforces it, although the hon. Member for Grantham and Stamford (Mr. Davies) is strongly pro-euro and pro-European and will doubtless set out minds at rest in his summing up of the debate.

I wish that our steel plants would paint themselves bright green. They are among the most ecologically minded sections of our heavy industry. They recycle 2 million cars a year and contribute massively to ensuring that British manufacturing is strongly committed to recycling. When compared with other sources of CO_2 emissions, industry since 1991 has reduced its energy input by 12.5 per cent. By comparison, since 1980—roughly during the 18 years of Conservative rule—road transport increased by 50 per cent. The Conservatives failed to tackle the problems.

Europe has much more integrated policies, and the contempt and indifference of Conservative Governments towards action to reduce energy sources and CO_2 emissions has left us with problems to clear up. When measured by the usage of end-users, the iron and steel sector's reduction per million tonnes of CO_2 energy since 1988 is about 12.5 per cent. while that of road transport has risen by 50 per cent. There has been a 150 per cent. increase in the use of diesel fuel since 1985. Let us name the bads in our economy, and let us accept that the steel industry can reasonably be defined as a good.

I shall not go through the figures that I have already presented to the Treasury. The hon. Member for East Worthing and Shoreham listed some of them. Let us be clear that the Treasury has been a little fox in the chicken

[Mr. Denis MacShane]

coop and over-alarmed and over-excited the industry. The figures quoted are indicative or illustrative. I am not sure what that means, but I have to say bluntly to my hon. Friend the Minister that they have alarmed many in the manufacturing sector and especially the steel industry.

We do not know what the final figures will be, I appeal to the Government in the continuing negotiations—months of negotiations and consultation that lie ahead—to practice joined-up government and combine the Treasury with the Department of the Environment, Transport and the Regions and the Department of Trade and Industry. Such a troika could work together so that when the final rate is set, and it will be set, it is set on the basis of consultation.

What needs to be done? I suggest a few simple measures. We need to focus on negotiated agreements based on reduction targets for different sectors. We need, not just revenue-neutral taxes, but fiscal neutrality. There is genuine concern about a cross-subsidy from the north to the south; from Labour heartlands to the asset management boys in the City; from steel to Whitehall Ministries. We need full transparency in pricing. That is a huge problem. We have the highest energy prices for industry. They have come down since 1990, but they started at such a high level as a result of the inefficient, racketeering way in which energy was privatised by the Conservative party.

Mr. Stunell: Will the hon. Gentleman give way?

Mr. MacShane: If the hon. Gentleman will forgive me, I want to finish. We need to permit trading to encourage more flexible market responses to energy reduction.

We also need to look at the broader EU approach. It was fascinating to hear the manic Europhobes in the Conservative party speaking up for Europe and citing European examples of support for industry through fairer taxation.

We need to involve our social partners in reducing emissions. The trade union movement is deeply concerned about the matter. It does not have a vote in the House, but it has a voice and I believe that it will make it heard.

We also need far more research into CO_2 reduction policies. Only a couple of years ago British Steel was making £2 billion profit and this year alone it has transferred £700 million to shareholders, including a cheque for £450 million that has gone across the Atlantic because only American investors have invested in British Steel. Money could be found for a private-public research institute to examine CO_2 reduction policies. We need much stronger public engagement from the manufacturing sector, the Confederation of British Industry, and the United Kingdom Steel Association. They should enter into a dialogue with the green lobby and people campaigning on environmental reduction policies.

The way forward is partnership, consultation and dialogue, not dispute. I congratulate the Opposition parties on tabling the motion and the amendment. Although the language of some Tory Members has been adversarial, long-winded and pompous, this is part of the new listening, sharing, consulting Government whom the people of Britain voted in and will confirm in the Eddisbury by-election on Thursday.

9.29 pm

Mr. Dominic Grieve (Beaconsfield): The speech of the hon. Member for Rotherham (Mr. MacShane) was an example of casuistry. He moved from one position to another in the course of a few minutes. It defies emulation and I shall not attempt to follow it.

This is a non-partisan issue. It is quite apparent that all major parties in the House believe in the motherhood and apple pie idea of trying to improve the environment and tackling global warming. The only difference between the Government and the Opposition is that the Opposition know that the reality of motherhood in government is that one often has sleepless nights and the apple pie gets spilt on the floor. On the other hand, the Liberal Democrats—not having experienced motherhood in government for about the past 60 years—have no sense of realism when it comes to policy decisions and the problems of implementation.

As a Member of the Environmental Audit Committee, I have always turned what I hope is a constructive eye and ear to all the ideas on tackling global warming and to the evidence that I have heard during the past two years. When the measure was first floated before the Committee, it seemed to have some attractive features. It might succeed in constructing a taxation system whereby, although people would be taxed more on their energy costs, they would immediately be offered compensation through the reduction of their national insurance charges. That would leave them with the superficial possibility of having reduced national insurance charges, while cutting down their electricity and energy consumption to make themselves more efficient, thereby improving their profits.

However, when one considers the detail of the ratio between the amount of energy used and the number of employees, the problem is apparent: the figures do not add up. The measure is a good idea, but when one examines it closely, it does not work. As a result of this fiscal adjustment, vast amounts of money will be siphoned off from manufacturing industries—heaven knows that they have had a rough enough time in a competitive world environment, whether under this or the previous Government—and will go to public service industries, which are not wealth producers in this country. The proposed measure simply does not add up.

I am quite happy to hear Ministers' constructive suggestions—now and in the future—as to how adjustments might be made or exemptions granted. However, I have considered the measure and spoken to those in my constituency who will be the worst affected. In Taplow, there is a paper-mill, which already suffers enormous economic difficulties; after my recent visit to the mill, I am satisfied that it will become completely uneconomic. However hard the business tries, it is a major energy consumer and it will become uneconomic if the proposals are implemented.

I do not want to take up too much of the House's time; I hope that there will be time for other hon. Members to speak. However, the Economic Secretary to the Treasury rightly asked Opposition Members for their proposals. The problem is that, although we all believe in motherhood and apple pie, when it comes down to the detail and the reality, none of us is able to produce valid proposals.

I have some suggestions that may be more important than the wholly counterproductive proposals for an energy tax. First, we should face the fact that there is an

exponential growth in the domestic use of energy—whether it be in our homes or the motor car. That is a major political challenge—because the individuals are voters. We must address that challenge.

In relation to the point about VAT on fuel, I am most conscious of the problem of fuel poverty and that we must address it. I accept that it is a long-running national scandal. However, the problem can be solved in ways other than merely reducing the VAT rate, and refusing to contemplate its increase for most of the population, who are able to afford to pay it. The reduction in VAT was a counterproductive move and the Conservative Government made a considerable mistake by taking that route.

The whole culture in this country needs to be re-examined. What is the point in having a policy of telling people that they should save energy domestically, when all they have to do is go out for a drive to see that motorway lighting provided by the Government and road lighting generally provided by local authorities is in continuous growth, apparently for safety reasons? That contrasts with policies in Scandinavia: in Denmark, I noted with interest that, to make the point of energy saving, every second street light in Copenhagen is switched off. Those might be small things, but they add up. What is necessary energy use and what is unnecessary—if not decorative, something that we can do without?

Until we start to address those questions, we will never set in motion the culture change that will ultimately sweep through the whole issue of global warming: just as people will change their habits domestically, so they will insist that every possible cost-saving and energy-saving device should be used in their business environment. Unfortunately, we are failing to do that. I have to tell the Financial Secretary that the climate change levy—no doubt, a well-intentioned idea when it came off the drawing board—is in danger of becoming a nightmare. I hope that the Government will think again and start to consider carefully ways in which we can tackle an extremely difficult issue in a more constructive way.

Destroying our wealth-producing industries will not stop global warming. As the Government themselves have pointed out, it is our nation's ability to produce wealth that enables us to find the funds to introduce the measures we need to tackle global warming.

9.36 pm

Mr. Alan W. Williams (East Carmarthen and Dinefwr): I am grateful to the hon. Member for Beaconsfield (Mr. Grieve) for allowing me time to say a few words in this debate.

I am pleased that the Government have taken strong action to curb the problem of global warming in signing up, not to a 12.5 per cent., but to a 20 per cent. reduction in carbon dioxide emissions by 2010. In that context and to achieve that target, energy taxes have a legitimate role to play.

Since the oil price collapse in 1986, energy prices have been relatively low in historical terms. Since 1990, electricity prices have dropped by 22 per cent. and gas prices by 46 per cent. It is against that background that the climate change is to be introduced, and the indicative figures that I have seen for the tax are a good deal lower than those price decreases.

The clear intention is that the levy should be revenue neutral, which means that there will be both those who gain and those who lose in the national insurance contribution cuts. Not surprisingly, in tonight's debate, attention has focused on the losers, but in the economy as a whole the result will be a gain of 14,000 jobs and there will be some protection for energy-intensive industries.

The total revenue to be raised from the tax is £1.75 billion and the amount of carbon emissions saved will be 1.5 million tonnes. That is £1,000 per tonne of carbon saved, so the tax is rather inefficient. Although I have always supported carbon taxes and the general concept of an energy tax, £1,000 for every tonne of carbon saved is a high price to pay.

Think of fuel prices: the world price for coal is about £30 a tonne and energy prices generally are well below £100 a tonne, so to pay £1,000 for a company to save one tonne of carbon is a high price. I should prefer the £1.75 billion to be reinvested in conservation measures and renewables. In that way, far more than 1.5 million tonnes of carbon emissions could be saved.

I am pleased that there is to be a limited opportunity for emissions trading. I would like to see emissions trading in the form of carbon absorption. Part of the revenue could have been used to provide an incentive to plant woodlands because that will be an important way of limiting carbon emissions internationally.

9.40 pm

Mr. Quentin Davies (Grantham and Stamford): I begin by reminding the House of my interests—which are listed in the Register of Members' interests—as a director of SGE, and an adviser to NatWest Global Financial Markets and the Chartered Institute of Taxation. As far as I can surmise, those three organisations are likely to be net beneficiaries of the Government's proposal. However, as hon. Members will learn in a moment, that does not influence my views about the Government's plans in any way.

Before I turn to the substance of the matter, I should comment about something that must be more important even than this proposal. There is continual evidence of the attitude of Labour Front-Bench Members towards this place, which can be charitably described as one of levity. The Economic Secretary, who introduced the debate, told the House that she had something better to do than remain in the Chamber at the end of the debate. Unless she had received a summons from Buckingham palace, whatever activity she preferred to staying here to listen to a debate that she had launched was more important than her duties in the House. There is something seriously wrong with the hon. Lady's priorities.

The Financial Secretary to the Treasury (Mrs. Barbara Roche): I am grateful to the hon. Gentleman for giving way, but I had hoped that he would show rather more courtesy. At the beginning of the debate, my hon. Friend the Economic Secretary explained that she had unbreakable commitments and, therefore, would be unable to stay for the winding-up speeches. She also explained that I would respond to the debate. I had hoped that the hon. Gentleman would receive her remarks in the spirit in which they were intended.

Mr. Davies: I am afraid that the Minister makes the matter even worse because she proves that the hon. Lady's

[Mr. Davies]

conduct was not just the aberration of an individual, but is endorsed by the entire Front-Bench team. No commitment should be unbreakable when compared with Ministers' accountability to the House. Ministers should treat this place with courtesy. Parliamentary democracy can survive only on that basis. If the Economic Secretary does not know that, she had better rethink her priorities.

This was a very bad debate for the Government because, once again, not a single Labour Back Bencher had a good word to say about their policies. We even had the amusing spectacle—

Mr. MacShane *rose—*

Mr. Davies: I will not give way to the hon. Gentleman, but I shall deal with the point that I know he wants to make. We witnessed the amusing spectacle of the hon. Member for Rotherham (Mr. MacShane), who is normally so meticulous—I have tried to use a flattering term—in supporting whatever happens to be the ministerial line of the moment, agonising publicly about this subject. He spoke of the steel industry's alarm at the proposed levy and said that the trade union movement was deeply concerned. His speech was very revealing from that point of view. The hon. Member for West Bromwich, East (Mr. Snape) actually suggested that he might not be able to support the Government in the Division Lobby on the levy. Similar reservations were expressed by the hon. Members for Derby, North (Mr. Laxton) and for East Carmarthen and Dinefwr (Mr. Williams).

We heard a powerful speech from my hon. Friend the Member for Beaconsfield (Mr. Grieve) and a well informed speech from my hon. Friend the Member for Banbury (Mr. Baldry). He is a member of the Trade and Industry Select Committee, and he pointed out that the Government's proposals do not meet the criteria set out in the Treasury's initial document—which is a pretty damning revelation. My hon. Friend the Member for East Worthing and Shoreham (Mr. Loughton) demonstrated a masterly grasp of the detail of the subject.

The first thing that must be said about the Government's proposals is that they reflect the incompetence that is rapidly becoming the hallmark of this Government. The first prerequisite of a competent policy is that it should be rational. It should reward, and thereby encourage, desired behaviour and sanction undesired behaviour. This policy fails that ultimate test of competence. The energy tax proposals do not reward those who have made efforts to reduce the carbon content in the energy used in their processes.

In the energy-intensive sector, the tax will have a particularly brutal effect, because companies in that sector that have made a great effort—as many of them have—to reduce their energy use will now find themselves disadvantaged. Competitors who have made no such effort and who therefore have greater scope for reducing energy use will have an advantage in the negotiations for a rebate on the levy which will now be held with the Government. That is unjust, but is also irrational and utterly incompetent.

Even more seriously, the proposals provide absolutely no incentive for industry or commerce to switch to sources of energy that produce less carbon. The opposite is the case because, with typical inconsistency and, once again, incompetence, the Government have introduced what is, for all practical intents and purposes, a moratorium on the building of new combined cycle gas-fired power stations which generate about a quarter of the carbon that coal-fired stations produce for a given kilowatt of generation. So it is impossible for firms to switch to a form of hydrocarbon generation that produces less carbon even if they want to do so. The Government's proposals offer no reward for industries that decide to move in that direction.

Most extraordinary of all, there is absolutely no recognition of those who might want to invest in energy that does not generate any carbon at all. That is a missed opportunity. The Government had an opportunity to change the economics of electricity generation in this country to create a new basis for people to invest in renewables or nuclear generation, which does not emit any carbon at all. Not only has that opportunity been missed, but people who invest in such energy sources or are prepared to sign contracts to use those sources receive no recognition in the proposals. They will be made to look like fools if they follow that line. The whole basis on which we might have addressed the need to reduce global warming has been obliterated before we have started. That is massive incompetence.

The charge does not even end with incompetence because the country now faces a set of extremely destructive policies. They are set out in the report of the Select Committee on Trade and Industry, which was published yesterday. That report is very clear. It said that

"the Teesside Chemical Initiative estimated that, if applied in full, the Levy would cost Teesside chemical firms £37.3 million per annum, causing up to 1,000 job losses".

The report also said that the Energy Intensive Users Group estimated that even if there is a 50 per cent. reduction in the levy, as many as 28,000 jobs might be lost in energy-intensive firms. The report went on to say that

"the Aluminium Federation estimated that the aluminium industry would incur a net cost of £38 million as a result of the Levy, leading to the closure of four primary aluminium smelters and 4,000 job losses."

The Country Landowners Association has said:

"Intensive horticultural operations, which are major contributors to the balance of payments, may be put out of business."

Of course, those businesses do not, on a net basis, emit any carbon dioxide. The prospect of damage goes on.

The Government's incompetence will lead to the loss of people's employment, the shattering of individuals' prospects and the displacement of industry. And that is not the end of it. The proposals are also fraudulent. They have been sold to the House and the public as revenue neutral, but as we have discovered during the debate, they are not revenue neutral for individual firms, sectors or regions. They represent an enormous levy on the north and the midlands in favour of the south-east.

Most of all, the proposal is not revenue neutral because the public sector will be a net gainer. I understand that local authorities alone will gain some £250 million net. What is a levy that is so recycled that the public sector is

a net gainer and the private sector a net loser? The answer is, by definition, a tax. Here we have another way of taking money out of the private sector and giving it surreptitiously to the public sector. We have uncovered yet one more stealth tax in the Labour Government's catalogue. They ought to be ashamed of the policy, and even more ashamed of the way in which they are trying to disguise it from the British public and from Parliament, which they treat with such derision.

9.50 pm

The Financial Secretary to the Treasury (Mrs. Barbara Roche): That was an extraordinary speech by the hon. Member for Grantham and Stamford (Mr. Davies). It was yet another example of the understated way in which he makes his case. He would have better spent his time being present for the entire debate, as I have been, rather than just making his ridiculous remarks at the end of it. In the short time remaining to me, I shall deal, as he should have done, with the remarks that have been made on both sides of the House. I think that that is what the House expects from a winding-up speech.

The right hon. Member for Wells (Mr. Heathcoat-Amory) said that heavy industry already had an incentive to be energy efficient. As Lord Marshall noted, the best evidence available of possible achievements comes from the energy technology support unit. Its work suggests that there is scope for further improvements in energy efficiency across industry.

The hon. Member for Hazel Grove (Mr. Stunell), who speaks for the Liberal Democrats on these issues, said that, according to the consultative document, the levy will not be shown on bills. That is clearly not so. We are consulting on several design issues, including whether to show the levy on bills. As my hon. Friend the Member for West Bromwich, East (Mr. Snape) rightly said, the Liberal Democrats must decide once and for all whether they are in favour of this measure. Once again, they talk big on the environment, but when it comes to supporting constructive Government proposals, they are found wanting.

The hon. Member for Hazel Grove asked why renewables could not be exempt. As he will know if he has considered the matter carefully, we have not ruled that out. We have proposed that some of the revenue raised will be used to provide additional support for renewable sources of energy. He said that the £50 million for energy efficiency was not enough, yet the present budget for the energy efficiency best practice programme is about £15 million a year. We are, therefore, proposing a considerable step up, and it would be nice if, for once, the hon. Gentleman gave us some credit for it.

Mr. Stunell: Will the Financial Secretary give way?

Mrs. Roche: No, I do not have time.

My hon. Friend the Member for West Bromwich, East asked me to take into account the situation in his constituency. We shall of course consider in great detail what he says to us. If he will send me the details of the example that he gave, we will consider them carefully. He asked what revenue neutral means. We have said right from the beginning that the levy will entail no increase in the burden of tax on business as a whole.

The right hon. Member for Wells mentioned the 50 per cent. figure, but did not say that it is purely illustrative. He paid no heed to that whatever.

Mr. Heathcoat-Amory: There is one figure that is not illustrative, because it is in the Government arithmetic, which is that this tax will raise £1.75 billion a year. If the Minister starts making concessions, as she is now hinting, or if other companies exempt themselves from the tax by moving abroad, how will she obtain that extra revenue from other companies?

Mrs. Roche: The right hon. Gentleman has a cheek. We have set out—

Mr. Francis Maude (Horsham): She has no idea what the answer is.

Mrs. Roche: The right hon. Gentleman asked a question and, if the shadow Chancellor will give me the opportunity instead of heckling from a sedentary position, I will give him the reply. We set out the figure. We have made it absolutely clear right from the start that we would consult. As my hon. Friend the Member for Rotherham (Mr. MacShane) has said, it is unprecedented for a Government to allow that period of consultation, and we shall ensure that it takes place.

I tell my hon. Friend the Member for West Bromwich, East that we would be happy to receive any suggestions for the design of the levy that would increase its environmental effectiveness while protecting competitiveness. *[Interruption.]* The Members on the Opposition Front Bench continue to chatter throughout this. I would have thought that they would have been interested in hearing about the competitiveness of British industry, but they obviously are not.

The hon. Member for Banbury (Mr. Baldry), a member of the Select Committee on Trade and Industry, mentioned the cut in national insurance. I remind him that it was the Government of whom he was a member who introduced a cut in NICs, when introducing the landfill tax in 1996. Yet again, the Opposition are suffering from collective amnesia.

The hon. Member for Banbury also said that the levy was badly targeted and inefficient. The design very closely follows Lord Marshall's recommendations and, as my hon. Friend the Economic Secretary has said, many other countries believe that carbon or energy taxes have a role to play in helping to meet the climate change targets.

My hon. Friend the Member for Derby, North (Mr. Laxton) mentioned mineral oils. Mineral oils are subject to excise duty, and the Budget announced phased increases in gas oil and fuel oil duties.

The hon. Member for East Worthing and Shoreham (Mr. Loughton) drew attention to what is happening with regard to the electricity pool. We shall take the review of the electricity pool trading arrangements into account in designing the levy, and the Government, unlike the previous Conservative Government, will clean up the situation that was left for us and deal with it.

[Mrs. Roche]

The hon. Member for Beaconsfield (Mr. Grieve) seemed to be saying, "Yes, something needs to be done, but what can we do?" He seemed to suggest that we return to the discredited system of the Conservatives' imposition of VAT on fuel. We know what they did and what it did to fuel poverty—and the hon. Gentleman wants to return to that. The Conservatives generally are still wedded to that.

My hon. Friend the Member for East Carmarthen and Dinefwr (Mr. Williams) rightly mentioned energy incentives. We shall look at those.

In Conservative Members, we see a party that, when it was in government, spoke big on the environment, but did nothing about it, and which turns its views in opposition. The Leader of the Opposition said:

"We must protect our environment for future generations and strike a balance with the needs of the economy and society's demands for goods and services".

Now the Conservatives change their mind. Conservative Members all stood on a manifesto that said:

"we will continue to use the tax system and other incentives to encourage the use of vehicles and fuel which do not pollute the environment. And, we will continue to explore policies based on the principle of polluter pays".

It is rich. They say one thing to the country when they are seeking votes and another in the House.

Mr. James Arbuthnot (North-East Hampshire) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 132, Noes 346.

Division No. 261] **[9.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lansley, Andrew
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Roe, Mrs Marion *(Broxbourne)*
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mrs. Jacqui Lait and
Mr. Geoffrey Clifton-Brown.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Baker, Norman
Ballard, Jackie
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Blunkett, Rt Hon David
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy

Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
[illegible] John
[illegible]eter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Hanson and Jane Kennedy.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 311, Noes 162.

Division No. 262] **[10.13 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Blunkett, Rt Hon David
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi

Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Hanson and Jane Kennedy.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lansley, Andrew
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Roe, Mrs Marion *(Broxbourne)*
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Jacqui Lait and Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House notes that there is now compelling evidence that climate change needs to be tackled, that there is therefore a need for action to reduce greenhouse gas emissions, and that the United Kingdom has a legally-binding target for reducing greenhouse gas emissions set under the Kyoto Protocol; welcomes the recommendations of Lord Marshall on the case for a climate change levy; further welcomes the measures taken by the Government to help British business, including cutting corporation tax rates to their lowest ever level; welcomes the Government's decision to pre-announce the introduction of the climate change levy by two years to give time for further consultation on its design; and supports the Government's determination to work with industry and other parties to ensure that it meets its environmental objectives whilst safeguarding Britain's international competitiveness.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

PROPOSAL TO EXTEND THE WORKING TIME DIRECTIVE TO EXCLUDED SECTORS

That this House takes note of European Union Document No. 13526/98, the unnumbered Explanatory Memorandum submitted by the Department of Trade and Industry on 18th May 1999 and the unnumbered Explanatory Memorandum submitted by the Department of Trade and Industry on 21st June 1999, all on the extension of the Working Time Directive to excluded sectors; supports the Government's view that the proposal agreed by Member States at the Social Affairs Council on 25th May will ensure that workers who were previously excluded will now enjoy the benefit of working time protection; and agrees that all workers should have the right to minimum standards in the workplace and that the extension of the working time directive to the excluded sectors supports the Government's aim of promoting family friendly employment.—*[Mr. Dowd.]*

The House divided: Ayes 302, Noes 156.

Division No. 263] **[10.25 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte

Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Cleiland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Rapson, Syd
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry,
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Hanson and Jane Kennedy.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Fabricant, Michael
Fearn, Ronnie
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Roe, Mrs Marion *(Broxbourne)*
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wiltshire, David
Winterton, Mrs Ann *(Congleton)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Geoffrey Clifton-Brown and
Mr. John M. Taylor.

Question accordingly agreed to.

DEREGULATION

Mr. Deputy Speaker (Sir Alan Haselhurst): With the leave of the House, I shall put the Questions on motions 4 and 5 together.

Hon. Members: No.

Mr. Deputy Speaker: In that case, I shall put them separately.

Motion made, and Question put forthwith, pursuant to Standing Order No. 18(1)(a) (Consideration of draft deregulation orders),

MILLENNIUM LICENSING

That the draft Deregulation (Millennium Licensing) Order 1999, which was laid before this House on 5th July 1999, be approved.—*[Mr. Dowd.]*

The House divided: Ayes 324, Noes 7.

Division No. 264] **[10.39 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atkins, Charlotte
Baker, Norman
Ballard, Jackie
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
[illegible], Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith

Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Opik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Rapson, Syd
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Hanson and Jane Kennedy.

NOES

Beggs, Roy
Blunt, Crispin
Brooke, Rt Hon Peter
Donaldson, Jeffrey
Forsythe, Clifford
Maclean, Rt Hon David
Swayne, Desmond

Tellers for the Noes:
Mr. Douglas Hogg and Mr. Edward Leigh.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 18(1)(a) (Consideration of draft deregulation orders),

CASINOS

That the draft Deregulation (Casinos) Order 1999, which was laid before this House on 5th July 1999, be approved.—*[Mr. Dowd.]*

The House divided: Ayes 304, Noes 12.

Division No. 265] **[10.50 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atkins, Charlotte
Ballard, Jackie
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Heppell, John
Hesford, Stephen
Hodge, Ms Margaret
Hoey, Kate
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Rapson, Syd
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*

Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Keith Hill and
Jane Kennedy.

NOES

Baker, Norman
Beggs, Roy
Chidgey, David
Donaldson, Jeffrey
Forsythe, Clifford
Hughes, Simon *(Southwark N)*
Kirkwood, Archy
Leigh, Edward
Michie, Mrs Ray *(Argyll & Bute)*
Rendel, David
Stunell, Andrew
Swayne, Desmond

Tellers for the Noes:
Mr. Douglas Hogg and
Mr. Eric Forth.

Question accordingly agreed to.

PETITION

Crawley Hospital

11 pm

Laura Moffatt (Crawley): I wish to present a petition organised by my local newspaper, the *Crawley Observer*, which is signed by some 4,000 of my constituents who are extremely worried about the reconfiguration of hospital services in Crawley. Residents are extremely worried that, if services are reorganised and removed from the town, it will be to the detriment of Crawley.

The petition states:

The Petition of the Crawley Observer and residents of Crawley Declares that we oppose plans to downgrade Crawley Hospital.

The petitioners therefore request that the House of Commons urge the Secretary of State for Health to do all in his power to ensure that Crawley Hospital retains its casualty department, maternity ward, children's ward and intensive care unit.

And the petitioners remain, etc.

To lie upon the Table.

National Curriculum (Sustainable Development)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Allen.]*

11.1 pm

Mr. Peter Luff (Mid-Worcestershire): I am exceptionally grateful to have the opportunity of raising this subject at a topical time in the development of the national curriculum. The only interests I have to declare are membership of my local wildlife trust and my local Country Landowners Association committee. I have no links, either direct or indirect, with any genetically modified food company—indeed, I have serious concerns about the sustainability of GM technology in the British environment.

I have a number of constituents who take a close interest in the environment and sustainable farming. I am particularly grateful to Dr. Stephen Martin whose close involvement with many environmental initiatives and organisations—and specifically with the World Wide Fund for Nature—inspired me to seek this debate.

It was a meeting with the WWF, organised by Dr. Martin, that persuaded me that this was an important issue, and that organisation has been very helpful in preparing me for tonight's debate. I am particularly grateful to another Martin, Peter Martin—I am assured that he is no relation to Stephen—who is head of education at WWF, for his patient guidance and advice. I have also received the views of two other organisations for which I have a high regard: the wildlife trusts and the Royal Society for the Protection of Birds.

I do not know about you, Mr. Deputy Speaker, but when I was young my dreams were regularly of a nuclear holocaust. That dreadful mushroom cloud soared into the sky of my nightmares on too many restless nights. I am glad to say that my nightmares are now more mundane, but my waking fear is very real. It is about the consequences for our environment if we do not approach it with greater respect and understanding. That, in turn, could have huge consequences for the welfare of billions of human beings on this planet.

I do not know about you, Mr. Deputy Speaker, but sometimes I despair as I watch the contempt shown by too many of our fellow citizens for the environment in which they live. Litter, graffiti and waste seem to characterise our urban lives. The countryside is defaced by thoughtless fly tipping, and, even worse, it faces more serious threats from agricultural polices that force farmers into behaviour that many of them dislike intensely.

Recycling may have caught the imagination of some, but how much fossil fuel has been used making special journeys to take small quantities of bottles, cans and newspapers to recycling facilities? How much energy and how many chemicals are then used to do the recycling?

If I may be allowed to make a slightly partisan comment in an essentially non-partisan speech, I believe that the Government are guilty of some muddled thinking on this subject. They are trying to use the mask of sustainability to justify what are actually only simple tax increases. Look at the proposed pesticides tax, for example. However—I see the way that you are looking at me, Mr. Deputy Speaker—that is a matter for another debate.

Our understanding of sustainability is still very limited and that is why this debate is so important. Sustainability is a new buzzword, often twisted to suit the argument of whoever is using it at the time. That is why children must be taught to think critically about what it means. Our world has to work out how to meet present human needs and improve the quality of life without diminishing the Earth's capacity to provide for the needs of future generations. That is what I mean by sustainability.

I want to make it absolutely clear that I am not one who believes that education is the answer to all our problems. I am intensely reluctant to dump on teachers all the problems of our society at the end of the second millennium. Problems such as declining democratic participation rates, teenage pregnancies, loss of basic social skills and increased vandalism and crime all seem capable of solution, according to many, simply if teachers educate pupils about those matters in our schools. That is profoundly wrong. Teachers are there to do many things, but above all their purpose is to teach the academic subjects, to inspire young people to wider horizons and to develop their skills, wherever they lie.

Teachers are not there to solve the whole kaleidoscope of problems that confront modern Britain. If they are asked to spread themselves too thinly, their attention will be diverted from their real tasks as teachers, but—this is a big but—there are some things, essentially factual in nature or lying beyond any reasonable expectations of pupils' parents or guardians, that can best be taught in schools rather than in families. Among those is the importance of education for sustainable development.

The 1992 Rio conference concluded that

"education is critical for promoting sustainable development and improving the capacity of the people to address sustainable issues."

Since then a lot has happened under Conservative and Labour Governments, but there is still a serious gap between official endorsement and practical educational policy. Now, the review of the national curriculum for England gives us a unique opportunity to put that right. The consultation closes this Friday and the final curriculum documents will be sent to schools this autumn. The revised curriculum will become statutory from September 2000.

One of the key recommendations of the sustainable development education panel, which was set up by the Government, was that

"sustainable development be identified within the aims and purposes of the revised curriculum".

It is only fair to say that the Government have met that objective in their proposals, and it has been strongly welcomed by the environmental movement. I associate myself with that welcome.

In the Secretary of State's introductory comments to "The review of the national curriculum in England, the Secretary of State's Proposals", he says:

"Each subject makes a distinctive contribution to pupils' learning and development . . . History, geography and science give an essential understanding of our place in the modern world, including the importance of sustainability".

On page 5 of the other main document, "The Consultation Materials", we read that the school curriculum should develop pupils'

"awareness, understanding and respect for the environments in which they live, and secure their commitment to sustainable development at a personal, local, national and global level."

The Royal Society for the Protection of Birds has told me that it views that statement as the most important breakthrough for education for sustainable development for over a decade.

There is, therefore, much that is encouraging, but warm words and good intentions must translate into concrete reality if they are to mean anything. Those decisions will be set in concrete very soon. They will not, I hope, be revisited for many years, so they must be got right now.

For geography, those decisions have certainly been made correctly. In that section of "The Consultation Materials", the distinctive contribution, programmes of study and attainment targets all fully address geography's role as a key deliverer of sustainable development education. Concepts such as global citizenship, environmental change and values and attitudes are all well represented. I congratulate the Department on that and hope that when the Minister winds up, he will be able to confirm that that will remain the case in the final curriculum.

Elsewhere, however, all is not quite so rosy. As I have already made clear, increased prescription and increased work loads for teachers are not the answer and they are not necessary. A few small changes here and there in most of the other subjects would make all the difference. They would ensure that teaching effort is well used to further the cause of sustainable development without adding to teachers' burdens or even introducing new subjects into the curriculum.

Let us consider science. That is specifically and rightly identified by the Secretary of State as providing essential understanding of the importance of sustainability, but, incredibly,no reference to sustainability is made in the distinctive contribution or in the attainment targets of the proposals for the national curriculum. The programmes of study include content that is important for sustainable development education, but without proper detail.

Those deficiencies need to be remedied, and the easiest way to do so would be to add a suitable phrase to the distinctive contribution and to flesh out the programmes of study a little. To take one example at random, at key stage 4, it is suggested that pupils be taught

"the basic principles of cloning and genetic engineering",

but there is no mention of the environmental and ethical implications. A little more thought about the detail would bring great dividends.

History is another subject that is specifically mentioned in the Secretary of State's proposals as providing "essential understanding" of the "importance of sustainability". However, no reference to sustainable development is made in the "distinctive contribution" section for history; nor is there direct reference to it in the programmes of study or attainment targets. That is despite the fact that many of the programmes could easily be directed towards a better understanding of the complex links between society, the economy and the environment. Those deficiencies could easily be remedied with just a few words, but what a difference those few words would make.

[Mr. Peter Luff]

Most of the other subjects provide many opportunities for elements of sustainable development education to be fully implemented. For example, the "distinctive contribution" section for different subjects says:

"Information and Communication technology. An essential part of ICT capability is being discriminating about information and the ways in which it may be used, and making informed judgments about when and how to apply aspects of ICT to achieve maximum benefit. Pupils also develop understanding of the implications of ICT for working life and society".

How easily that could be expanded to explore our interdependence in a shrinking world. How easily it could offer children first-hand experience of other societies, economies and their environments.

Design and technology, we are told,

"contributes to the school curriculum by preparing all young people to participate in a rapidly changing technological world. It enables them to understand how to think and intervene creatively to improve the world, combining their knowledge with understanding of aesthetics and function."

There is no mention anywhere of how to choose materials for their sustainability. Cost, durability and appearance are all rightly mentioned, but not sustainability. Again, one word could make a great difference.

In art and design, we are told that pupils

"learn how to become actively involved in shaping environments, making informed, aesthetic choices and practical decisions which enrich their personal and public lives".

That is absolutely right, but when it comes to shaping environments, sustainability is a vital dimension. Again, there is no mention of it in the detail—that is easily put right.

There are similar opportunities in other subjects as diverse as English and mathematics. Unless there are powerful statements of the importance of sustainable development education, and unless the vital role that all subjects can play in its delivery is both endorsed and explained, sometimes the implicit and at other times the potential opportunities are in danger of being overlooked.

There are other concerns, too. One is the limited reference made to education for sustainable development in the non-statutory guidelines for personal, social and health education and the complete lack of any mention of it in the recommendations for teaching citizenship. Education for sustainable development seems to be added as an afterthought, with no introductory preamble that identifies it as one of the key global concerns of the 21st century.

I know that the Minister understands the importance of education for sustainable development. He knows about the likely impact of climate change on the British coastline, the consequences of household growth for new housing locations, the implications of ozone depletion, public concern about genetically modified organisms, the worldwide concern about fresh water supplies, and so on. The apparently limited profile given to the importance of education in addressing major national and international concerns is ironic given the commitment of the Department of the Environment, Transport and the Regions to achieving sustainable development, and the growing number of large corporations that are making major and very public commitments to such development.

Among those large organisations are the Government themselves. In the very good document, "A Better Quality of Life—A strategy for sustainable development for the UK", the Prime Minister says:

"That is why sustainable development is such an important part of this Government's programme. We must ensure that our economy thrives, so we can deliver the schools and hospitals we want, the jobs we need, and provide opportunities for all. But we must ensure that economic growth contributes to our quality of life, rather than degrading it. And that we can all share in the benefits.

Talking about sustainable development is not enough. We have to know what it is, to see how our policies are working on the ground. We must hold ourselves to account—as a government, but also as a country. Because the only way in which we will succeed is if we all play our part".

It is difficult to argue with that, although it is disappointing that there is only very passing reference in the document to the role of education in achieving sustainable development. I would have hoped—this is intended as friendly criticism—that the Department for Education and Employment would register its commitment to sustainable development education with a little more conviction.

Non-statutory guidelines should be produced to explain how education for sustainable development can be integrated across the curriculum, identifying the unique contribution that each subject, including citizenship, can play. That would not add to teachers' or pupils' burdens, as it would provide focus and purpose for and—often, for young people—relevance to much of what is already being taught.

The panel for education for sustainable development made several specific recommendations in its first report. It discussed the curriculum issues that I have largely been talking about this evening. It talked about the need to monitor outcomes of education for sustainable development and to give governing bodies specific responsibility in that area. It talked about giving Ofsted the duty to evaluate education for sustainable development in its inspection framework. Finally, it said that education for sustainable development should be incorporated into all initial teacher training, continuing professional development and governor training, and that local education authorities should give encouragement and support to schools to conduct all their activities sustainably.

You can see, Mr. Deputy Speaker, that getting the curriculum right is not enough in itself, but it will be a big step in the right direction. Other issues will also need to be addressed. The Minister, when he winds up the debate, can do more for the environment and for posterity in his speech tonight than many of us could ever dream of. I hope that he will do that.

In school terms, the report on the Government so far must be, "Pleasing progress overall, but I had hoped to see just a little more commitment in certain subject areas." I look forward to hearing what the Minister has to say. I hope that next term's report can be a little less guarded.

11.15 pm

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Charles Clarke): I congratulate the hon. Member for Mid-Worcestershire (Mr. Luff) on securing the debate. He laid down quite a

challenge in his final remarks. When he was talking about our muddled thinking, I found it entertaining that he described his interests as being a member of the Country Landowners Association and the wildlife trust in his constituency. Some might say that there was an element of muddle in some of those issues, too, when they came around the corner.

I strongly believe, as do the Government, in educating children about sustainable development. It needs to be at the core of the education system. That is why we established the sustainable development education panel, which has worked very hard and produced a stimulating, wide-ranging first annual report, covering all phases of education and training and all types of informal learning.

I take the opportunity to pay tribute to the work of the panel, which was chaired by Sir Geoffrey Holland, the former permanent secretary at the Department for Education and Employment, who knows these issues fully and with whom I and my colleagues have discussed the recommendations in very great detail. We are working with the panel and consulting on the recommendations for education and training. I am placing copies of the report in the Library for the reference of all Members.

The panel defined sustainable development in the following way:

"Education for sustainable development is about the learning needed to maintain and improve our quality of life and the quality of life for generations to come. It is about equipping individuals, communities, groups, businesses and government to live and act sustainably; as well as giving them an understanding of the environmental, social and economic issues involved. It is about preparing for the world in which we will live in the next century, and making sure that we are not found wanting"—

or learning in, through or about our environment, our society and our economy, with the specific aim of leaving the planet as we would wish to find it, or better. I think that that is a fine definition, and it is one with which the Government entirely associate themselves. That thinking has informed all our consideration on the future of the national curriculum.

As the hon. Member for Mid–Worcestershire said, the national curriculum is under review at present. The aims of the review are clear. They are: increased flexibility and reduced prescription in the curriculum, giving teachers more scope to use their professional discretion; a full and rounded entitlement to learning for all pupils; continued emphasis on literacy and numeracy; further opportunities for work-related learning in schools; and helping young people to develop a fuller understanding of their role and responsibilities as citizens in a modern democracy.

In accordance with those aims, we have listened to the representations by the sustainable development education panel to raise the profile of sustainable development in the school curriculum, and that has informed our proposals for the national curriculum. Only today, I read the response to that consultation from the Council for Environmental Education. I shall take the opportunity to place on record what the council said about that approach. It said:

"Education plays a significant part in the UK's Sustainable Development Strategy, and quality of life issues, including social exclusion, have a significant impact on the ability of schools to raise standards of achievement. The Council for Environmental Education is particularly pleased that this is reinforced within the Secretary of State's proposals . . . for the revised national curriculum in England. The Council for Environmental Education welcomes the Government's acknowledgment in recent policy documents and reports that education and sustainable development are interdependent."

The council is right, and I very much appreciate its statement to the effect that we have risen to the challenge in the curriculum that we have proposed.

I shall provide a number of examples, some of which the hon. Gentleman mentioned, of specific proposals in the national curriculum through which we have sought to take into account the issues of sustainability.

First and foremost, the science curriculum teaches children that actions have consequences, and that some of those consequences are irreversible. That is one of the keys to understanding sustainable development. It is at the core of the science curriculum and runs through all the key stages. From five to 16, pupils must study a theme on living things in their environment which draws out those points.

At key stage 3, for ages 11 to 14, the curriculum requires pupils to learn how living things and the environment can be protected in a way that is consistent with the demands of society, and to learn about the distinction between renewable and non-renewable resources—a key concept in the idea of sustainability. At key stage 4, for ages 14 to 16, pupils must be taught about the impact of human activity on the environment and its relation to social and economic factors, and about energy efficiency and the environmental implications of generating energy.

Those are all important aspects of the science curriculum in the consultation in which we are currently engaged, and put sustainable development at the core of the education system.

Mr. Luff: The Minister has rightly quoted from the response of the Council for Environmental Education. He has just dealt with science. It is worth putting on record that the CEE also states in its response:

"Both single and double science are weak, particularly at key stage 1 and 2, and need further strengthening, particularly with reference to biodiversity and interdependence."

I hope that that does not contradict what the Minister is saying but fleshes it out.

Mr. Clarke: That does not contradict my comments at all. The consultation on the national curriculum in which we are engaged is a genuine consultation. We welcome not only the contribution of the hon. Gentleman this evening but the comments of a wide range of organisations, which will help to improve particular aspects of the national curriculum. I know that the hon. Gentleman would not want those remarks, valid as they are, to detract from the thrust of the CEE's view that, for the first time in history, the Government have taken seriously the challenge of putting sustainable development at the core of the national curriculum.

That is true of the geography curriculum too, where environmental change and sustainable development are introduced at all key stages, including key stage 1 for ages five to seven. In geography, we highlight the importance of sustainable development through additional references to the use of resources and the effect on the environment. We make it an explicit requirement to explore the idea of sustainable development and how it relates to changes in places and environments, and to consider the implications of sustainable living.

[Mr. Clarke]

Similarly in design and technology, to which the hon. Gentleman referred, pupils must reflect on and evaluate ideas from a variety of perspectives, including use, production and marketing, and environmental, cultural and aesthetic considerations. Those ideas are at the core of a sustainable approach to design and technology. In planning, children are encouraged to consider moral, economic, social, cultural and environmental issues.

I maintain that, for the first time in these subjects, we have a concept of sustainable development which is at the core of the curriculum that our children in every school in Britain will learn. That raises to a different plane from what has gone before the extent to which we are addressing and considering such issues.

The major change is the introduction of a framework for personal, social and health education and citizenship. I should put it on record that unlike the rest of the curriculum, which is to be implemented from September 2000, these changes will come into effect from September 2002, should Parliament agree to the orders later this year.

The two key frameworks for PSHE and citizenship provide ample and profound opportunities to consider sustainability issues through learning about the world as a global community, the rights and responsibilities of consumers, employers and employees, and the challenges of global interdependence and responsibility. Pupils will learn about what improves and what harms their local environment, different ways to look after it and the impact of economic choices on the environment.

We are acknowledging in a way that has never been done before that our children are growing up in a world that is so interdependent and changing so rapidly in so many profound and different ways that they will be seriously disadvantaged if they cannot grasp, control and direct the future of the world. That means understanding it from the perspective of sustainability, as the hon. Gentleman highlighted in his speech.

Those ideas—the relationship between the individual, the environment and society—are at the core of our ideas for PSHE and citizenship. I hope that the hon. Gentleman will support the statutory instruments when they are laid before the House later this year. There has been some dissent among Conservative Members. However, the far-seeing Conservative Members who served on the panel dealing with the statutory instruments are strongly in favour of the development. I am confident that the Opposition will support them when they come before the House. Having heard the hon. Gentleman's speech, I know that we shall be able to rely on his support.

We can genuinely say that our proposal places sustainable development at the core of the national curriculum and the education of our children for our future. The consultation is genuine and, when it closes, we shall consider the precise considerations that are put forward, including those made by the hon. Gentleman this evening. In the light of those, we may make various small modifications to aspects of the curriculum. What will not change is our determination that sustainable development shall be at the heart of our national curriculum, because that is at the heart of the future of the whole of our population and that of the world.

Other programmes complement the national curriculum and affect the way in which people operate in schools. For example, we seek to focus on travel to school—safe routes to school and all the issues around that, which ensure that children, from an early age, think how their own conduct in travelling to school can have an impact on the environment.

We have signed up to the international global learning and observations to benefit the environment programme and implemented it in England. The programme links sustainable development to the state-of-the-art technology of satellite imaging and the internet, precisely to bring these issues graphically home.

We have funded the Going For Green campaign, the Tidy Britain group and the eco-schools programme, and we are encouraging schools throughout the United Kingdom to improve the impact that they have on the local environment through activities involving children, teachers, governors and the local community.

In September, I will be launching the green code for schools, a CD-ROM developed by Going for Green to communicate the Government's "Are You Doing Your Bit?" campaign to schools, which is imaginative and effective, has been put together in partnership with teachers and is designed to absorb and involve pupils directly in green issues. At the same time, I shall write to head teachers, to stress our aim to support the sustainable development content of the national curriculum through the green code programme.

Earlier this year, I, with my right hon. Friend the Deputy Prime Minister and Madam Speaker, participated in the Children's Parliament on the environment, a positive initiative which Madam Speaker strongly supported, and which allowed young children to put their views about sustainability on the agenda. I commend to the hon. Gentleman, if he has not yet seen it, the action plan that emerged from that, the Government's response and the *Hansard* of their debate and Select Committee produced by Her Majesty's Stationery Office—whose headquarters is in my constituency—which I shall place in the Library.

Those debates show how passionate young children are about the world in which they are growing up, how keen they are to learn about how the environment, economy and society all link together in affecting our quality of life and the quality of life of people throughout the world, and how keen children are that the decisions that we make now mean that the world that they inherit as adults is in a fit state for them. They are also keen that they should have the skills and knowledge that they need to make decisions in all aspects of their lives that contribute to sustainable development.

I conclude by reinforcing the Government's determination to place sustainable development at the core of the national curriculum because it is so important to the future. Yet again, I reaffirm our readiness to listen to helpful contributions such as those made by the hon. Gentleman. I also reaffirm that the proof of the pudding will be in the eating as the curriculum rolls out. We have a massive programme for developing resources to pay for high-quality teacher training and a much wider range of resource materials. That will help teachers to help schools address those issues in a positive and constructive way.

We very much appreciate not only the contribution made by the sustainable development education panel but the work done by organisations such as the Council for Environmental Education and a large range of positive and committed organisations—for example, the World Wide Fund for Nature, which the hon. Gentleman mentioned—that are totally committed to turning these ideas into reality. I urge them not to sit back and leave the Government to do the work in the national curriculum, because the way in which it develops will depend on the commitment of all those people and organisations to making those ideas real. It has been a pleasure to respond to the debate and reassure the House of our commitment to those ambitions.

Question put and agreed to.

Adjourned accordingly at half-past Eleven o'clock.

House of Commons

Wednesday 21 July 1999

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Adjournment (Summer)

Motion made, and Question proposed, That this House do now adjourn—[*Mr. Pope.*]

9.33 am

Mr. Gerald Kaufman (Manchester, Gorton): Before the House goes into recess, I think it important to raise matters relating to the welfare of my constituents; the conduct of business with integrity; and the way in which a major national utility conducts its affairs. I wish to bring this matter to the attention of the House, of the Government and of the regulator of the Office of Water Services. I shall discuss the circumstances surrounding a planning application to build a business park, which was made by the Arrowcroft Group, the property partner of North West Water. I should like to make it clear that what I say pertains in no way to the merits of the application, which will be considered by a public inquiry under a Government inspector later this year.

I shall talk about the conduct of people in Arrowcroft, in North West Water and in other firms. I am sorry to say that their conduct involves lies, concealment, deception, double dealing, proposed blackmail, proposed bribery and attempts to manipulate Members of Parliament. Certain documents that have come into my possession arouse great concern in me.

The Waterside park planning application was mooted some time ago following the failure of a similar application. My hon. Friend the Member for Denton and Reddish (Mr. Bennett) and I visited Mr. Ferguson, the chief executive of United Utilities, at the building where North West Water and Norweb—the north-west electricity supplier—are housed, in Warrington. My hon. Friend and I met Mr. Ferguson on 27 March 1998. He assured us that no decision had been taken on whether there would be a planning application. He told us that our views would be taken into account. Furthermore, he said that he would communicate with us when a decision had been made.

However, two weeks earlier, a Mr. Terence Holden of Arrowcroft, who has been in charge of the application, wrote to Mr. Ferguson, saying:

"Dorothy told me you would be seeing Bennett and Kaufman on Friday 27th March.

By that date I shall have a much clearer picture on the timing of the application and will keep you advised.

It is important that we do not let the politicians know why we have delayed making the application i.e. because of Highways issues and the state of negotiations with Denton. This would obviously give them an opportunity to apply pressure on both Denton"—

a golf club—

"and the Highways Agency."

Mr. Ferguson told us that no decision had been made, but he had two weeks previously been involved in correspondence about making the application, and about the way in which my hon. Friend and I should be dealt with and the matters that were to be concealed from us. He lied to my hon. Friend and me by saying that the application had not been decided on and that we would be contacted when a decision was made.

It has also emerged from material that has come into my possession that certain matters have been deliberately concealed and distorted by those who are planning the application. For example, a letter addressed to the design team from Michael Aukett Architects, says:

"The planners agreed that a hotel need not be included in the application."

However, I possess material that says that there would be a hotel and that even contains estimates of the number of workers to be engaged on building it and on working in it.

In addition, North West Water and Arrowcroft claimed that they would provide ample public space to replace the open countryside that they intend to destroy. However, the note goes on to say:

"The planners thought that the density of houses . . . could be increased considerably. They do not like public spaces in the residential areas."

They told us that there would be a lot of public space, but planned to include none.

During that period, my hon. Friend and I tried to obtain information on the damage to the environment that would be inflicted if the planning application were to succeed. There were denials that such damage would occur. Indeed, the claim was that the environment would be enhanced. However, a document circulated within Arrowcroft and North West Water refers to an increase in noise levels for properties along Cornhill lane from 40 to about 65 decibels. Earth-moving noise levels of 55 to 60 decibels were anticipated at Debdale, based on the operation of three bulldozers. Noise levels of 65 decibels were expected at Debdale for a short period; the daytime ambient noise levels would increase from between 45 to 60 decibels to between 60 to 65 decibels. The document noted that

"towards the end of the development, construction activities are likely to be taking place close to the properties at Corn Hill Lane where noise levels may be greater than those witnessed in Debdale."

The document also refers to an anticipated increase in traffic:

"This may be regarded as a detrimental impact upon the residents there."

While claiming that the development would inflict no adverse environmental impact, documents were being circulated that admitted just such an impact.

One of the worst scandals in the whole affair is the attempt to blackmail residents of an area in my constituency and that of my hon. Friend. The residents were blackmailed with detrimental developments to their environment unless they caved in and abandoned their opposition to the planning application. Once again, we shall hear from Mr. Terry Holden—I regret that he appears regularly in the narrative. A good deal of my constituency abuts directly on that of my hon. Friend; in one area, two streets—Debdale lane in my constituency and Kings road in my hon. Friend's constituency—were suffering difficulties that North West Water could have solved.

[Mr. Gerald Kaufman]

Mr. Pat McCloskey of United Utilities and North West Water had arranged meetings with my hon. Friend and me. I must point out that Mr. McCloskey is almost the only individual to emerge from the whole affair honourably and with credit, and as someone who wants to do the best for the area in which his company operates. I hope that I do not do him too much damage by saying that—bearing in mind the kind of people with whom he mingles in his work. On 16 January 1998, Mr. Holden wrote to Mr. McCloskey, stating:

"The end result is that I have reluctantly agreed to meet with the residents of Cornhill Lane to both inform them of the development plans and to make a first pass at gently trying to ascertain whether they would agree to surrender their rights over Kings Road, in due course, when the new road is built."

Denton golf club—about which I shall have more to say—wanted that road to be taken out of use as one of its conditions for agreeing, in any circumstances, to North West Water's planning proposal.

Mr. Holden continued:

"The poor condition of Kings Road would be a very valuable negotiating tool if we move such discussions forward. For that reason, I have told Paula on a number of occasions that we should preferably do no works, but if we are really up against it i.e. it gets dangerous, we should only do the bare minimum as a short term measure.

I have taken the view that it could cost the residents circa £8/10,000 each as a contribution to the maintenance costs and all the time that they are faced with this potential cost we would be in a strong negotiating position."

He was intending to intimidate and to blackmail those residents over their attitude to any planning application.

I fear that I shall again have cause to refer to Mr. Holden's views on my hon. Friend the Member for Denton and Reddish and myself. The letter went on:

"I saw Andrew Bennet again this week. He did not mention the road. He and Kauffman's opposition to the development is fanatical and they will certainly try and use the road situation to their advantage in some way or other."

What that man seemed to fail to understand—obviously, it is not part of his nature—is that people can act for altruistic reasons, in order to assist their constituents. Both my hon. Friend and I have large majorities; although we should like them to be larger, we do not have to go around cherry-picking for votes.

Mr. Holden then wrote to Mr. McCloskey, who had agreed to see my hon. Friend and me, expressing his concerns that Mr. McCloskey was assisting us and our constituents by meeting us. Mr. Holden wrote:

"Bearing in mind where we are at the moment North West Water will look foolish should you now talk to them about closure of the road.

I am far from happy about the way this has been handled."

He meant that he was far from happy that Mr. McCloskey was being open and honest, and was trying to assist our constituents.

There was further correspondence about Kings road in which Mr. Holden stated that Denton golf club would not

"under any circumstances agree any arrangement which does not include for the closure of Kings Road."

He continued:

"I am concerned about the negotiations which will have to be concluded with the ten or so people having rights of way over Kings Road and do not want them to get the idea when the time comes to negotiate that the whole development is dependent on the success of those negotiations!

You will now begin to appreciate why I was so concerned to learn of the discussions with the residents via Kaufman and Bennett. Our best negotiating angle with these residents is to be able to say Kings Road is in poor condition. We could repair it, but you the residents are obliged legally to pay a proportion of the cost i.e. probably £10-15,000 each. If, however, you will agree to us having an option to vary your right of way in due course when the new road is built from Manchester Road to Cornhill Lane . . . we will carry out short term repairs to Kings Road to improve it for a year or two at our expense. We will also pay you (say £5/10,000 each) when the option is exercised."

In effect, Mr. Holden was saying, "You get in our way and you get nothing; you help us and we'll do a bit of work for you and, in addition, we shall pay you some money."

Mr. Holden wrote again to Mr. McCloskey on 3 February 1998. He said:

"Thank you for your letter of 28th January. I have gone to considerable lengths to try and explain to you the position over Kings Road. If we do what you propose"—

that is, helping the constituents of my hon. Friend and myself—

"it will remove our best negotiating position and have exactly the opposite effect to that which I hoped to achieve.

You have no liability to pay for the repair of this road and I simply cannot understand why you should offer to do so, particularly when it creates difficulties with regard to the development strategy.

As I view the situation we have played right into the hands of Mr Bennett and Mr Kaufman. Did you not consider it odd that two MPs were getting involved on behalf of 10 residents with regard to the repair of a private access road. Also, one of the residents on Debdale Farm is the leading light in the Action Against Kingswater Campaign."

He continued:

"I don't think you will gain any goodwill with these people"—

my hon. Friend and myself—

"either in relation to the development or from the corporate point of view and my instinct would be to do nothing to help their cause for the time being."

Mr. McCloskey was badly put out by that. He had cancelled a meeting with my hon. Friend and me for what I thought were reasons arising from his own schedule of engagements, but it now emerges that he had been forced by Mr. Holden to cancel the meeting. Finally, Mr. McCloskey wrote to Mr. Holden:

"When we last met, we agreed a two week delay in arranging my meeting with Gerald Kaufman in respect of Debdale Lane. As I have now had contact from the residents and, today, a letter from Gerald Kaufman, I cannot, in all honesty, delay this matter much more."

The words "in all honesty" used by Mr. McCloskey are singularly foreign to others involved in the affair.

Two golf clubs are situated on the land. North West Water and Arrowcroft had decided to destroy one golf club—Fairfield gold club. A letter from Mr. Holden says:

"the loss of Fairfield Golf Club is unfortunate."

On the other hand, they were seeking an agreement with the other golf club—Denton golf club—to minimise the opposition at any stage of the planning process or a public inquiry. Therefore, negotiations were taking place between Arrowcroft and Denton golf club. We have a

letter from Mr. Holden to Mr. M. Aukett of Michael Aukett Architects about a meeting that Mr. Aukett was going to hold with the agent of Denton golf club. The letter states:

"I am rather concerned that you are meeting Alex Dawson"—

that is the agent—

"He will try and pump you for any information he can obtain which will help his negotiations with me.

I think you must express complete ignorance of everything. Otherwise one word could upset the very sensitive balance of my negotiations with them. For example, do not tell him anything about the United Utilities meeting later this month and in particular do not tell him that we are working to get an application submitted by the end of this year.

I have led him to believe we will only submit an application when we have secured a deal with them. They must not think they have us in a corner under time constraints. Their support to the planning application is all a part of the deal so you have to do nothing to enlist their support. Please do not show them any further plans or discuss anything to do with the UDP allocation and our discussions with Tameside."

Mr. Holden was seeking negotiations with Denton golf club in which the club would be brought on side for the project, but he was lying to Denton golf club and concealing information about the course and purpose of the negotiations.

Here is Mr. Holden—yet again—writing once more to Mr. Aukett:

"One small point that occurred to me. I think perhaps we should not show your golf course layout on the planning application. I think it would be better if we simply put a red line around the proposed new Denton area and say new 'Denton Golf Course area to be re-configured to their specification'.

If we leave the holes as shown it will provide a ground for objecting by Denton Golf Club and also for members of the public".

Those people are organising a planning application about which they have lied to my hon. Friend the Member for Denton and Reddish and me, about which they have concealed vital information, and about which they are now behaving in a seriously underhand manner in respect of a crucial establishment, Denton golf club, in the area that they would ruin.

I have yet another letter from Mr. Holden, in which he states:

"One way to resolve all the land issues surrounding this site (Denton, Fairfield, Kings Road, rights of way, ownership of roads etc) would be to persuade the Local Authority to use their CPO powers in due course. This would be time consuming, expensive and should only be considered as a last resort."

While negotiating—apparently in good faith—with Denton golf club, Arrowcroft prepared for the possibility of a compulsory purchase order. That order has now been applied for, and it goes way beyond the area of the planning application. Arrowcroft is now seeking to destroy both golf clubs—Denton and Fairfield.

Throughout, my hon. Friend and I have been trying to obtain details of the costs of the development, which we and all our constituents as customers of North West Water would have to pay. Those costs have been withheld from us, and I can understand why, for, within weeks, two different costings were circulating within the organisation, one of £66 million and another of £104 million. There is no reason to believe that either of those costings is accurate.

Mr. Holden's attitude toward my hon. Friend and me is fairly risible. My hon. Friend is regarded as the more reasonable of us two, as most people might expect. Mr. Holden says in a letter:

"Gerald Kaufman the MP for the adjacent constituency is the principal objector, but he has not seen our development proposals and we believe he is somewhat mis-guided in his actions."

He is not the first person to have said that, and I trust that he will not be the last. However, in another letter, Mr. Holden writes:

"I suggested to Bennett that he should consider supporting the proposal very carefully. I ventured the idea that he may gain more political 'kudos' by doing so rather than by blindly condemning it."

The letter continues:

"I reached a prior agreement with Bennett that neither he nor I would publicise our meetings or use anything discussed for political ends. He has honoured that agreement so far. I am, however, doubtful whether Kaufman would agree to such an arrangement. It is not for me to make such suggestions, but you might like to consider trying to get them to agree before your meeting that it is private and that any matters discussed will not be publicised or passed on to third parties."

With an acumen that ought to ensure his employment as a political commentator for one of our better newspapers, Mr. Holden says:

"Political intelligence tells us that Kaufman no longer carries much weight in his party, particularly with 'new labour'. Bennett however appears to have straddled the divide between 'old' and 'new' labour. He has, for example been given a job on an Environmental select committee."

My hon. Friend is no longer present, because he has gone off to his job on the Environment Sub-Committee of the Select Committee on the Environment, Transport and Regional Affairs, of which he is Chairman. Mr. Holden sums up as follows:

"It is not clear why but a definite view has been expressed that Bennett can control Kaufman and it is the former that we should work hard on."

Those are the matters that I thought it appropriate to bring to the attention of the House, but I should like to add one more point. Arrowcroft is the property partner of United Utilities, an enormous organisation, which owns both North West Water and the North Western electricity board, Norweb. It is therefore curious that Arrowcroft is not a public company and that all its shares are held by very few people. A list of shareholders shows an Alan Jones and, a little further down, a Catherine Leslie Jones; they live together and have 35,000 shares between them. The list of shareholders also shows a Bankim Chand Gossai and, further down, an Umeshwatie Devi Gossai; they, too, share an address. Then, we have Barbara Priscilla Eppel, who owns 440,000 shares; Leonard Cedric Eppel, who is chairman of the company and owns 600,000 shares; and Stuart Neil Eppel, who owns 330,000 shares; other members of the Eppel family are also shareholders. Nicholas Paul Hai and Rochelle Eleanor Hai own more than 360,000 shares between them. One short list comprises the names of all the shareholders in the property company of one of the biggest companies in the country—it is a family company, and the relationship between the two companies is baffling, to say the least.

However, it is clear that they are not a very successful family. While the property company registered a profit of £501,472 in 1997, in 1998—these accounts were published last month—it made a loss of £192,531. On the other hand, the family certainly know how to look

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after themselves. In 1997, directors' emoluments were £487,204 and, in 1998, they increased to £605,939. The emoluments of the highest-paid director increased in one year from £119,679 to £194,353. The House may agree that certain fishy matters should be investigated.

First, in the light of the evidence that I have presented to the House today, I believe that it would be best for North West Water to withdraw the planning application instantly because it is a shoddy, seedy affair. Secondly, the company should dismiss Mr. Holden who is, at best, a fool and, at worst, a rogue. He does not do any credit to the company for which he works. Finally, I believe that the matter should be referred to Ofwat because a major water company is acting in property speculation in a most disreputable and deceitful way.

10.2 am

Mrs. Virginia Bottomley (South-West Surrey): I appreciate this opportunity to draw to the attention of the House a subject of overwhelming importance in my constituency. However, I assure hon. Members that I shall not speak for as long as the right hon. Member for Manchester, Gorton (Mr. Kaufman). When one has a safe seat, it is hardly fair to those hon. Members who represent less safe seats to speak for 30 minutes in this valuable debate.

Mr. Kaufman: On a point of order, Mr. Deputy Speaker. I have spoken in debates of this sort for more than 25 years on behalf of my constituents.

Mr. Deputy Speaker (Mr. Michael Lord): That is not a point of order for the Chair.

Mrs. Bottomley: The right hon. Gentleman knows that I respect him greatly but, in a debate such as this, it behoves us to be quite brief. I shall try to be that.

I wish to raise the matter of the future of the British Aerospace site at Dunsfold. In recent months, I have received many letters from the up to 1,000 employees on that site whose jobs are in jeopardy. I have also received many letters from members of the local community who value the contribution that the site, which dates back to 1941, makes to the local economy. Many other hon. Members who have Dunsfold workers living in their constituencies have also received letters, and the House will be aware that there is an early-day motion about this problem.

Dunsfold is the home of the Harrier. In the 1960s, this remarkable British aircraft was developed at Dunsfold and it has been manufactured and serviced there ever since. The Hawk aircraft was also developed at Dunsfold in the 1970s. It was manufactured at the site from 1974 until 1989, when production was moved to northern England. Both aircraft continue to provide employment for those at Dunsfold. The Harriers built at Dunsfold are in service to the Royal Air Force, the Royal Navy, the United States Marine Corps and the Spanish, Indian, Italian and Thai navies. The Hawks are in service in the United Kingdom, Finland, Kenya, Indonesia, Dubai, Abu Dhabi, Kuwait, Saudi Arabia, Switzerland, the United States, Oman, Malaysia and Australia. In other words, Dunsfold is an internationally known site that is important to other nations besides the United Kingdom.

The Secretary of State for Defence and the House must consider whether the proposed closure jeopardises the long-term viability and integrity of the Harrier fleet. There are also wider questions concerning regional development. These are highly specialised jobs in a prosperous region of the country. With the development of the service industry, financial services and other related industries, specialised design and manufacturing engineering jobs are playing an enormously important role in the employment ecology of the south-east. We must ask how the regional development agencies, and therefore the Departments of Trade and Industry and of the Environment, Transport and the Regions, can play an effective role. Many of us are highly sceptical that regional development agencies are anything more than road blocks and paper pushers. The RDA has certainly been characteristically inert and inactive throughout this saga.

In recent months, I have been in regular contact not only with the management at Dunsfold but with the shop stewards, who have behaved in a tremendously constructive, enlightened and responsible manner. Alan Whyte, a supervisor, was recently quoted in the *Financial Times* as saying:

> "I have been working here for 29 years and to come in this morning and hear that the job will come to an end over the next 18 months has come as a little bit of a shock."

All of us accept that we live in a world where employment insecurity is part of day-to-day life. However, there are particular questions surrounding these highly skilled and specialised professions, which have been honed over 30 years of work on the Hawk and the Harrier.

The Harrier is built differently from most modern aircraft in that it is essentially hand crafted. Many in the House have greater expertise in these matters than I, but all hon. Members will agree that the Harrier has systems and modifications that have never been used elsewhere. Those traditional aircraft skills, together with the unique Harrier experience, exist nowhere else.

Although British Aerospace has suggested that it will seek to redeploy the Dunsfold workers at other sites, that does not mean that all will be saved from unemployment. Some employees may be able to find alternative work in the area. However, we must not overlook the fact—I am sure that the Secretary of State will want to satisfy himself about this point—that this team has worked closely together for the past 10 years. A team has existed for 30 years, but this team has worked collaboratively for the past 10 years. Evidence suggests that only about 5 or 10 per cent. of the team would be prepared to relocate because their way of life and their families are established in the south-east. If those employees do not move to the north, it will raise serious questions about the viability of the Harrier programme.

A major new factor is the establishment of the Defence Aviation Repair Agency. The Under-Secretary of State for Defence recently met members of the shop stewards committee to talk about unfair competition. Serious questions remain. I have had on-going correspondence with the Secretary of State for Defence on this subject. The fact is that the rates charged to the Ministry of Defence for return to work on Harriers are £30 an hour at DARA and £51 at Dunsfold. That is because DARA's cost structure is not the same. It operates on an RAF base where infrastructural costs, such as security, runway maintenance and some power charges, are covered by

the MOD. DARA does not have to add in a headquarters charge, a write-off charge or a 10 per cent. profit margin. In other words, it is not a level playing field.

I ask the Secretary of State for Defence, through the Parliamentary Secretary, Privy Council Office, whether he will establish a formal partnership between DARA and Dunsfold on the Harrier programme. In that way, this wonderful site, those skilled workers and the contribution that they make both to the defence force in Britain and to our exports could be maintained. This Thursday, hon. Members whose constituencies are affected by the announcement and I will meet John Weston, the chief executive of British Aerospace. Obviously, we shall want to ask him many questions about how, with that expert team under threat, he can be confident that he can continue to satisfy many of his major customers, including, for example, Boeing, to which he is committed to delivering one aircraft a month.

That is not a matter for the House. However, the House should be concerned about whether the Secretary of State will intervene to ensure that the Harrier programme will not be put in jeopardy and that the assumptions are not over-ambitious and unrealistic, and to say whether he will be prepared to set up a formal partnership with DARA, as outlined in the early-day motion. Furthermore, the DETR and the DTI should reconsider their role. If regional development agencies and Government offices simply produce rhetoric and, when difficult issues arise, get involved only in passing paper, disillusionment will grow. Those jobs make an enormously important contribution in the south-east.

Finally, I make a recommendation that I hope will not be necessary. The Government should adopt a responsible attitude to what might happen to the site in the long term if it is not possible—although I believe that it will be—to reconsider many of the underlying arguments. I commend the activities of Waverley borough council which, with the support of the county council and the Surrey training and enterprise council, under the auspices of the Surrey economic partnership, commissioned an impact study in the light of the announcement. I hope that, before my constituents go away for their summer break, they will, as a result of my having raised the issue in the House, be able to go with greater confidence, good cheer and optimism.

10.11 am

Mr. David Taylor (North-West Leicestershire): I want to draw to the attention of the Minister and the House the urgent need for more effective ways to control the major problem for those who live near airports and airfields—aircraft noise, particularly at night.

In my brief time in the House, there have been several debates about the need for action on behalf of those communities enduring chronic night noise from local airports. I want to make my own contribution and suggestions for a possible way ahead. Earlier this year, early-day motion 533, tabled by the hon. Member for Richmond Park (Dr. Tonge), summarised the impact of aircraft noise on nearby communities. As it said, night noise has adverse social consequences and may have a damaging effect on the health of those who live close to airports.

Civil aviation is powering ahead, fired by open access policies. Published air traffic predictions show an annual growth trend of 6 per cent., which will double the number of flights every 12 years and could dramatically upset the delicate balance between economic expansion and environmental restraint.

Airlines and airports say that aircraft are becoming quieter, and indeed they are. The phasing out, under international agreements, of the noisier chapter 2 aircraft by 2002 is welcome, but it should be noted that, already, 80 per cent. or more of UK-registered large jets are of the more modern and theoretically quieter chapter 3 type. Despite the progressive introduction of those quieter engines, overall noise is escalating because of the greater number of larger aircraft involved, so Government intervention is absolutely necessary.

Last July, the Secretary of State for the Environment, Transport and the Regions published a transport White Paper, which stated, among other things, that the Government would enact legislation to enable local authorities to enforce noise mitigation measures for airfields and airports. That legislation and those enforcement powers cannot come soon enough. Noise is a very important issue for those whose homes are near airports or under flight paths.

My particular interest in this matter arises from the presence of East Midlands airport in my constituency. The airport's origins were very much rooted in the local authority consortium that developed it, managed its operations and liaised effectively with nearby residents if problems arose. Since its sale to the private sector some years ago, the airport's fortunes have taken off rapidly.

The airport is now a major employer for our area: 5,000 jobs are located in and around the airport. It is a major regional asset in the provision of scheduled and charter passenger flights. It is a major player in the air freight market. It is the latter point that can produce problems for those living near the airport.

The airport is surrounded by many villages in Leicestershire's border region with Derbyshire and Nottinghamshire. My hon. Friend the Member for South Derbyshire (Mr. Todd) and I recently attended a meeting of the parish councils from those villages, who have formed an umbrella group called the Association of Airport Related Parish Councils, or AARPC. Each parish council itemised to us a litany of concerns about the airport, but in every case the core worry was that of night noise, either from over-flying or ground running.

AARPC is urging the local planning authority to protect the well-being of communities near the airport by imposing appropriate restrictions on airport operations. What it is seeking appears to me to be a good template for the extra environmental powers that central Government should consider giving to local government. I shall give two brief examples.

First, AARPC says, flight paths should be agreed so as to minimise the over-flying of residential areas, particularly at night. Secondly, the group is pressing for a regulatory framework that can ensure that ground running and the older chapter 2 or comparable freight aircraft are not a feature of night operations.

It is not only local parish councils that protest long and loud to me. I have a sizeable postbag of complaints from individuals, particularly from the large village of Kegworth. I see a continual stream of constituents at my advice sessions. I have spoken at public meetings called to discuss airport noise. At least three independent community groups are lobbying hard for environmental

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improvements to the airport. They are Save Aston Village Environment, or SAVE, People Against Intrusive Noise, or PAIN, and Wings.

Two criticisms frequently surface in my discussions with residents and protest groups. The first is their belief that airport authorities are not policing the flight paths of user aircraft as closely as they might, especially at night. Secondly, residents and protest groups believe that local authorities should monitor aircraft noise at a range of locations in the affected communities. The data from that comprehensive array of survey points would firmly establish the shape and size of the noise contours within the overall noise footprint. The results of the survey should be subject to systematic audit by an independent body before being brought into the public domain and being fed into the planning process when further development is being sought by airport operators, or for enforcement action if appropriate or necessary.

To be fair to East Midlands airport, I must point out that its development policy recognises that it has a duty to minimise and manage the impact of its business on the environment and local villages. Indeed, the first key issue spelt out by its development policy document is tackling the noise associated with planned increases in air traffic movements, which will be linked to two projected extensions to the runway.

Within the obvious and paramount requirements of airport and aircraft safety, the airport has a duty to minimise the noise generated by its operations, but more has to be done if local communities are to be satisfied and noise levels are to be acceptable.

I shall now move briefly from the particular difficulties of our regional airport to the general lessons that can be learned from our experience and applied to the national scene. There is an increasing demand in a fast-moving world for rapid distribution of goods. That in itself puts enormous pressures on air freight services, which can translate into a serious environmental impact on airport communities, binding their quality of life tightly to the operational characteristics of their commercial neighbour. Airport communities badly need a control framework that resident and environmental organisations agree is so lacking at present.

Environmental limits must be set for existing and new or extended airports. Those limits would be permanent criteria that would have to be observed at all times. Their range and type would of course vary to reflect local geography and circumstances, but a number of core limits would apply to all airports. Those would include a cap on the number of air traffic movements, a restriction on types of aircraft to be operated, approved tracks for aircraft related to runway configuration and controlled times of operation. The limits would also specify noise contours to be observed. They would control overnight running of engines or ground power units, the location of public safety zones and a good deal more. The overall aim is to fix limits on air traffic and noise levels permitted at an airport and to define a physical area beyond which further development will not be sanctioned.

An unquestioning attitude to demand-led projections for airport growth is entirely inconsistent with any concept of sustainable development with which I am familiar. In an ideal world, there will be no need for national noise legislation. Indeed, the White Paper specifically encourages airports to enter into voluntary noise mitigation agreements with their local authorities, and planning policy guidance 24 spells out how planning authorities can best use powers to minimise noise impact by specifying conditions and criteria for permitting noise-sensitive and noise-generating developments.

However, the Government will need to legislate to give new powers to airports and local authorities—to airports so that they can take action against, for instance, non-compliant airlines, and to local authorities so that they can enforce noise mitigation agreements.

Hon. Members on both sides of the House are well aware of the major economic benefits associated with the United Kingdom's network of airports. That commercial success need not be, indeed will not be, jeopardised by a better regulatory framework for noise control. Our Government must not turn a deaf ear to the clamour of concern expressed by airport communities about the night noise that they must endure. It is imperative that there is early legislation to allow both airport shareholders and airport neighbours to get a good night's sleep.

10.22 am

Mr. Anthony Steen (Totnes): I am worried about three issues, with which I hope the Minister will deal in his winding-up speech so that I may go into the recess much more happily. First, I am worried about bed-blocking in my constituency. It is totally alien to the concept of the national health service and to the Community Care (Residential Accommodation) Act 1992. Secondly, I am concerned about the installation and location of mobile telecommunications masts and their effect on health. Thirdly, I am troubled about the main corridor of public transport between the west country and London: the former Great Western Railway, which is now run by FirstGroup.

Mr. Martin Salter (Reading, West): Hear, hear.

Mr. Steen: The hon. Gentleman has not used the service to the west country, has he?

Bed-blocking is a scurrilous practice that comes about because of bickering between the health authority and local authority social services departments—regardless of what is best for the patient. Some elderly people in South Hams and Torbay are occupying beds in hospitals which they should not be occupying. Often, they are well enough to be moved and should be in residential and nursing homes, which are not full. The phenomenon known as bed-blocking is an absolute disgrace. It uses scarce NHS resources and causes stress to patients and a deterioration in their health following treatment.

So long as the local authority keeps an elderly person in hospital, it does not have to pay for the care. The moment that the patient is discharged from hospital, the responsibility for and cost of care shifts to the local authority social services department budget. The Government pay so long as an elderly person is in hospital, but social services must pick up the tab—paid for from the council tax—as soon as the person is moved into the community.

It costs about £500 to £1,000 a week to provide a bed in a cottage hospital, and between £1,500 and £2,000 a week to keep an elderly person in a district or general

hospital. It does not take much intelligence to work out that given that social services are prepared to pay just in excess of £200 a week for care in a residential home and just over £300 a week for care in a nursing home—non-economic derisory sums that will no doubt be subject to future debates—the local authority is placing an enormous and avoidable burden on the taxpayer by keeping an elderly person in hospital. Refusal to place patients in private residential homes at the appropriate time increases the cost of care almost fourfold.

That is one of the worst examples of financial mismanagement and complete disregard for the welfare of the individual that I have come across. Just by chance, the two local authorities in my constituency—Devon county council and Torbay unitary authority—are Liberal Democrat-controlled. I therefore have the misfortune of having two Liberal Democrat social services departments, which are manipulating the elderly in order to save on council tax.

If social services continue such a practice, I imagine that it will be entirely appropriate for the health authority to contract services directly with the private sector in order to keep costs down. I cannot understand why the local cottage hospital cannot enter into private contracts with local residential and nursing homes and thereby bypass social services departments completely.

Mobile telephone towers impinge on our health. We all complain about these dreadful people—I know that there are none in this place—who walk around with mobile phones, bleepers and various other things. We now see them all over the place. Such people are always waiting for a phone call from someone terribly important—a world leader if one is a politician, or a billionaire for a major contract if one is in industry. They have become as obnoxious as smokers in restaurants. They are on trains and aeroplanes; walking around with such phones has become a disease. People need never be alone so long as they have their mobile phone. How many people do we see sitting alone in cafes and restaurants but talking to somebody on the phone because that makes them feel comfortable?

Given that such phones clearly have a function, it is not surprising that mobile phone towers and base stations are needed to enable people to conduct their conversations. Such towers and masts are growing faster than leylandii, and are now being erected close to many private houses. One recent application in South Hams was for a tower about 100 yd from a large village settlement just outside Totnes.

We are discovering that mobile phones can stew our brains. I hope that hon. Members—at least my hon. Friends—move the phone from one ear to the other so that they stew both sides of their brains. There is no doubt that mobile phones generate much heat. The implication is that masts might also generate heat and, being so close to people's homes, affect the bodies of those who live near them. We now know that heat from the sun is carcinogenic, that smoking gives off heat and causes cancer and that there is a risk that mobile phones cause cancers and growths. There must be a risk that mobile phone towers give off rays that affect our health.

In view of that, will the Government confirm that an environmental impact assessment should be made of every application to erect such towers and that it should include a health risk assessment? As I was one of the first Members of Parliaments to raise the risk of genetically modified crops in the House about a year and a half ago, it is fitting that I should also raise the health risk from mobile phone towers and base stations.

My third point concerns First Great Western Trains. [HON. MEMBERS: "Hear, hear."] I am glad that Labour Members are present to support me. It is very good that they are, and perhaps they will remain. To get down to Devon and Cornwall one may drive, but the Deputy Prime Minister does not like us doing so, although it is far cheaper and often as quick as going by train. I pay tribute to FirstGroup, which, since it took over Great Western, has wrestled with intractable problems—old rolling stock, worn engines, bumpy track and a work force who seem to have lost much of their morale.

The trains have hardly ever run on time since FirstGroup took over. I am always interested in the reasons for the delay. There are cows on the line near Westbury. I do not know why cows like the line around Westbury, but they are always out on the track. There are sheep at Castle Cary. There are sometimes leaves in tunnels, but I do not know how they get there. Bridges are always being struck by lorries, which delays trains by anything up to an hour, and signal boxes are being knocked out by lightning.

Further delays are caused by passenger incidents. Miraculously, people seemed to fall ill as soon as the train gets to a station, and the train has to stay in the station until the ambulance arrives. Why the patient cannot be left with the station master or one of the station staff while the train carries on, I shall never know.

As hon. Members know, two years ago the service was deplorable and one was lucky to get to the other end without some catastrophe taking place. It has improved; I pay tribute to FirstGroup for that improvement. In the past few months, trains have been arriving more or less on time. However, there is a new timetable. In the summer timetable, journey times have been extended so that what used to be the fast train to Exeter, which took two hours, now takes two hours and 15 minutes. Trains are running to time, but the timetable has been extended.

There is provision in the railway franchises for compensation to be paid when trains arrive more than an hour late. Why should it be necessary to write to FirstGroup for compensation? Why cannot the station master at the station at which one arrives appear, carrying a big bag, and hand money out to the passengers when they get off the train and present their ticket? That would compensate them to some extent for being stuck on the train for the extra hour.

It is a long journey to Devon or the west country, and catering facilities have taken a nose-dive recently. I cannot understand why the items in the catering car cannot be British. These are British trains; why do we always have to have French water? There are about 55 springs in this country. Can you imagine a French train sporting English wine, Mr. Deputy Speaker? You could never expect to see that.

Sir Patrick Cormack (South Staffordshire): I hope not.

Mr. Steen: There is nothing wrong with English wine. There are about 450 commercial English vineyards, and I know that Madam Speaker enjoys a glass of English wine, as I do.

[Mr. Steen]

However, the quality of the products stocked in the catering car has gone downhill. Worse, many of the restaurant cars and the various foods that should be available on the train are not there and the facilities are not provided. Many people rely on the restaurant car when travelling to Cornwall, and it is a great disappointment and a cause of considerable friction when the advertised facilities are not provided.

Finally, the smoking saga on Great Western deserves a mention. If one happens to be a first-class passenger at the weekend, one cannot avoid sitting in a smoking coach. People pour in from every part of the train to smoke in the first-class coach, and a first-class traveller at the weekend needs a gas mask to avoid those smokers who tend to come from the weekend first section. Labour Members probably do not have such problems because they all travel second class—I wonder whether they do—but if one is paying the full price, one wants to be able to travel in a non-smoking coach at the weekend. My advice to first-class weekend travellers is not to pay the first-class price; they should just pay for a second-class ticket and upgrade because they will be smoked out anyway.

I shall not be happy unless those three issues—bed-blocking, mobile phone towers and Great Western—are addressed before we rise next week.

10.34 am

Mr. Kevin McNamara (Hull, North): I want to address the House on some of the benefits that have come to my constituency from the Government and then to consider one or two points arising in Ireland.

Before I start talking about the good news for Hull, I should say that we have had one or two disappointments. We did not get our single regeneration budget money this year, for the first time ever, and we did not get our medical school, yet again. However, my constituency has had considerable help from the Government. We have an education action zone, which is changing the attitude of parents, students and teachers and is well supported by local industry. The local newspaper, the *Hull Daily Mail*, has led a vigorous campaign on raising standards, which is badly needed in the city of Hull, and especially in my constituency.

We have a sure start scheme, which will be of tremendous importance in parts of my constituency where we have a great many teenage pregnancies and single young unmarried mothers. That will do important work in Orchard Park ward and University ward. We shall also be a pilot area for the new deal for the over-50s.

Part of the problem is that the present Government tend to do good by stealth and do not always get their message across about what is happening in individual constituencies, which is of great importance. Help for education in Hull has been of particular strength, giving purpose and ambition, for the first time, to many young people in an area where there is a lack of skilled employment and a great need for important investment to improve citizens' skills.

Although we have been given enormous help for education, we have suffered considerably in relation to access funds, the announcement of which was delayed this year. Two sixth-form colleges in the city and a general college—Hull college, Wilberforce college and Wyke college—have all had to write to Professor Melville, chairman of the Further Education Funding Council, drawing attention to what has happened.

It might be easier for the House if, instead of making all the points at length, I read out one of the letters that has been sent to Professor Melville. It says:

"Re: Student Support/Access Funds.

This college has now received its Access Fund allocation after considerable delay and well after the date when we expected the information. It is now clear, after discussions with Kingston upon Hull Local Authority representatives, that the amount made available to students in financial need in this area will be considerably reduced.

As you are no doubt aware, participation in post-16 education in Hull is very low in comparison to the national average. There are a number of factors which influence the staying-on rate but the fact that the Government has introduced EMAs in pilot areas in order to increase the post-16 participation level would seem to imply an acceptance that an appropriate level of financial support is of great importance.

Against this background the College Corporation has a great deal of anxiety that students in this area will be less likely to participate in post-16 education as the level of support available to them is drastically reduced. We have calculated that a student who would previously have received £750 will now only receive between £350 and £400, and we believe this is likely to have an impact, not only on recruitment but also on retention, in this college where a large percentage of our students formerly received"

grants. It continues:

"The principle of equality of student support nationally is one which we may all feel able to support, but the reality is that students in Hull will lose out in order to benefit students in more affluent areas where the staying-on rate is already higher."

Enormous investment is being made in the education action zone in an attempt to raise pupils' aspirations, but when pupils reach the age of 16 and transfer to other institutes of further education their grant will be considerably reduced, so the carrot part of encouraging them to stay on in further education will be considerably reduced. My right hon. Friend the Secretary of State for Education and Employment and his colleagues should discuss seriously with Professor Melville of the Further Education Funding Council the effects of such schemes in cities like Hull. It cannot be the Government's intention—indeed, it is not—that the introduction of such schemes should act as a deterrent to students staying on in education, particularly when there is such a great need to encourage pupils to take up their places.

I now turn to some matters that concern Ireland, which to a degree have been overlooked because of the attention that we have been paying to the peace process over the past few weeks. To some extent, that has hidden other things. I shall make three points.

First, I condemn the scurrilous campaign that has been waged against the Bloody Sunday inquiry, including its purpose and its origins. The campaign has involved the witnesses, the judges and the manner in which the inquiry is being conducted. If there were a campaign to undermine the integrity of an inquiry taking place in a court of law, there would be grounds for the Attorney-General to take action for contempt of court. Perhaps my right hon. and learned Friend the Attorney-General will consider the campaign against the inquiry and against the integrity of those who are taking part in it, which could affect the attitudes of witnesses. Perhaps he will consider whether the newspapers involved in the campaign are committing a contempt.

Secondly, I draw attention to two newspaper articles that appeared on 27 June about a Mr. Stobie. One was written by Ed Maloney in *The Sunday Tribune* and the other by Chris Ryder in the Irish edition of *The Sunday Times*. Mr. Stobie was on trial nine years ago for possession of weapons, which he alleged had been placed in his property by the police. It is a strange case. When it came to trial, Mr. Stobie claimed that he had been an agent of the security forces and that unless something was done he would reveal all that he knew. A full account of these matters can be found in the newspaper articles to which I have referred.

The important thing about the case of Mr. Stobie is that when possession of arms is alleged in Northern Ireland the onus is on the accused to prove that he had the weapons legitimately. The strange feature is that the police withdrew the case against Mr. Stobie nine years ago after he had made his strange outburst in court. Not only did they do that but they had entered a verdict of not guilty of the offence alleged. It is difficult to see how that can be when the onus on the defence has been changed and a statement has been made setting out the various allegations. The case is then suddenly dropped like a hot potato by the police. Bearing in mind what is coming up under Chris Patten in his report on the RUC, the connections between prosecutions, police informers and its role in myriad cases should be considered extremely carefully.

Thirdly, an inquiry is being conducted in response to the complaints made by the late Mrs. Rosemary Nelson. A leaked document was printed in the newspapers from the chairman of the Independent Commission for Police Complaints for Northern Ireland. He had produced a commentary on the RUC investigation. It is quite a damning document about the police attitude in the Nelson case. I shall read out the introduction to the commentary to enable the House to get the flavour of it. I shall not take too long because I do not want to waste the time of the House. The introduction reads:

"In June 1998 the Chairman of the ICPC, through the medium of an 'in confidence' letter, brought to the attention of the Chief Constable the supervising member's concerns"—

that is Geralyn McNally—

"about the RUC's conduct of investigations in the Nelson complaints case. This letter stated the concerns in broad terms and provided some illustrative examples. In the ensuing discussions between the Member, the Chief Constable and the Chairman . . . the supervising Member rejected any suggestion that her concerns should be expressed in terms of a formal complaint."

That suggestion was made to her by the Chief Constable. The document continues:

"This was because her association with the investigation was on the basis of her public appointment under statute."

She was not involved, therefore, as a private citizen. The document then states:

"To position herself as a citizen with a grievance, as opposed to an official office holder drawing attention to serious concerns, would have been wholly inappropriate and essentially undermining of her statutory role. The Chief Constable was not of a mind to exercise his discretion to have the matter formally investigated under Article 8 of the Police (Northern Ireland) Order 1987. He did, however, decide to request Commander Mulvihill of the Metropolitan Police, who had been brought in to take over the substantive complaints inquiry, to review also the original RUC investigation."

That is the background to the case.

The conclusions reached by the chairman of the ICPC read:

"The report that has been produced could be criticised on a number of levels, not least of them being that it lacks balance."

That is the Mulvihill report. The conclusion continues:

"I have worked with Ms McNally for two years now and I am unaware of any defects of intellect"—

she is the supervising officer—

"vision, hearing, memory or personal integrity on her part. The outcome of her supervision of this case was not 'the subjective view of one individual' but rather a systematic evaluation of the facts in the matter as they were presented to her. Although the report liberally strays into uninvited comment on the part played by the Commission in this investigation, Mr. Mulvihill offers no personal evaluation of Ms McNally, unlike the Chief Inspector whom, as has already been noted, he considers to be a principled man imbued with a strong sense of duty."

It is interesting that when this matter came to be considered again there was no official examination of the supervising officer, Ms McNally. That is a deficiency and it applies also to the Mulvihill report. The conclusion continues:

"Throughout the review, the Commander is frequently faced with either accepting Ms McNally's account of events or that of the Chief Inspector. He consistently opts for the version offered by the Chief Inspector. As was stated at the beginning of this paper, Commander Mulvihill's review lacked the standing of a fully-fledged inquiry and this is reflected in its process, analysis and outcomes. This is in no way a personal criticism of him. He undertook a very difficult assignment with honesty and integrity, but the parameters which were set for the task inevitably meant that many of the opinions which were expressed by him have no more standing than that: they are opinions."

The analysis states that there were several matters of the utmost importance. The first was that the RUC initially refused to investigate the allegations that officers made death threats against Mrs. Nelson and agreed to do so only under pressure from the ICPC. When it did so, it treated the matter as a question of incivility. I accept that a death threat to a solicitor is incivility but others might suggest that it is something stronger than that, something more serious and something that should have been examined with a greater sense of urgency than was shown in this instance. Mr. Donnelly, the chairman of the ICPC, takes the view that treating the matter as one of incivility could be regarded as

"resistance to and trivialisation of a serious matter."

Mr. Donnelly said that

"a senior RUC officer probing the death threat claims told at least one officer under investigation to prepare a statement in advance of interview."

That is contrary to all practice on this island. Later, Mr. Donnelly states that the officers involved were given witness statements of what was being said about them. Again, that is unusual in such an inquiry. The RUC accepted that it was unusual, and it is hoped that it will not happen again.

Mr. Donnelly cites evidence of RUC officers being interviewed on serious charges and asks whether their attitudes are tolerated by the organisation. In some cases, answers to questions were no more than four lines. In many cases there were no substantive answers to questions, only "No comment" or "See my statement." That is regarded by the inquiring officer as being a rigorous inquiry.

[Mr. Kevin McNamara]

Mr. Donnelly notes that, as I pointed out, Sir Ronnie

"was not of a mind to exercise his discretion to have the matter formally investigated"—

a matter in which a solicitor claims death threats from RUC officers. So the matter goes on. I shall not weary the House with further details of the complaints.

While we have been discussing the extremely important matter of devolution in Northern Ireland, which we hope will be achieved later this year, matters are still bubbling on in Northern Ireland, sometimes below the surface and sometimes above it. It is sometimes difficult to sustain the belief that the RUC is treating some serious matters with the proper respect and consideration that they deserve. That is shown in the Nelson inquiry and Mr. Donnelly's report, which reveal collusion between the police when threatened by further evidence given by people who have been involved on the murkier side of the security services. Collusion has also been shown in the Stobie matter.

Moreover, there has been a deliberate and virulent campaign by serious newspapers to undermine the integrity of the Bloody Sunday inquiry, and my right hon. and learned Friend the Attorney-General should consider whether that constitutes a contempt of court.

Several hon. Members rose—

Mr. Deputy Speaker: Order. Before I call the next speaker, may I say to the House that a large number of hon. Members are seeking to catch my eye and, unless contributions are considerably shorter, many of them will be disappointed?

10.50 am

Mr. Richard Livsey (Brecon and Radnorshire): Mindful of what you said, Mr. Deputy Speaker, I shall try to be brief.

I wish to raise an urgent matter—the state of the United Kingdom sheep industry. Unless immediate action is taken, there will be an exodus from many of the upland areas of Britain. Despite the welcome news last week of the lifting of the beef ban, in practical terms that was largely a psychological lift—not much beef is likely to be exported in the near future as we have lost an entire market.

The Competition Commission report on the dairy sector has not brought joy. That was covered in a debate last week and was sufficient to make the president of the National Farmers Union in Wales announce that he was quitting dairy farming because he could not see any future in it.

I shall try to straddle not the divide between new Labour and old Labour, which was mentioned earlier, but the divide that still exists between the countryside and urban Britain. The vast majority of people in the UK are entirely ignorant of the crisis in the sheep industry. The situation is so serious that in earlier times it would have warranted a royal commission to investigate it and make recommendations.

The sheep industry is suffering as much as other sectors but receives scant publicity. It is the dominant industry in most of Wales, Scotland, Cumbria, north Yorkshire, the Peak district and much of south-west England. It also has an important role in Northern Ireland. A contraction of the industry would cause much of rural Britain to be further depopulated, and the knock-on economic damage would be equally devastating. The impact on family farms would be enormous.

In my constituency this week, the Royal Welsh Agricultural Society is holding its great show—the largest in the UK in terms of the numbers of visitors. Forty breeds of sheep will be on show, more than at any other show in Britain. It is my duty to speak up not only for my constituents but for all sheep farmers in the United Kingdom. The past three years have been the worst for sheep farming that I can recall in a life that has been spent working in or very close to the livestock industry. Except during the times that I have been blessed to serve in the House, I have been much involved in farming matters.

In my constituency there are far more sheep than human beings—no fewer than 16 sheep to every person. I started my working life at the age of eight, droving sheep from the mart to the railway station and was paid small sums for doing so. Never have I been so worried about the future of the area that I represent and the upland areas of Britain. The root of that worry is the crisis in the sheep industry. I no longer have a pecuniary interest in the industry, but many people whom I know have.

Many hon. Members serve constituencies in which sheep farming plays an important role, and I am sure that they will understand my concern. It is no exaggeration to say that the future of areas such as rural Wales depends primarily on the recovery of the sheep industry. I have no doubt that the same is true in Scotland and vast tracts of rural England. It is not a matter for flippancy; nor is it a storm in a teacup. In debating sheep, we are discussing the future of hundreds of thousands of people and millions of hectares of the United Kingdom.

The average price of finished lambs at the farm gate has fallen by 40 per cent. over the past three years, and 30 per cent. over that in the past month. That has produced a similar decrease in the prices achieved by farmers for store lambs sold off the hills for further finishing on lowland farms, and also for breeding ewes. At the same time, the increase in the value of sterling has driven down the value of European Union subsidies received by sheep farmers, and returns for lambs as well. The sheep industry has suffered a multi-whammy, as there has also been a disastrous 40 per cent. drop in the value of wool on world markets.

The Government's figures show that average farm incomes in the hills have dropped by more than 40 per cent. in each of the past two years. With an average hill farm income in Wales standing at £5,000 per year last year, it is certain that many of those farms are operating at a substantial loss this year. They are also subject to a hill livestock compensatory allowance review, which will have a major impact on the industry.

It is clear that there is no return on the capital invested in the average sheep farm, when drawings are allowed for. I defy anyone to raise a family and live properly on such an income, let alone reinvest in a business. Unless the situation is turned around, there will be no investment in hill farming. To turn it around, the fortunes of the sheep industry will have to improve dramatically.

The tragedy is that the EU is short of sheepmeat. There is no overproduction of sheepmeat in Europe, but we cannot get enough of our sheepmeat onto the European

market to satisfy the demand that undoubtedly exists. It is intensely frustrating that our neighbours in France, for example, are getting prices for lamb that are 50 per cent. higher than those in Britain. Clearly, we have a marketing problem, not overproduction.

With too much sheepmeat left on the domestic market because it cannot be exported successfully, the big supermarket buyers hold the whip hand. They can force prices down through pressure on the meat processors. One has only to visit a livestock market to see the mobile phones, about which we have just heard, being used by buyers at the other end of the line to tell people in the ring how much they can bid. It smacks somewhat of a cartel.

A further problem is that there are too many old ewes producing hard-to-market small lambs. Last autumn they were practically valueless and have been kept on into the current season. We have many problems, but in the past fortnight we in Wales have started to construct a new all-Wales livestock marketing co-operative to try to tackle some of them. Salvation will come through co-operation—particularly in England now that the regional development agencies, which may be able to help, have been set up—and the big dealers and the big supermarket buyers could be bargained with on a more level playing field.

There is a crisis in respect of cull ewes in the United Kingdom. We need to reduce their number considerably. A cull needs to be carried out, and I hope that the Minister will relay that to the Minister of Agriculture, Fisheries and Food. Sadly, the ewes that were not culled last autumn are now the equivalent of skeletons because they have been kept for a year too long. They are valueless and, sadly, but for the sake of animal welfare they ought to be sent to an incinerator. That would be the kindest thing to do. This year's cull ewes, which are coming down the line, will be culled, particularly from the hills, as a matter of the stratification of the sheep industry.

Hon. Members will know that last year the Irish introduced a scheme under which farmers were paid £15 a cull ewe to take them off the market. I believe that such a scheme would be of great value in the United Kingdom, but action needs to be taken now; by October, it will be too late because those ewes will be flooding onto the market. The French require whole carcases—not split carcases which were and still are the order of the day. They can deal with them, and there is a good case for reviewing the matter now that the position in respect of beef has slackened. Disposing of those cull ewes now would mean that there would be fewer lambs next season and stronger demand for next season's lamb crop, which would improve farm incomes and put some much-needed cash into farmers' pockets.

The wool industry is in crisis and the cost of shearing sheep is greater than the value of the wool. Only yesterday I was told of an upland farm on which it cost £1,200 to shear the sheep, but the value of the wool was £800, which is an astonishing situation. This season's lamb prices are down by £9 a head, gross margins will be down by 30 per cent., and I calculate that last year's average income on upland sheep farms was the equivalent of £2.70 an hour for a 39-hour week. Hon. Members should compare that with the £3.60 an hour paid as the national minimum wage.

The sheep industry has sustained severe losses over the past two years and it cannot sustain any more. I am afraid that the exodus from the countryside is about to start in a big way. I have talked to young people in my area and I believe that they will leave the land in substantial numbers. I am sure that that is not what the House wants, but I believe that it will happen unless a great deal of emergency action is taken. Problems with the euro and with exchange rates have not helped, but I believe that we should join the euro as soon as it is practicable to do so. I call on the House to take action now and I hope that the Minister of Agriculture, Fisheries and Food will ensure that a cull ewe disposal scheme is introduced to bring at least some relief to that hard-pressed sector of the sheep industry.

11.4 am

Mr. Bill Etherington (Sunderland, North): I am grateful for the opportunity to say a few words about the chronic shortage of general practitioners in my constituency, which is causing great concern. I raised the matter about 18 months ago in a Wednesday morning debate, when my right hon. Friend the Chief Secretary to the Treasury was a Health Minister.

I shall not bore the House by going through a rigmarole on statistics. Suffice it to say that the Sunderland health authority area is estimated to be short of 30 GPs, which puts us above the national average for patients per GP: there are about 2,250 patients per GP in Sunderland against the national average of about 1,900. That local problem stands out because, paradoxically, it exists in a region that enjoys a ratio of GPs to patients that is higher than the United Kingdom average.

I have to give full credit where it is due: my hon. Friend the Minister of State, Department of Health, and his predecessor, who have been sincere and sympathetic, have attempted to introduce initiatives to ease the problem. I also give credit to Sunderland health authority, which is in the somewhat invidious position of trying to improve a situation over which it has little statutory control.

The nub of the matter lies within GP practices. I have spent many hours discussing this issue with various colleagues and I should place on record the fact that my hon. Friends the Members for Sunderland, South (Mr. Mullin) and for Houghton and Washington, East (Mr. Kemp) have also been closely involved. They have done what they can and, although they may not use my words and expressions, they generally agree with the thrust of my remarks.

When I looked into this problem, I found that it has been long standing and that it should have been foreseen. In many ways, it is a demographic problem because my area has more than its fair share of GPs aged over 50. I am grateful to the Northern and Yorkshire regional office of the national health service executive for providing me with statistics showing that of all the health authorities in the region, only Sunderland has a preponderance of doctors over that age. Although the majority of doctors in every other health authority are under 40, two thirds of general practitioners in Sunderland are over 50. That situation has probably come about because of a historical accident, but the problem needs to be tackled and no matter what is done at present that will still be the position.

I am putting down a marker because I do not want someone to say in 20 years that no one noticed these problems. They are with us now and unless they are dealt with vigorously, they will return with a vengeance,

[Mr. Bill Etherington]

whatever we do to provide short-term alleviation. No matter how much good will is shown by the Department of Health, the Sunderland health authority and the regional health authorities, they are dealing with a flawed situation and that flaw lies within the present system of GP practices.

For example, a practice of three GPs might look after 6,000 people, which is extremely reasonable considering that one GP in my area looks after 4,000 people. If one GP retired and was not immediately replaced, even though efforts were made to replace him, two GPs would be left to look after those 6,000 people.

One of the problems is that the system of payment in GP practices is little better than that for piecework: the more patients a doctor has, the more he is remunerated. Once GPs have become used to a much higher rate of remuneration, they have a disincentive to recruit partners. The system is fundamentally flawed and has been since the NHS was founded. Moreover, it is having a deleterious effect in Sunderland. Although my area is 30 GPs short, only four practices have placed advertisements to try to find partners. One would assume that if practices are not placing advertisements, they are not trying to improve the situation.

The answer to the problem is salaried status for GPs. I know that the British Medical Association is not in favour of that and has fought against it since the inception of the NHS, but recent research shows that 93 per cent. of young GPs would prefer to be salaried workers rather than small business men running their own practice or partners in a practice. We are also considering the possibility of expanding the local university's medical service so that while young GPs are being trained within the university they can give some of their time to assist GPs in the area.

Unless the primary care sector is thriving and vigorous, the excellent initiatives that the Government are carrying out, such as health action zones, are bound to be blighted and may fail. As recently as last week, I met my hon. Friend the Minister of State, and I know that he is doing all that he can. However, we now face almost three months in which Parliament will not sit and I dread to think what the position may be when we return because, despite all the efforts, the problem is getting worse.

This is a matter not merely for the Government, but for all hon. Members. Are we satisfied that the current system of GP practices is working? I am not and I wish to lay down that marker. I urge the Government to put much more emphasis on trying to change the system so that, eventually, all GPs are salaried. It may be argued that that will cost more, but so be it. The current system is unsatisfactory. It cannot be only my constituency that has a shortage of GPs. The problem is inherent.

I give full credit to the Government, who are trying to alleviate the problem by getting more GPs on to the books, but ultimately, we must have a system in which, if there is a shortage in an area, both the health authority and the Department of Health can put it right. That does not seem to be the case. We are floundering around trying to see what can be done to alleviate the problem, instead of considering a solution which, in the long term, would prevent such a problem from arising.

I have spent just about long enough saying what I have to say. I am pleased to have had the opportunity to raise this matter because it is causing a lot of concern in my constituency. Next Thursday, I have been asked to address Age Concern specifically on this matter and I am not particularly looking forward to it. I therefore ask the Minister and all hon. Members present to consider this matter. The system has been in place for 50 years and it is not working to the satisfaction of all those who want to benefit from the service, particularly in my constituency.

Despite what the BMA may think—no doubt I shall be public enemy number one, given what I have to say—the majority of young doctors do not want to be entrepreneurs and business men; they want to carry on their profession as salaried workers and let the Government deal with the administration and the executive functions.

11.14 am

Mr. David Atkinson (Bournemouth, East): It is absolutely imperative that the House does not rise before debating fully the threat posed to public services, the private sector and people's normal daily lives by what is misleadingly called the "millennium bug"—the time bomb that is ticking away and which will affect the performance of the date-related computer systems on which we all rely. No one can guarantee that that threat will be avoided and yet, despite what the Government may claim, most people totally underestimate or under-realise it. As a result, they will not be prepared.

Last month, the Government distributed a booklet entitled "Facts not Fiction" in the national Sunday press. I regret to say, however, that it was a missed opportunity adequately to warn and inform people. The Government have also introduced quarterly reports to Parliament, which are now to become monthly reports as the deadline draws near. I pay tribute to the Leader of the House for the formidable role that she has played as the principal Minister responsible. I hope that she will be allowed to continue in that role for the rest of the year, because she is aware of the seriousness of the problem and no one new to the job would have the time to get to grips with it or have a greater influence on it.

Many experts now say that it is already too late to do much more than what has already been done to respond to the problem. Reports that are now appearing make it clear that there will be problems. Although they will be much worse elsewhere in the world—this country is better prepared than most—as we cannot isolate ourselves from them, we will import other countries' problems as well.

The House has never had a full-scale debate on this issue. Apart from Government statements, *Hansard* shows that the Government have responded only to personal initiatives or Back-Bench Members of Parliament. Those include my original question to the previous Prime Minister, my right hon. Friend the Member for Huntingdon (Mr. Major), in 1995 on the issue; my Adjournment debate the following year; another Adjournment debate on the consequences for defence earlier this year; my proposed amendments to the Data Protection Act 1998; my three private Member's Bills on the issue; the Adjournment debate of my hon. Friend the Member for Ribble Valley (Mr. Evans) earlier this year; and replies to questions by hon. Members on both sides of the House.

Why has there been no general debate on the threat? Why has there been no debate on the Science and Technology Committee's report entitled "The Year 2000:

Computer Compliance", which it published in April last year? What have the Government got to hide? Is it because they lost six crucial months when they came into office in May 1997, during which they shelved—or effectively sacked—the awareness campaign of the previous Government, TaskForce 2000, before eventually replacing it with Action 2000, which became fully operational only last year? I fear that, with hindsight, those six lost months will mean that this country is no longer the best prepared for avoiding problems.

That also explains the recent Cap Gemini report that Britain has slipped from second to eighth place in the millennium readiness stakes, as other European countries accelerate their efforts. I am already convinced that the failure of both the previous Government and the present one to support my three Bills on this unique issue will be exposed as missed opportunities, which, in hindsight, they were badly advised to ignore.

Nowhere is that demonstrated better than in last weekend's report about the eight companies that the Financial Services Authority refuses to name, despite the demands of Action 2000, in which investors' money is at risk because the companies are rated as "red" in the latest report by the National Infrastructure Forum. That information will get out sooner or later—almost certainly sooner, because of inevitable leaks in response to increasing rumour and speculation about who they are. There is a clear duty of immediate exposure so that appropriate action can be taken, not least by those whose investments may be at risk. I hope that the Minister will agree that it is immoral and dishonest to deny disclosure now. I look forward to his response.

All that and so much more could have been avoided if my first private Member's Bill, the Companies (Millennium Computer Compliance) Bill, had been allowed to complete its stages in the run-up to the last general election. The Bill would have required company directors to disclose the millennium compliance of their computer systems in their annual reports to shareholders. We would, by now, have had two years of annual reports providing for total transparency in law of every company's millennium readiness. If action was not being taken, shareholders would have wanted to know why and would have demanded that something be done. It was a simple solution to a unique situation and it would have been effective in safeguarding this country's private business sector.

The present Government cannot blame the previous Government for a lack of foresight in not perceiving the opportunity of my Bill, because they also refused to support it when I brought it back in its amended form after the last general election.

There is no reference to that risk to shareholders in the Government's booklet "Facts not Fiction". Under the section headed "Personal Finance", we are told that

"your money is as safe as it has always been".

It contains no cautionary warnings to reflect other recent reports.

In February last year, I warned the Prime Minister at Question Time about the high risk of undertaking the two biggest ever information technology projects—millennium compliance and euro conversion—at the same time. Last Sunday's *The Mail on Sunday* warned that European banks and financial institutions will not be millennium compliant in time, which will affect the euro. Interest rates will rise. That and other consequences will have an impact on this country.

The Government could have delayed proceeding with other IT projects so as to give priority to the overwhelming and essential need to be millennium compliant. The Passport Agency struggled to issue thousands of passports because of its inability to cope with the millennium bug and the new requirement for children to carry their own passports.

In May, *The Sunday Telegraph* warned that some of Europe's busiest airports and air traffic control centres have fallen seriously behind in their plans to deal with the millennium bug. They include Paris, Rome, Madrid and Luton. The major power failures at Heathrow at the start of this May's bank holiday weekend showed that people's plans can be disrupted no matter who they are. Even Posh and Becks had to abandon plans to fly to Nice. That experience will be nothing compared with the consequences of computer failure. How many people are aware that the channel tunnel will be closed to the public at the millennium to prevent a potential disaster caused by the Y2K bug?

On 1 June, the *Daily Mail* reported that the Home Office had issued leaflets to every local authority "predicting Millennium night chaos" and warning of

"medical, public order and criminal disasters on a grand scale".

My local authority of Bournemouth, which is one of our major tourist resorts and had hoped to organise millennium night events, has no insurance cover for public liability and is still waiting to hear from the Treasury whether the Bellwin scheme for emergency financial assistance to local authorities would apply. How many other local authorities and voluntary organisations are abandoning their millennium plans because of the threat of the millennium bug?

Are the Government confident that all their millennium plans are adequately covered for public liability? That may explain the report on Operation Surety in *The Sunday Times* last weekend. The Special Air Services and other special services are shortly to be deployed to protect key government sites and civilian installations, such as banks, airports and power stations, and to support emergency services. Will the Minister confirm the existence of Operation Surety?

Those threats and risks, as well as many more, would have been dramatically reduced if the Government had had the good sense to support my two other private Member's Bills on this issue. The Millennium Conformity Bill, which I introduced last year, would have required all computer systems and the services they provide to recognise 2000 as defined by the British Standards Institution's code of millennium conformity. I shall again move the Second Reading of my Computer Millennium Non-Compliance (Contingency Plans) Bill this Friday.

Unfortunately, the Government have shown that they do not fully appreciate either the problem or the threat, and continue to rely on voluntary persuasion of the need to take the necessary action. They have not grasped the fact that, no matter how well any organisation is prepared, it can take just one glitch, one overlooked, non-compliant date in any of its own programmes or those in the chain with which it is linked for all of them to be affected. It is all or nothing. It is impossible to conclude that there will

[Mr. David Atkinson]

not be problems. That warning is blatantly missing in the Government's booklet to inform the public, entitled "Facts not Fiction".

At the very least, the commendably realistic warning of the Leader of the House that there are no guarantees that material disruption of public services will be avoided should have been quoted in the booklet. There is no guarantee that electric lights will come on, domestic gas will flow, water taps will run, telephones will operate and food, petrol and cash will not run out.

If the House is not fully to debate this problem, will the Minister tell us how he intends to report the new monthly reports to the House during the summer recess? Should those reports disclose that targets will be missed, and given that slippage has been a common feature of past reports, will the recess be suspended so that a proper statement can be debated? When the House returns in late October, there will be insufficient time to take meaningful action—fewer than 50 working days. Will the Government issue further warnings to the public that they should be prepared for problems, and guidelines on what sensible precautions to take? The Government have not done enough to prepare this country for what could happen early next year. They have just 165 days left in which to do so.

11.26 am

Mr. John Grogan (Selby): Soon after the House goes into recess, the world will celebrate Yorkshire day on 1 August. Perhaps Yorkshire day has not yet reached the scale of Burns night or American independence day, or even the celebrations to mark the Queen's birthday. Nevertheless, we shall be doing our best in Yorkshire. This year, it will have a particular resonance because on 1 August, Yorkshire will be playing in its first one-day cricket final at Lords for more than 12 years.

Yorkshire people are known the world over for their generosity, outward-going nature and sheer joie de vivre. A campaign was started this year for a Yorkshire parliament. It rightly drew attention to the strong Yorkshire identity, but it was probably wrong to illustrate that identity by reference to the trio of Freddie Trueman, Geoff Boycott and Michael Parkinson. A more modern trio would have been Darren Gough, Mel B from the Spice Girls and Sean Bean, the actor from South Yorkshire. However, in the absence of a Yorkshire regional assembly or parliament, I shall touch on three areas of particular concern to the Yorkshire economy.

The Yorkshire economy is generally booming at the moment. Unemployment is low—it is falling in my constituency—and interest rates are low, but there are particular concerns in individual sectors. Many people in Yorkshire will start Yorkshire day, which falls on a Sunday this year, by having their only cooked breakfast of the week. They will have time to do that, and will no doubt have bacon and eggs or a bacon sandwich. I hope that, as they do so, they will reflect on the dire plight of many pig farmers. We heard about sheep farmers earlier, but many pig farmers in Yorkshire and elsewhere are in difficulty.

The latest statistics from Eurostat show a dramatic fall in production in the pig sector, which will get worse over the summer. In the third quarter of the year, pig production is predicted to fall by 13.7 per cent., and gross indigenous pig production will fall in the fourth quarter by as much as 20 per cent. Those figures are truly alarming.

Part of the explanation for that fall is the drop in pig demand throughout the European Union. As has often been said in the House, British pig producers labour under an unfair competitive disadvantage, because of the welfare measures that they have properly put in place under pressure from retailers, the Government and consumers. Tethers, sow stalls and, most importantly, bonemeal have been banned. Those measures are not in place in all European Union countries, although some of them will be by 2004. Horror stories are emerging from some of our European Union competitors. Even Euro-enthusiasts such as I have a good degree of Euro-scepticism about the conditions that pertain in some of our competitor countries.

According to Reuters, a French Government inquiry, which produced a report, found factory waste in animal feed. Reuters said:

"Residue from toilets, septic tanks and sludge from waste treatment factories are routinely used in the making of European animal feed . . . Initial findings show that certain types of meal destined to feed pigs, poultry and fish, have not been properly treated in the view of this analysis . . . In one case, matter ending up as feed ingredients for pigs and poultry included untreated byproducts from the production of gelatine from pig and cow skins".

I urge Ministers, over the summer, to redouble their efforts in the European Union. I urge them to insist that such practices end, to insist that animal welfare standards are brought up to scratch in our competitor countries sooner than 2004, and to do everything possible to encourage supermarkets and local authorities robustly to buy pigmeat safely. Currently, that will mean buying British in most instances.

Another industry that has long been associated with Yorkshire—and, over the last couple of decades, with my constituency in particular—is the coal industry. There is now some recognition in the Yorkshire coalfields that the Government have done a good job in righting wrongs that have existed in the past, particularly in giving justice to miners suffering from industrial diseases by ensuring that they receive proper compensation. They have also created a window in the energy market in order to provide a more diverse energy supply. Coal now has a chance: there is a more level playing field.

I hope that, over the summer, Ministers will consider an Environment Agency report on the control of pollution from existing oil and coal-fired power stations. Our international obligations demand that we cut 1980 levels of sulphur dioxide emissions by 80 per cent. by 2010. The Environment Agency suggests that we go further, and cut them by 87 per cent. by 2005. There is some disquiet in the Yorkshire coalfields about the idea of our proceeding faster than our international obligations demand. It is also felt that the report should be closely associated with the Government's energy review, and their review of the electricity pool. "Joined-up government" is, of course, a cliché, but it really applies in this context.

Following the Government's energy review, the Drax power station in my constituency—the biggest coal-fired power station in Europe—is to be disposed of by National Power. When that happens, National Power, which is still a dominant force in the industry, will no longer have a flue gas desulphurisation plant as part of its portfolio. It strikes

me as sensible for Eggborough, National Power's biggest power station, to be fitted with such a plant, and I urge the Environment Agency and the Government to encourage such a development. If all three major power stations in the Aire valley, Drax, Ferrybridge—which is being disposed of by PowerGen, and will have a flue gas desulphurisation plant—and Eggborough are so equipped, for the first time, it will do wonders for the local environment.

Ultimately, however, flue gas desulphurisation plants give the coalfields only a medium-term future. If we are serious about giving them a longer-term future, we must encourage clean-coal technology, in which this country leads the world, in the same way as we encourage the renewable sector. The coal industry is expanding internationally, especially in China, and we have a tremendous export market. The Government have said that they will not decide whether we should have a demonstration clean-coal plant for three years; I think that that is too long for us to wait.

I am aware of the constraints of time. Perhaps Front-Bench Members would consider imposing a 10-minute limit on Back Benchers' speeches in future debates. I am a minute or two short of 10 minutes.

Finally, let me say something about Yorkshire's burgeoning restaurant sector. Yorkshire is now one of the gastronomic capitals of Britain: for example, Hazelwood Castle in my constituency is a superb restaurant. Perhaps the Government will consider introducing a small measure early in the new Session. I believe that they are already committed to a reform of the licensing laws following the work of the better regulation task force. Currently, if restaurants in Leeds, Sheffield, York and Selby want to stay open after midnight, they must provide live music and entertainment: they must make more noise in order to stay open. That is nonsense. I hope that, by Yorkshire day next year, people will be able to enjoy a meal in a restaurant late at night without being subjected to incessant noise.

11.35 am

Mr. Roger Gale (North Thanet): I want to raise an issue that goes to the heart of our parliamentary democracy: the confidentiality of the constituency case work of Members of Parliament.

I believe that you, Mr. Deputy Speaker, who were once a Back Bencher, and all of us regard our constituency case work as sacrosanct. It is as confidential, as privileged and as closely guarded as the confessional, as correspondence with lawyers and as matters relating to doctors. We have always regarded it as such, and I was astonished to discover the other day that, in fact, Parliament affords no protection whatever to it.

In late May, a representative of Messrs Baker Tilly, a trustee in bankruptcy, called at the offices of Mr. Jonathan Aitken and removed nine boxes of private papers. Those private papers included correspondence with constituents and with ministerial and Government colleagues, correspondence with religious and spiritual leaders, and correspondence with current and former heads of state. Baker Tilly's representative gave Mr. Aitken an undertaking that

"precautions would be taken to protect the confidentiality"

of the papers, and that the files

"would be kept in a locked cupboard at Baker Tilly."

Mr. Aitken was also assured that they would be taken only for inspection, and that, once they had been examined and checked for financial details, they would be returned. On that basis, Mr. Aitken not only agreed for the files to be taken, but helped to load them into Baker Tilly's van.

Mr. Aitken was horrified to discover that, within days, the trustee in bankruptcy had sought the opinion of valuers, Messrs Gorringes, on the value of the papers at sale. The valuers suggested that they could be sold for a considerable sum. The trustee stated:

"This sum will be realised should I be able to sell the correspondence without any restriction to the ultimate purchaser".

Gorringes's head of valuation, Mr. Gilham, said on 14 June:

"We believe however that these sensitive files are of value and that the market lies in the publishing arena. On the basis of the limited research we have been able to undertake we have reason to believe that if the nine boxes" –

all nine boxes—

"were to be offered to newspapers and publishers a six figure sum would be easily attainable".

Last weekend, *The Sunday Times* carried an article about the matter. As a result, Mr. Aitken's former constituents in South Thanet have been caused considerable distress. The papers contain material of a highly sensitive and highly personal nature. Moreover, when I met Mr. Aitken at his request to discuss the matter, and agreed to raise it in the House, he informed me that, in another incarnation as a sidesman at St. Margaret's church, Westminster—which is effectively the chapel of the House of Commons—he had written on numerous occasions to Canon Donald Gray, the former Speaker's Chaplain, and had issued special requests on behalf of colleagues on both sides of the House who were in distress, and were suffering marital difficulties. There were requests such as, "So-and-so's son is a drug addict: please can we remember him in our prayers?". Those, too, were matters of a highly sensitive, highly personal nature, which were never supposed to be disclosed in any public way, and should not have been so disclosed.

Some of these matters are before the court, and I do not wish to intrude on the privilege of the courts to determine matters that are properly in their domain. However, at 8.30 this morning, I met the trustee in bankruptcy in the House, and I am pleased to be able to reassure hon. Members that I have now received an agreement in writing. It states:

"None of Mr. Aitken's correspondence with constituents has been or will be copied and nor will it be offered for sale. These papers will be returned to Mr. Aitken's solicitors forthwith.

No correspondence between Mr. Aitken and parliamentary colleagues has been or will be copied, nor at any time offered for sale unless the court so orders.

No correspondence between Mr. Aitken and the Speaker's Chaplain, Canon Donald Gray have been or will be copied or at any time offered for sale. These papers will be returned, also, to Mr. Aitken's solicitors forthwith except those papers which relate to Mr. Aitken's financial affairs.

Papers that may be regarded as Government Papers covered under the 'Thirty Year Rule' have not been and will not be copied or offered for sale. They will be held subject to the undertaking already given to the Treasury Solicitor."

The remaining papers—the remaining matters—will be dealt with in court. It would be improper of me to seek to deal with them.

[Mr. Roger Gale]

My point in raising the matter and in placing it on the record is that, happily, as a result of considerable pressure being brought to bear, not least by the thought that the matter would be raised in the House this morning, the issue has, so far as the constituents of South Thanet are concerned, been put to bed. I accept entirely the undertaking that the trustee in bankruptcy, Mr. Colin Haig, gave me this morning. It is in writing. I have no reason to question his word, but there is a principle that must be considered during the recess so that some progress can be made in Parliament in the autumn. I firmly believe that, in the light of those events, which I do not believe many Members began to understand were possible, the two Front-Bench teams, the Cabinet Office and, dare I say it, the Speaker's Clerks and Office need to review the position.

It is an appalling situation. I should make the following point: those who know the man will understand why he is so concerned. Jonathan Aitken's first concern was for his former South Thanet constituents. He was desperately disturbed to learn that there was a possibility of their private correspondence being made public. He was equally concerned at the thought that colleagues' private matters that had been discussed with the Speaker's Chaplain could have been made public.

It is essential that we look again at the whole system of parliamentary privilege to ensure that, at no time—hon. Members on either side of the House might find themselves facing bankruptcy—shall any colleagues' private constituency papers be seized by a trustee in bankruptcy, or offered for sale.

11.41 am

Mr. Peter Bradley (The Wrekin): I should like to raise some important issues before the summer recess—issues that some Conservative Members may not wish to hear, but that need to be raised none the less.

In recent weeks, there has been much interest in and speculation about Mr. Michael Ashcroft. Many allegations have been made. Many revelations have appeared in the daily papers about his status as a foreign funder of the Conservative party, about his business dealings and about his relationship with the previous Government. Throughout it all, the Leader of the Opposition has stood by Mr. Ashcroft and said that he has no case to answer. Mr. Ashcroft has conceded that his connections with the Conservative party are causing it damage, but he still resolutely refuses to go.

May I remind the House who Michael Ashcroft is? He is a United Kingdom tax exile. His principal residence is in the United States of America. His principal business interests lie in Belize. He funds the Government party there—the People's United party, which I understand has recently sought advice on joining the Socialist International. He is Belize's ambassador to the United Nations. He is a citizen of Belize; he is also a citizen of the Turks and Caicos Islands. As far as I know, he is a citizen of other places, too. All those credentials are considered by the Leader of the Opposition to qualify him for his other job: treasurer of the United Kingdom's Conservative party.

Mr. Ashcroft is a man about whom our man in Belize warned the Foreign Office: there was, he said, a

"shadow over his reputation that ought not to be ignored"

of course, that shadow has been ignored by the Leader of the Opposition. Mr. Ashcroft is a man whose business interests, according to a report by Rodney Gallagher, which was sponsored by the Foreign Office as part of its aid to Belize, were creating

"a growing sense of disquiet"

in Belize—a sense of disquiet clearly not shared by the Leader of the Opposition.

Mr. Ashcroft is a man whom our former high commissioner in Belize, Mr. David Mackilligin, described last week as

"an object of suspicion to governments in the area, especially the Americans who have to cope with constant war against drug-runners and money-launderers".

He went on to write, in a letter which appeared in *The Times*:

"he cannot escape responsibility for establishing a system that makes Belize a much more tempting target for drug-runners than it would be and for resisting efforts to regulate it properly in order presumably to maximise his company's profit."

That is, apparently, what motivates Mr. Michael Ashcroft—the bottom line. It is not political conviction. I have mentioned that he funds not only the Conservative party but the People's United party in Belize. It is not personal loyalty. It is not public interest, but the ruthless pursuit of the bottom line. He has made money out of flags of convenience in Belize, which is known to have one of the worst safety records in the world. According to *The Independent* this morning, he has sold passports for profit. According to our Foreign Office diplomats, he is prepared to "stir up trouble" for Britain in the Turks and Caicos Islands if he does not get his way.

In no fewer than 10 of the 40-odd votes in the United Nations since he has been Belize's ambassador there, Mr. Ashcroft has voted against the United Kingdom. As I have said, he has opened the door in Belize to money laundering and drug trafficking through his interference in the regulation of its financial sector. The linking of Michael Ashcroft to the drugs trade is the most alarming aspect.

On Sunday, Mr. Ashcroft told the BBC that, although he was aware of one investigation undertaken by the Drug Enforcement Administration in the United States, he believed that it had concluded in 1992 and that its principal interest was Belize, not him. To be caught up in one drugs investigation may be just bad luck—a big man in a small place at the wrong time—but there is more.

I have seen documents, which have also been seen by *The Times*—files of the DEA, the FBI and the Bureau for International Narcotics and Law Enforcement Affairs. All refer to Michael Ashcroft and to his business interests. I have no reason to believe that they are forgeries. They are taken from the files of United States investigation, intelligence and enforcement agencies. They make disturbing reading.

In 1989, Mr. Ashcroft's name was linked to a DEA drug-trafficking inquiry that stretched across Europe, the United States and Canada, and involved the son of Jean Baptiste Andreani, who was immortalised, if that is the right word, in "The French Connection." In 1992, a Thomas Ricke was arrested and jailed for laundering

money, gained from organised crime, through Michael Ashcroft's Belize bank. In 1993, the DEA conducted an investigation of Belize-linked businesses, half of which were connected to Michael Ashcroft—12 of the 25-odd that it investigated had links with Michael Ashcroft.

Mr. Christopher Gill (Ludlow): Will the hon. Gentleman give way?

Mr. Bradley: No. Time is pressing. Other hon. Members want to speak.

In 1994, a DEA file reported observing Michael Ashcroft taking a flight from the United States to the Caribbean. It referred to

"possible air smuggling/money laundering activities under way by Michael Ashcroft".

It also reported that the plane was owned and piloted by two suspected drug traffickers.

In 1996, Mr. Ashcroft was the subject of another investigation. In 1997, a man arrested in Holland on suspicion of drugs offences gave as his address the same address in Belize as Mr. Ashcroft's principal company, Belize Holdings. Those are serious matters.

I do not claim that Michael Ashcroft is guilty of any offence. I simply do not know, but nor does the Leader of the Opposition. However, he above all should be concerned about these allegations. The drip, drip, drip of disclosures is becoming a torrent that threatens to engulf the Conservative party. It is extraordinary that the Leader of the Opposition has taken no action about it. After all, it was he who said just last year:

"We are not going to have in the future any of the kind of controversies that have dogged us in the past over funding".

He said it, but did he believe it and did he mean it?

If Michael Ashcroft were just another business man, we would take little interest in him, but he wants to play a role in British public life, and that gives us a legitimate interest in his affairs. That is why the Leader of the Opposition must refer him to the ethics and integrity committee that he established recently. That is why he should relieve him of his post as treasurer of the Conservative party, and why he should consider returning to him the donations that he has made in recent years.

Michael Ashcroft says that he will not go. Only one man can decide his fate—the man who says that he runs the Conservative party—but does he dare? Does he have the courage or even the authority to sack him, and can he afford to, given that Michael Ashcroft is the man who owns the Conservative party?

The Conservative party says that sleaze is a thing of the past, but it is running its campaign in Eddisbury on money from Belize, and tomorrow it will ask the people in that constituency for their trust. Does the Leader of the Opposition want it said that Michael Ashcroft is the man who defines the Conservative party? This is a real test of his qualities of leadership. He has a big decision to make.

11.51 am

Mr. Christopher Gill (Ludlow): I shall preface my remarks by congratulating those hon. Members who have taken the opportunity of this Adjournment debate to highlight the problems of the sheep and pig industries. Before I move on to my own theme, however, I wish to state how much I deplore the comments of my constituency neighbour, the hon. Member for The Wrekin (Mr. Bradley).

The House will understand that what the hon. Gentleman said was covered by parliamentary privilege, but I did not hear him cite any specific charges that had been brought against Mr. Ashcroft. I remind the House of the very important principle and tenet in British law that a man is innocent until proved otherwise. The hon. Gentleman questioned the motives and motivation of Mr. Ashcroft, but I hope that I shall not be out of order in questioning the hon. Gentleman's motives. He spent 10 minutes giving us a lot of innuendo but, as far as I know, he was unable to substantiate that with any facts.

On a more pleasant note, I wish to say that, in my opinion, the British countryside looks more beautiful than it has ever done at this time of year, probably due to the wet spring that we had. I know that you, Mr. Deputy Speaker, have an interest in trees, and you will appreciate that the beauty of the British countryside is largely due to the tree cover that it enjoys. I want to speak specifically about commercial forestry.

Last year, the Government issued their forestry strategy for England, which was largely aspirational and entirely platitudinous. As far as commercial forestry was concerned, it was eminently worthy but, in practical terms, worthless. England, together with Ulster and Eire, is bottom of the European league for tree coverage. In England, 8 per cent. of the land mass is covered in trees. In Eire the figure is 7 per cent., and in Ulster 6 per cent. In contrast, the overall figure for European Union land mass coverage is 36 per cent. Taking the United Kingdom as a whole, the comparable figure is 10 per cent., but that includes large areas of scrub oak, the third most common species after spruce and pine.

I have some questions for the Government. Are they satisfied with the present situation and the current downward trend in new planting? What, if anything, are they prepared to do about the matter, and how will they go about it? At present, the forestry industry is experiencing unprecedented difficulties. First, it suffers from red tape, particularly that associated with felling controls. Secondly, it suffers from cheap imports—I remind the House that labour costs in Latvia, for example, are a quarter of those in the United Kingdom. Moreover, road fuel prices in Latvia are only a third of those in this country. Thirdly, crippling vehicle excise and road fuel duties have a much more significant effect on forestry than on industries whose loads are less bulky and often much more valuable.

Haulage accounts for at least 25 per cent. of the delivered value of British-grown round timber. For obvious reasons, the scope for transferring the loads to the railways is limited. A lot of our forestry land is well removed from the rail-heads, and in any case loads have to be hauled by road to reach them.

A fourth problem facing the industry is the lack of any coherent long-term Government strategy sufficient to give the private sector long-term confidence. Forestry is, after all, a very long-term business. People who plant trees often do not live to see them come to maturity. Planting, therefore, is done with the long term in view.

Fifthly, the Forestry Commission is a rogue elephant when it comes to commercial decisions, and does not always operate under the same constraints as the

[Mr. Christopher Gill]

private sector. Many other difficulties face the industry, not least an ill-informed public who do not accept that trees are grown as a commercial crop and that trees, like humans, have a finite life.

A prosperous commercial forestry industry brings many economic benefits. First, there is an obvious benefit in the employment that it creates. The forestry industry is a major employer in rural areas. It is estimated that it employs 35,000 people in the United Kingdom, and that employment is permanent and year-round. That contrasts with the agriculture industry, where more of the labour tends to be under contract and on a seasonal basis. Moreover, the forestry industry is often situated in remote areas where there is no alternative employment.

In the past decade, the industry has invested no less than £1.8 billion in new saw milling and wood processing facilities, which now produce timber and wood products derived from British forests that are worth £2 billion per annum. That is a valuable contribution to our balance of payments. Our forests represent a store of value and are a very important strategic reserve.

The third benefit to be derived from a healthy forestry industry is to the environment. I have already mentioned how trees benefit the landscape, and most hon. Members will be aware of the beneficial effect that trees have on our atmosphere by absorbing surplus nitrogen and other impurities. Forestry is a sustainable and infinitely renewable source of raw material and fuel. Given that so many people are worried about the environment, a thriving forestry industry will ensure that there is life and work in our countryside, and will prevent its reduction into a decaying park.

I have several questions that the Government must answer. Do they acknowledge the economic, environmental and employment benefits of a thriving forestry industry? Do they accept that the portents for the future are alarming? The area approved for felling increased from 12,000 hectares in 1989 to 19,000 hectares in 1998, but the area planted in the same period fell from 37,000 hectares to 17,000 hectares. What action will the Government take to deal with the problems that I have described? They could remove at a stroke the burden of regulation and the punitive effect of the exorbitant 11.6 per cent. increase in road fuel duties.

Will the Government look again at the efficacy of their grant schemes in encouraging a vibrant forestry industry, and will they consider reintroducing tax reliefs such as existed before 1988? Now that the "polluter pays" principle is so well established, there is a strong case for giving relief to those who, far from polluting the atmosphere, do so much to clean it up. Or will the Government do nothing? Will they take the short-term view that foresters are an insignificant minority; that 35,000 jobs are neither here nor there; that our timber can all be sourced from abroad; that a living vibrant countryside is the rhetoric, not the reality, of Labour in office?

I move that the House does not adjourn until a Minister has come to the Dispatch Box to state unequivocally that wood is good, and what the Government will do positively to encourage this generation to plant trees for the benefit and enjoyment of generations yet unborn.

12 noon

Ms Jenny Jones (Wolverhampton, South-West): In January this year, a constituent of mine, while travelling home to Wolverhampton via Birmingham international airport, was detained by French immigration officials at Charles de Gaulle airport. They apparently did not like the look of his passport and thought that it may have been forged. That turned out not to be true. My constituent is a British citizen and his passport was okay, but it took the best part of 36 hours to convince the French officials and, during that time, my constituent underwent what can only be described as an extremely unpleasant experience.

I have made a formal complaint to the French ambassador here in London and the Foreign and Commonwealth Office about the way in which my constituent was treated. To give the French ambassador his due, he has taken my complaint seriously, and several months ago he asked for an investigation to be carried out by French immigration officials. I am awaiting the outcome of that report and I do not want to pre-empt it, so I shall not go into great detail about what happened to my constituent, but, because of his experience I wish to bring several points to the attention of the House and the Minister so that he can pass them on to the FCO and the Home Office.

First, despite repeated requests, my constituent was denied access to the British embassy in Paris. When I took that up with the Foreign Office I was told that, within the EU, and presumably any other country, immigration officials exercise their own discretion as to how they carry out their job. But it is a serious matter that a British citizen should be denied access to his own embassy. In this case, there was a practical reason for contacting the British embassy. Had it been involved earlier, the mistake could have been cleared up in a couple of hours, rather than the 36 that it took.

Secondly, France and Britain are meant to be partners within the EU. Intelligence and common sense should have reigned on this occasion and the French immigration officials should have contacted British immigration. Not only would the entire mess have been cleared up, but if my constituent had not been who he said he was and had been trying to enter the United Kingdom illegally, British immigration officials would have liked to have known about it. They would have liked the opportunity to interview him to discover how he got hold of his passport and how he was attempting to gain entrance to the United Kingdom.

Those of us who represent multicultural constituencies in Britain and deal with many immigration matters know that most illegal immigration into Britain is a result of organised international crime. Large amounts of money are exchanged. The only way to fight such international crime is by having cross-border co-operation. I am concerned that in this case that simply did not happen. I do not know how many other times such a situation has occurred, but that important message should go back to the FCO and the Home Office.

At the moment, Home Office Ministers are engaged in discussions at the Council of Ministers about improving cross-border co-operation between immigration authorities to deal with illegal immigration. Whatever they manage to agree on, it is crucial that immigration officers are allowed to talk to each other, first to try to combat illegal immigration, but also to try to prevent the extremely

unpleasant experience that my constituent underwent. Even if we are partners in the EU, a British citizen should not be put through what my constituent was put through.

I respectfully ask the Minister to convey my points to the FCO and the Home Office. Whatever the outcome of my complaint about the way in which my constituent was treated, real issues arise here with regard to a British citizen being denied access to his or her embassy when in trouble and needing help. In this case, when the British embassy did intervene, the matter was cleared up. If we are to have co-operation between immigration officers across the EU—I strongly recommend that; it is needed—it should be at a level where it is workable and practical, so that we can get to grips with internationally organised illegal immigration.

12.5 pm

Sir Patrick Cormack (South Staffordshire): The hon. Member for Wolverhampton, South-West (Ms Jones) has demonstrated that it is possible to raise an important case concisely and coherently. I am grateful to her for sitting down when she did, and I am sure that all hon. Members are grateful to her for the example that she has set. Would that others might follow it more often.

One of the sad things about today's debate—I have said in the past that this is a useful exercise and I have replied to these debates for the past two years or more—is that so many hon. Members have not been able to take part, a number of whom have sat throughout the debate. I feel especially deprived that I have not heard my hon. Friend the Member for Southend, West (Mr. Amess). I was desperate to know the latest position of the Palace theatre, and to hear the many other things with which he would doubtless have entertained us. The hon. Lady's case had echoes of one that he raised during the Whitsun Adjournment debate.

I ask the Minister and the Government business managers to consider the matter carefully. Either we should go on until 2 o'clock, as I have commended to the House before, or Madam Speaker should be asked if she would be kind enough to impose a 10-minute limit on all speeches.

The right hon. Member for Manchester, Gorton (Mr. Kaufman) is not in his place, and that is rather unfortunate for such a senior hon. Member. He took half an hour of our time—slightly more—to outline an important case. No one could for a moment dispute the importance of what he spoke of, and he used parliamentary privilege entirely properly to raise those points. It is a pity that he is not here to listen to my response. I hope that he will be here in time to hear the Minister's response. He raised issues of alleged corruption in strong language, taking a great deal of time to do so, thus preventing a number of other hon. Members from raising their constituency cases.

This has been a serious debate. Privilege has been used on one or two occasions. It was used entirely properly by the right hon. Member for Gorton, but it was not used as properly by the hon. Member for The Wrekin (Mr. Bradley). As my neighbour and hon. Friend the Member for Ludlow (Mr. Gill) said, the time-honoured principle of English law is that a man or woman is innocent until proved guilty. We had not a single shred of evidence from the hon. Gentleman. Newspaper reports were quoted and we had innuendo aplenty, but there was no substance in the allegations.

I know my right hon. Friend the Leader of the Opposition well enough to know that any allegation of real substance would be taken most seriously by him, but we have not had that. It is a pity that the privilege of the House should be used to smear—that is what was done this morning—not to bring out facts, as the right hon. Member for Gorton sought to do. He quoted chapter and verse when he did so. I am delighted to see that the right hon. Gentleman is now in his place.

My right hon. Friend the Member for South-West Surrey (Mrs. Bottomley) discussed the closure of Dunsfold and its effects on two exceptionally important aircraft and the skills and viability of a whole community. I hope that Mr. John Weston will listen carefully to her.

The hon. Member for North-West Leicestershire (Mr. Taylor) was right to talk about aircraft noise. We then heard my hon. Friend the Member for Totnes (Mr. Steen) discuss bed-blocking, mobile telephone masts and the Great Western Railway. I offer my hon. Friend advance congratulations on his birthday tomorrow; perhaps it entitled him to make an omnibus speech. National health resources can be put at risk by bed-blocking, and Ministers should take careful account of what my hon. Friend said. I was horrified—we all were—by his graphic account of stewed brains. Those who use mobile phones regularly should perhaps take a break during the recess. I entirely favour the serving of English wine on English trains—some of it is splendid—but I expect French wine on a French train.

The hon. Member for Hull, North (Mr. McNamara) talked of Northern Ireland, raising two disturbing cases—Stobie and Nelson. Everything he said emphasised the reasons for concern throughout the country at the possible breach of the anonymity rule in the Bloody Sunday inquiry. Those who fear that certain people may be identified do not pour scorn on the inquiry, but merely underline the principle, referred to by my hon. Friend the Member for Ludlow, that a man is innocent until proven guilty.

The hon. Member for Brecon and Radnorshire (Mr. Livsey) spoke eloquently of the sheep industry, of which he has deep personal knowledge. Anyone who represents a rural constituency will know that he did not exaggerate. The Minister of Agriculture, Fisheries and Food should heed most carefully what the hon. Gentleman said, and should also heed all that was said about the pig industry by the hon. Member for Selby (Mr. Grogan). Those vital sectors of our agriculture are in dire straits. The hon. Gentleman mentioned Yorkshire day and restaurants, and he may wish to know of a wonderful competition held in the restaurants of the House last week to demonstrate the versatility of pork. If such a competition were spread a little further abroad, we might have a more viable pig industry.

My hon. Friend the Member for Bournemouth, East (Mr. Atkinson) spoke with force and passion, as he often has, about the millennium bug. The country is in his debt for the action that has been taken. Would that there had been more. The risks to which he referred are disturbing, and it is a pity that neither the previous Government nor the present have enacted his Bill.

My hon. Friend the Member for North Thanet (Mr. Gale) discussed a matter of great importance to all Members of Parliament—the Aitken papers. We are in his debt for the assurances that he has gained from the trustee

[Sir Patrick Cormack]

in bankruptcy. He was right to draw our attention to a threat that may face us all. Papers possessed by Members of Parliament that contain confidential information about our constituents and others must never be able to be seized and sold. My hon. Friend appears to have averted a catastrophe in the case of the Aitken papers—Jonathan Aitken, incidentally, was a most diligent constituency Member, and his papers are voluminous—but my hon. Friend's success does not remove the general threat, and we should return to this matter in the autumn.

My hon. Friend the Member for Ludlow has great knowledge of and love for the countryside. He discussed the forestry industry—vital, even if it employs relatively few people—with knowledge and real feeling. The green and pleasant land about which my hon. Friend waxed so eloquent looks delightful and beautiful at present, but it depends on a properly managed forestry industry, and no Government should ever forget it.

The hon. Member for Sunderland, North (Mr. Etherington) spoke interestingly about general practitioners. There are too few in his constituency, and too many of them are over 50. No doubt Ministers will address both issues in due course.

As the hon. Member for North-West Leicestershire has returned to the Chamber, I should tell him that we all welcomed his discussion of aircraft noise, which blights many communities, particularly in rural areas. It is not only big airfields that cause the problem.

As always, the debate has been wide ranging. As the right hon. Member for Gorton is now in his place, I shall repeat that he began with a speech which, although too long, was important. The exceptionally important matters that he raised need to be addressed. We have travelled from the deeply serious to the mildly frivolous. We are all reasonably exhausted and ready for a break that ought to include a holiday. I wish you, Mr. Deputy Speaker, and every other hon. Member a productive and enjoyable recess filled with plenty of constituency work but also a real family break.

12.17 pm

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): I should reinforce the point made by the hon. Member for South Staffordshire (Sir P. Cormack) about the large number of Members who have not been able to speak today. By the time of next year's debate, we will have been able to experiment with means to allow hon. Members a greater chance to raise constituency issues, perhaps in Westminster Hall. Our task is to ensure that constituency issues are raised and pursued while the primacy of the Chamber is maintained. That would be a major step forward.

Like the hon. Gentleman, I should have liked to hear more from the hon. Member for Southend, West (Mr. Amess) about the Palace theatre. I could give chapter and verse on what has happened before, and I do not doubt that we shall hear of it again.

Mr. Paul Tyler (North Cornwall): An unusual number of hon. Members on both sides of the Chamber have been squeezed out of today's debate. Will the Minister convey to his right hon. and hon. Friends constituency concerns and other matters brought to the House by those who were unable to speak?

Mr. Tipping: I shall explore the possibilities. Any hon. Member who feels seriously aggrieved can write to me, and I shall ensure that the correspondence goes to the right place.

My right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) got us off to a good start this morning. We need to look into the relationship between the Arrowcroft Group and United Utilities. It seems clear that Arrowcroft has been ignorant and arrogant, acting out of pride and prejudice but without sense and sensibility. The matter is before a public inquiry, and it would be unwise of me to comment further. My right hon. Friend and my hon. Friend the Member for Denton and Reddish (Mr. Bennett) will continue to pursue the matter rigorously, whether they are new or old Labour.

The right hon. Member for South-West Surrey (Mrs. Bottomley) spoke movingly about the problems at Dunsfold, which affect both her constituents and the Harrier programme. I shall draw her comments to the attention of relevant Ministers. She is right to say that regional development agencies are on trial, and that Dunsfold provides an opportunity to demonstrate what can be done. We want action as well as talk. I reassure her that there will be discussions between British Aerospace and DARA on the way forward. However, Dunsfold is primarily a matter for British Aerospace. I wish the right hon. Lady well in her discussions with the company.

My hon. Friend the Member for North-West Leicestershire (Mr. Taylor) spoke of East Midlands airport, which I know well. I must confess that, many years ago, I was a leading light in the privatisation of the airport; I am pleased about that, because privatisation has brought new investment and new jobs to the area. The key issue at the airport is for the company to talk closely with local people. It should try to trade off investment against the obvious environmental concerns that have been expressed in the area. My hon. Friend made a good point about local decision-making in respect of planning, but noted that, in effect, these were regional and national matters. There is a case for considering a regional and national framework in respect of matters that affect airports such as the East Midlands airport.

The hon. Member for Totnes (Mr. Steen) raised several issues. I shall not pursue all of them. He is right to highlight the fact that a Berlin wall sometimes still exists between health authorities and local authority social services departments. That is a real problem; we need to do better. Measures are in train to try to break down that wall. Patients should be the central concern; people should not be passed around like parcels. Money saving should not be the motivating force.

I understand all too well the hon. Gentleman's comments on mobile phones. Research is being carried out into their effect on people's health, but, looking around the Palace of Westminster, I fear that the research will be too late for some of our colleagues, whose brains are already hardened.

The hon. Member for Brecon and Radnorshire (Mr. Livsey) spoke movingly and strongly of the problems of the sheep industry. In another context,

my hon. Friend the Member for Selby (Mr. Grogan) also referred to farming. It is clear that the agriculture sector faces problems at present—prospects are difficult. However, there are matters that we can pursue. First, we should examine the role of supermarkets. Secondly, we must ensure that farmers work co-operatively, as the hon. Member for Brecon and Radnorshire suggested—for example, through farmers' markets. It is important to promote British meat—British lamb and British beef—as having better quality; we have higher welfare standards. That will take us a long way forward.

I shall draw to the attention of my right hon. Friend the Minister of Agriculture, Fisheries and Food the remarks of the hon. Member for Brecon and Radnorshire on the cull ewe disposal scheme. A wider issue for debate is the role of the rural economy; we need to make it clear that agriculture is not necessarily the essential ingredient for bringing new investment, new jobs and a new future to rural areas.

My hon. Friend the Member for Sunderland, North (Mr. Etherington) raised the problem of lack of GPs in Sunderland. The health authority is beginning to address that problem, and will shortly hold a meeting with 16 practices in order to try to develop and improve services. The number of GPs now in training, and who will go into the NHS, has increased during the past two years. My hon. Friend referred to salaried doctors; that reminded me of the formation of the NHS—the voice of Nye Bevan. I know that my hon. Friend is a strong follower of that tradition.

My hon. Friend the Member for Selby spoke strongly and knowledgeably of the coal industry. Environmental constraints are a major threat to that industry. It is important that our energy policy is balanced and that we reduce emissions, but we must acknowledge that the gains made thus far were made on the back of the coal industry and of coal-field communities. Much more needs to be done to ensure that the cleaner plants, such as Drax and Ratcliffe on Soar, have an opportunity to compete—that is one of the matters that will be dealt with by the pool review.

My hon. Friend the Member for Wolverhampton, South–West (Ms Jones) raised a constituency matter that merits wider consideration. My right hon. Friend the Under-Secretary of State for the Foreign Office, Baroness Symons, is looking into the matter; I already have an undertaking that the wider issues raised by my hon. Friend will be included in that consideration.

My hon. Friend the Member for Hull, North (Mr. McNamara) spoke about education in his constituency. He pointed out that there were improvements, but that there is a need to add value for post-16 school leavers and adult learners. That is a central thrust of Government policy. I am disappointed to learn of the difficulties in Hull. We are committed to do more; we are committed to lifelong learning. I am sure that my hon. Friend's comments will be drawn to the attention of Ministers and to the Further Education Funding Council.

My hon. Friend was the first of this morning's speakers to refer to wider issues. The Patten review of the RUC is an important milestone for Northern Ireland. I shall draw to the attention of my right hon. Friend the Secretary of State for Northern Ireland my hon. Friend's other comments on Northern Ireland.

The hon. Member for Bournemouth, East (Mr. Atkinson) is to be congratulated on raising an issue that he has pursued vigorously for many years. I have no doubt that there will be problems when the millennium comes. There will be glitches and we should not run away from the problems; we must engage with them because time is running short. Although 80 per cent. of Government systems are all right now, there remains much to do. There is still slippage. However, I reassure the hon. Gentleman that my right hon. Friend the Leader of the House is cracking the whip hard. I believe that there will be no serious and severe disruption in the United Kingdom of the kind predicted by the pessimists.

As time passes, we shall need to consider the matter closely and give reassurances. We shall need to highlight the international situation. Work is already under way at the Foreign Office. I anticipate that, in early autumn, the Foreign Office and several other Governments will draw attention to countries about which there is concern. In October, I anticipate that guidance will be given by airlines as to airline and airport safety. Yes, there will be international problems, but it is important that there is no knock-on effect for the UK. I am not advocating an "I'm all right Jack" approach, but we are well placed vis-a-vis other countries.

The hon. Gentleman mentioned the Financial Services Agency and the eight rogue firms. At some point, a naming exercise will have to occur. At present, it would be wrong to do that. However, I expect that progress will be made, but, if that is not the case, disclosure will have to take place for the sake of the consumer.

The House owes a debt to the hon. Member for North Thanet (Mr. Gale) for what he did today. I undertake to look into the wider issues in respect of constituency correspondence.

My hon. Friend the Member for The Wrekin (Mr. Bradley) raised the Michael Ashcroft saga. It seems that damning allegations are being made. I cannot understand why the ethics and integrity committee of the Tory party have not investigated the matter.

The hon. Member for Ludlow (Mr. Gill) told me that wood was good. I agree with him. I shall walk in the woodland during the summer; woodland can lift the environment and lift the landscape. I look forward to being in Yorkshire on 1 August—enjoying the landscape, the woodland and the great gastronomic delights of north Yorkshire.

With that, I wish all hon. Members a good recess, a chance for refreshment with their families as well as a chance to pursue constituency work—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The Minister's comments were splendid, but he was not absolutely exact in his timing. I am sure that his remarks were appreciated.

We now move on to the debate on publicly funded legal services and legal aid in Reading, East.

Legal Services (Reading, East)

12.30 pm

Jane Griffiths (Reading, East): I am grateful for the opportunity to debate the important subject of publicly funded legal services in Reading. The title of the debate might give the impression that a parochial matter is being aired in the House today, but that is not so. I shall raise several important issues relating to the legal aid service in Reading that reflect a worrying national picture.

Parliament is considering a number of Government Bills relating to access to justice that will make important changes to the justice system. Consultations have been taking place and the public and interested bodies have been expressing their views. Therefore, it is all the more essential that existing bodies which provide access to legal services for those who need them, but who do not have the means to fund legal representation from their own income, operate in a manner that disburses public funds correctly, and that those bodies monitor rigorously the disbursement of those funds so that public money is not squandered, either on hopeless cases or on cases in which the full evidence is not in the possession of either of the parties concerned or their legal representatives.

I was pleased to learn from the Reading legal aid office that the targets for speedy processing of claims for legal aid assistance, which are set nationally, are being either met or exceeded by that office. Some months ago, I tabled parliamentary questions in an effort to establish where the Reading legal aid office fits into the national picture in terms of meeting those targets and processing my constituents' claims for legal aid assistance. From the answers provided by Ministers, it is clear that the Reading legal aid office is almost entirely typical of the country as a whole.

The figures show that Reading legal aid office had an average level of debt write-off of £637 in 1997–98, which is the last year for which figures are available. That is slightly less than the national average of £700 in 1997–98. The figures for the same year also show that, at £1.5 million per permanent employee, the cost of the legal aid service in Reading is less than the national average cost per permanent employee of £1.7 million. To attach a health warning to the latter figures, I should point out that the national figures include central support staff, whereas Reading's figures do not.

I am delighted that Reading's legal aid service appears to be performing well, but a darker picture has emerged after a meeting that I had with staff from that office. It is apparent that the need to meet or exceed national targets is putting pressure on staff at local legal aid offices to process claims without necessarily having the opportunity to put due checks and balances in place. The staff have targets for the number of claims that they have to process every day. They are checked constantly, and falling behind in achieving the targets results in a visit from a supervisor and possible disciplinary action.

I have no problem with the existence of targets to measure efficiency of processing—in fact, I believe that it is important to have targets to ensure that work is being carried out as efficiently as possible. However, that efficiency, those targets and the management systems must not apply solely to processing of claims, but should apply also to the accuracy of the claims that are entered.

To illustrate my argument, I shall refer to a constituent, whom I shall call Mr. B. He is in the unusual, but by no means unique, position of being in the throes of a marriage break-up, but still living in the same house as his spouse. Representations have been made seeking legal aid for his spouse, to the effect that she is responsible for various financial outgoings of the household. Because of their joint occupation of the household, Mr. B is in a position to have seen the claim that his spouse has submitted and learn that she has claimed for household expenditure that he actually pays. He can demonstrate that her financial situation is not as it has been represented.

That evidence is not being properly considered by the Reading legal aid office, despite the fact that its authenticity is at least worthy of respect. That is apparently because, were it to be considered, the excellent record of the Reading legal aid office in meeting its targets might be compromised. Mr. B, whose income would not in any circumstances entitle him to legal aid assistance, is left in the unfortunate position of knowing that public funds are being issued to a person who is not entitled to benefit from them, and that he could lose his home as a result.

Another constituent, Mr. L, has been in dispute for 10 years or more with his neighbour over a piece of land adjoining both their properties. Despite the fact that Mr. L's case and others like it are unlikely to achieve a satisfactory settlement through the courts, public funds have been disbursed over the years to the extent that the piece of land in dispute could have been purchased at the market value, donated to my constituent and an equivalent sum paid in compensation to his neighbour with the legal aid funds that have already been disbursed—but, of course, those funds have gone into the pockets of solicitors. As it is, the action continues, with no hope of success and with distress and worry caused to my constituent, whose legal representatives have been happy to receive legal aid certificates for a hopeless case. The legal aid service's remit allows it to refuse assistance for such cases, but in Mr. L's and other cases it has not done so.

Those examples, which are replicated in other cases that constituents have brought to my attention, demonstrate that there is some substance to the concerns of the staff at the Reading legal aid office. I am worried to learn that the Reading office is now taking on work from Manchester, Brighton and elsewhere. I understand that legal aid offices do that, if they have spare capacity. I hope that the systems for dealing with that work will ensure that there is proper scrutiny of the claims. The staff at the office have further concerns: paperwork is thrown away, so there is no record of the development of a case and no paper record should there have to be court action for recovery, making that recovery much harder; and auditing of claims by solicitors firms for legal aid under the delegated scheme again fails to provide proper scrutiny, as a result of the same pressures to pass claims.

Mr. Martin Salter (Reading, West): My hon. Friend is making a good argument and the people of Reading will be grateful to her. As a member of the Public Accounts Committee, does she agree that there is an urgent need for that Committee to examine the roots of the suspicion

that the legal aid budget is being milked by unscrupulous solicitors, and that no proper checks or balances are in place?

Jane Griffiths: I agree that there is cause for concern about the activities of unscrupulous solicitors in several areas. I hope that the sort of rigorous scrutiny that I shall recommend will be carried out.

I do not ask my hon. Friend the Parliamentary Secretary, Lord Chancellor's Department, to comment upon individual cases, as that would not be appropriate. However, I do ask him to reflect upon the fact that the Reading legal aid office is under such pressure to meet its targets for speedy processing of claims that claims are being routinely approved, without sufficient checking or scrutiny. Under the current system, it is easier to approve all claims that pass across an officer's desk than to check the reasonableness of the claims.

The professional staff at the Reading legal aid office would like to check all the claims that pass before them, but they are not given the opportunity to exercise their professionalism. Thus, year after year, huge sums of public money are disbursed—sums that almost match the budget of Reading council for the provision of all services to the people of Reading. Targets are met, but my constituents in Reading, East have less-than-adequate access to justice and solicitors get fat on the proceeds.

Money is walking out of the door of the Reading legal aid office, because management systems are set up to issue money as efficiently as possible and equal attention is not given to ensuring that the money is effectively spent. Solicitors in Reading, East are well aware that legal aid claims are not rigorously monitored. Who can blame them for claiming what they can, or for encouraging their clients to pursue cases that are either hopeless or misrepresented?

Access to justice is a basic human right. I hope that the Minister will take into account the fact that, whatever the situation in the Reading legal aid office may be, according to the Government's figures, it is not untypical of the national picture. Therefore, it may be true that, all over the country, the speedy processing of legal aid claims is taking precedence over good monitoring and scrutiny. I hope that that is not the case.

I should like to take advantage of the privilege that I have been granted in raising this important subject in the House today by asking the Minister whether he will ensure that the legal aid service in Reading, and others elsewhere in the country, will be obliged in future to undertake strict monitoring of financial disbursement and rigorous scrutiny of the evidence presented when legal aid is sought. My constituent Mr. B should be permitted to present evidence that may affect his adversary's entitlement to legal aid under our current system.

I know that our legal aid system will change in the future. I seek an assurance from the Minister that serious and rigorous scrutiny will be put in place so that those who seek help from publicly funded legal services and those who may have adversaries who do so can be confident that all possible evidence is taken into account and that public funds will be used to provide access to justice for those who need it.

12.41 pm

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Keith Vaz): I congratulate my hon. Friend the Member for Reading, East (Jane Griffiths) on her good fortune in securing a debate on this very important subject which, aside from the legislative proceedings, has not been debated in the House since the introduction of the Access to Justice Bill in the other place in December last year.

My hon. Friend has, typically, put her case articulately, cogently and effectively on behalf of her constituents. She is a first-class constituency member. I am also delighted to see my hon. Friend the Member for Reading, West (Mr. Salter) in the Chamber. I believe that my hon. Friends are the best parliamentary team from Reading in more than a generation. Before I deal with the points that my hon. Friend has made, I shall describe briefly the work that the Government are taking forward to improve publicly funded legal services in England and Wales.

The Government's proposals to reform the legal aid scheme and improve the justice system were set out in the White Paper "Modernising Justice" and in the Access to Justice Bill, which will come before the House this afternoon. Our intention is to help ordinary people use the justice system to enforce their rights and solve their problems and to create a system that offers people the best-quality services at a price that the taxpayer can afford.

Our new community legal service, which will be established under the Access to Justice Bill, will approach problems in a radical new way. It will provide access to information, assistance and advice. It will aim to ensure that a range of legal services is available when and where people need it, and that those services meet the actual needs of people. It will work in partnership with other funders and providers of legal services and use local expertise so that we can build up a pattern of legal services that meets local need. It will create opportunities for innovative legal services delivered in new ways and taking advantage of new technology. As my right hon. and learned Friend the Lord Chancellor has said, it is the cornerstone of our legal services strategy.

The greater use of conditional fees to fund litigation will open up the courts to those who cannot afford to litigate. However, some individuals will still need public support to pursue a case. The community legal service will encompass what is currently civil and family legal aid. It will ensure that the right priorities are set for the use of the funds that are available, and that those who provide services provide good quality at a good price. The use of contracts with suppliers will introduce competition to the market and ensure that quality services are provided at a value-for-money price. Contracting will improve our control over the amount of public funds spent on legal services. Funds will be targeted at priority cases, and cases will not go to court if the problem can be resolved in some other way.

A great deal of work is already being done to prepare for the community legal service. Pioneer community legal service partnerships with local authorities have been set up in a number of areas to identify and test best practice in co-ordinating local funding and planning to match the delivery of services with local needs and to build local referral networks.

[Mr. Keith Vaz]

Not every local authority could become a pioneer partner, and Reading was not among those chosen. The nearest partnership area to Reading is Slough, but Reading will be able to benefit from the work that is being done to develop a blueprint for local authorities to follow when establishing their own community legal service frameworks.

Reading falls within the area of the Legal Aid Board's southern legal services committee, which covers Berkshire, Buckinghamshire, Oxfordshire, Hampshire, Dorset and the Isle of Wight—an area with a total population in excess of 4.25 million. In April 1999, the committee published its assessment of the need for legal services and its strategic plan for letting contracts for publicly funded legal services from next year.

The assessment of need was consulted on widely through a series of county-based conferences. As a result of representations made at those conferences, a "Greater Reading" contract zone was created to incorporate residential areas in particular parts of neighbouring authorities since it was felt that those residents would be most likely to seek legal services within Reading.

Greater Reading has been assessed as having a high priority of need for legal services in the matrimonial and family, debt, housing, welfare benefits, employment, consumer, general contract and immigration areas of law. Contracts for the provision of publicly funded legal services in those high-priority areas will be issued to those providers who bid for contracts, provided they meet the board's franchise quality standard.

I understand that the southern legal services committee has put the establishment of the community legal service in Reading high on its agenda and is building on its relationship with local government to prepare to participate in the development of the community legal service. Meetings with the advice sector and other providers in Reading are planned to take place in September to take this work forward.

The new community legal service, together with the criminal defence service which will replace criminal legal aid, will be set up and administered by a new non-departmental public body, the Legal Services Commission. The commission will replace the Legal Aid Board, to which Parliament delegated the day-to-day administration of the legal aid scheme. This delegation is essential to ensure that decisions on the granting of legal aid in individual cases can be seen to be free from political and governmental influence.

My hon. Friend referred to several cases upon which she said, correctly, that I was unable to comment. That is the philosophy behind establishing a body that is separate from Government. However, I know that the area manager of the Reading legal aid area office will be pleased to meet my hon. Friend to discuss any particular concerns that she may have. However, as I am sure that my hon. Friend understands, the Legal Aid Board may not disclose specific information about a legally aided person or his or her opponent without that person's consent.

Mr. Salter: At the risk of embarrassing my hon. Friend, may I ask whether he is aware that the manager of the Reading legal aid service is not well known for responding to correspondence from Members of Parliament?

Mr. Vaz: I am sure that my hon. Friend would never want to embarrass me in any way. If the manager of the local area office is not well known, I will ensure that my hon. Friends receive a letter from him on their desks in the House of Commons tomorrow morning—although I do not know whether I can ask him to include a colour photograph.

Disclosure is prevented by section 38 of the Legal Aid Act 1988, which is designed to preserve confidentiality and ensure that information is not disclosed if it might prejudice legal proceedings. That provision often prevents the board from disclosing the factual basis for its decisions in individual cases, and that is quite right.

My hon. Friend may wish to advise any constituent who has a complaint about the way in which the Reading legal aid area office has handled a particular case that all the board's area offices have a customer services manager who is responsible for the management of the complaints process. A customer services team in the board's head office is responsible for providing an independent review of any complaints already handled by an area office.

All representations and complaints received by the board are investigated fully in accordance with central guidance. However, it should be remembered that the confidentiality provision may mean that the board is unable to explain the reasons for its decision in a particular case. This is particularly relevant when a person has made representations to the board that an opponent's legal aid certificate should be withdrawn or revoked.

In such cases, feelings can run high and it is often difficult for the person making the representations to accept the board's decision without being provided with the reasons for it. However, it should be remembered that, in many cases, the board will have access to further, confidential information, which has a bearing on its decision. For example, the board may have information about a legally aided person's financial circumstances, his or her solicitor's opinion on the strength of the case, evidence and pleadings and, sometimes, counsel's opinion. As I am sure my hon. Friend will agree, the disclosure of such information to a third party could unfairly affect the way in which the case progresses.

In April 1997, the board established a special investigations unit to address identified deficiencies in the assessment of the means of legal aid applicants with complex financial affairs. In 82 per cent. of the investigations carried out in 1998-99, applicants were found to be financially ineligible for legal aid, or they did not co-operate with the board in the assessment of their means, leading to the failure of their application or the discharge or revocation of their legal aid certificate. My hon. Friend asked for an assurance, and I can assure her that those matters are taken very seriously, and there is the most rigorous scrutiny of those cases.

Later this year, the Legal Aid Board will begin a pilot scheme to obtain independent opinions on the merits of cases funded through legal aid. Cases that appear to be weaker than was originally stated will be referred to a member of a specialist panel of barristers. The board may refer cases not only on its own initiative, but after representations made by assisted persons' opponents and by the courts. The independent specialist will act in an inquisitorial role, and will not only reassess the merits on the basis of the case put forward by the legally aided person, but reconsider the merits as a whole.

The new funding code, which will replace the civil legal aid merits test under the reformed scheme, will ensure that public money is targeted on the highest priority and most deserving cases by requiring a set of rigorous criteria to be taken into account in the assessment of applications for funding. That code will be flexible, in that different criteria may be applied to different types of case, according to priorities and the availability of resources. High priorities will include social welfare cases, those involving the interests of children and those with a wider public interest.

Subject to those priorities, there will be an assumption that public funding will be available only if a prudent individual, who could afford to do so, would be prepared to risk his or her own money in litigation. Underpinning that approach will be the application of stringent cost-benefit ratios that reflect the prospects of a successful outcome. Cases that are judged to have a 60 to 80 per cent. chance of success would generally have to secure damages of at least three times the likely costs. Cases with a less than even chance of success would be very unlikely to receive funding, unless they were of the highest priority.

Decisions on funding will also take into account the availability of alternative sources of funding, including conditional fee agreements, and alternative means of resolving the dispute.

The Reading legal aid area office, like all the board's area offices, operates under the Legal Aid Act 1988 and the regulations made under it. The board is taking forward a programme of improvements to the guidance that it issues to caseworkers to promote justifiable and, where cases are similar, consistent decision making. For example, in 1998–99 the board introduced further guidance on when and how to investigate representations against the grant or continuation of legal aid and introduced better controls to ensure the management of the process.

A computerised system has been introduced for monitoring progress and analysing the outcomes of representations received, and a new leaflet explaining to the public how representations are dealt with has been produced.

A quality index is being developed as a way of measuring the quality of operational performance at local and national level to give a balanced measure of performance in terms of efficiency, speed and the quality of service that the board provides.

The Reading office exceeds the board's operational performance targets in all areas except speed of replying to general correspondence, where performance, at 95 per cent., is slightly below the target of dealing with all correspondence within 20 working days of receipt in 100 per cent. of cases. A number of the board's area offices are currently performing slightly below target in that area. The board is concentrating on improving its performance in its handling of correspondence. Furthermore, the board has set new, more challenging targets in many areas of its work for 1999–2000.

Having heard from my hon. Friend, I have decided to visit the Reading legal aid area office during the summer recess to meet the staff and see the work that they are doing. That visit is in addition to ensuring that letters are sent by the legal aid manager, with or without his or her photograph. I should like to extend an invitation to my hon. Friends the Members for Reading, East and for Reading, West and other hon. Members whose constituencies fall within the Reading legal aid area to join me on that visit.

The Legal Aid Board is committed progressively to improving the quality and efficiency of its services and to ensuring that its decisions and actions are justifiable to all those affected by them. The board is playing a major role in implementing the Government's reforms to publicly funded legal services and managing its transition to the legal services commission.

The pace of change that the board's staff are facing is, as my hon. Friend has said, challenging, and I am grateful to them for the commitment that they continue to demonstrate to maintaining performance standards and implementing the changes. I have every confidence that the board will continue to work hard to make the reforms a success. I look forward to seeing my hon. Friends the Members for Reading, East and for Reading, West when I visit Reading to meet the staff at the area office.

Post Office Counters Ltd.

12.56 pm

Dr. Vincent Cable (Twickenham): I am grateful for this opportunity to initiate an Adjournment debate. The debate's grand title on the Order Paper, "Competition policy and Post Office Counters", stems from one case, but it is a case that has stirred up a great deal of emotion in my constituency. Approximately 4,000 people signed a petition in a very short time, and many local businesses were outraged by the behaviour of Post Office Counters Ltd.

The case raises wider issues of policy, which I want to put to the Minister. In particular, it arouses concern among many of the 17,000 or so postmasters and postmistresses who run the small businesses that operate the Post Office network. In most cases, their relationship with the network is perfectly good and, with enlightened management, the Post Office network can be very creative. However, in many cases, of which my constituency case is one, the postmaster or postmistress is in a commercially vulnerable position, and is wholly dependent on the monopoly operation of Post Office Counters Ltd. In this case, Post Office Counters Ltd. has been highly authoritarian and there have been unacceptable forms of management. I want to focus on that relationship and make some suggestions.

I shall make three proposals before I turn to Dr. Oraki's case, which highlights the issues. The first relates to the nature of dismissals. Post Office Counters Ltd. can dismiss those who have a contractual relationship with it. That may happen for a variety of reasons, including impropriety or the failure to maintain proper standards of service.

What is strange is that those who have a contractual relationship with the Post Office—the sub-postmasters and postmistresses—do not have a right of appeal in the normal sense. Many of them have tried, as my constituent has, to go through an appeal process using an industrial tribunal, but that has not been accepted as valid in law. There is no proper appeal system in cases where management exercise their powers capriciously and improperly. My recommendation, to which I shall return later in my remarks, is that the Minister should approach Post Office Counters Ltd. to set up a more equitable and balanced relationship.

My second proposal relates to the security of investments of this large number of small business people. Many of them are going into business for the first time and all their life savings are put at risk. Those savings can effectively be cancelled out at the stroke of a pen as the result of a decision by a Post Office network manager to relocate a post office. That is not normal commercial risk; it is highly unacceptable and it is subject to the abuses that any monopoly situation will create. Will the Minister investigate how he can steer Post Office Counters Ltd. into fairer relationships?

The third point relates to the consumer watchdog, the Post Office Users National Council. In this regard, I sought for the first time as a Member of Parliament to make use of that organisation's services. To put it brutally, I found it completely and utterly useless, totally unresponsive to consumer feeling in my area and, as far as I could see, largely a mouthpiece for the Post Office management. That is a very unsatisfactory relationship for an organisation that is publicly funded, and it should be questioned. I should like the Minister to consider policy in those three basic areas. I shall briefly go over the case that brought all that to light and led me to the conclusions that I have pursued.

Like many people, Dr. Oraki wanted to enter business through owning a post office. Five years ago, she bought a post office in Whitton in my constituency, for which she paid roughly £100,000 plus a franchise fee to the Post Office. Since then, she has run a fairly successful commercial operation. She had some teething difficulties in the first year and there were a few complaints, but as far as I can establish, there were only roughly 15 complaints over the entire period. Since the Post Office does not publish complaints by individual post office, it is difficult to judge the seriousness of that number of complaints, but, as far as I can gather, it is extremely low among post offices of comparable size.

Last year, however, one incident produced a major crisis in the otherwise relatively uncontroversial local post office. A customer entered the post office and asked to send a parcel to Chile. Dr. Oraki's employee at the counter did not know where Chile was. The customer was outraged and wrote a very strong letter of complaint to Post Office Counters Ltd. Acting on that complaint, the Post Office management descended on the local post office, which led to a set of circumstances in which the contract was terminated and Dr. Oraki lost her post office.

Dr. Oraki believed that the circumstances of the termination were bizarre and totally unreasonable, and contested her dismissal at an industrial tribunal. Because she was doing so, she did not take advantage of the Post Office's suggestion that she put the post office on the market. In time, the industrial tribunal reached a negative result, but in a very bizarre twist, which caused me and many others to question what was going on in the Post Office, she was offered a job with more responsibility in a bigger post office. That raised great doubts about why on earth her contract had been terminated in the first place.

In addition, the Post Office proceeded to issue a contract to another post office further down the road. That was the point at which I and others members of the community became aware of it, because under the statutory public consultation process, we were duly notified. I was told without any explanation of the context that a new, bigger, better-equipped office was due to open in the area. That turned out to be largely a fabrication, but was none the less the context in which I was first drawn into the case.

I will not bore the Minister with any more details because he clearly cannot intervene directly—the law is clear. Post Office Counters Ltd. has commercial independence in this respect and it would be improper to push the Minister directly to interfere beyond where his powers lie. I shall, however, summarise the case.

A small entrepreneur invested her life savings in a post office, which at the latest estimate is worth £150,000, and subsequently lost almost all of it because the building had very little resale value without the post office in it. She lost a major investment as a result of what appears to be a capricious decision by Post Office Counters management. The Post Office gained another post office down the road, another franchise fee and the opportunity to deal with another employee under a more favourable

contract. Frankly, if that happened in business, we would call it sharp practice. As it concerns a public utility, it raises questions about public policy. I shall proceed from the personal case to describe the public policy issues stemming from it, which I ask the Minister to consider in detail.

The first such issue relates to the circumstances in which a sub-postmistress or sub-postmaster can be dismissed or have their office terminated. The background is a unique, complex and difficult legal structure. The 17,000 or 18,000 people who work as sub-postmasters and sub-postmistresses provide employment for services; they are officeholders with emoluments. They fall into a distinct semi-employment, semi-contractual legal category—a hybrid.

When such a hybrid relationship works well, it apparently works very well. The federation that represents postmasters and postmistresses is not suggesting for a moment that the fundamental basis for the relationship should change. When it works well, it gives sub-postmasters commercial freedom and some of the elements of employment, but when it works badly, with unenlightened or authoritarian management, it works extremely badly. A postmaster can be pitched out of his post office with no legal protection and no independent source of appeal.

I ask the Minister to approach Post Office Counters Ltd. in order to require it to introduce a genuinely balanced relationship with its sub-postmasters and sub-postmistresses, establishing for them a quasi-judicial appeal process of the kind that they would enjoy if they were employees. That would rectify the many cases of often severe injustice.

The second matter—it is related—on which I ask the Minister to intervene is the question of loss of investment. As has happened in this case, a small business person may put her life savings at risk and lose it all. Even if there had been no controversy and Dr. Oraki had simply decided to retire and the Post Office had decided to move the service up the road, she would have lost all her investment. It is wrong that a monopoly—the Post Office network is of course one such monopoly—should have the power to negate an entrepreneur's investment. That is even more pertinent given that anybody who wishes to acquire a post office must pay the Post Office a substantial franchise fee. Will the Minister intervene in order that a system in which some security of tenure is provided, so that small businesses are not put at such risk, which is not normal commercial risk but depends on the good practice of a monopoly utility?

The third policy point relates to the functioning of post office consumer groups, which are statutorily provided. I approached the POUNC to help to support this case. It was certainly very courteous and approachable, but it became very clear that it was acting on advice from management. It appeared unable to respond to local feeling—it seemed to regard the very large petition as wholly irrelevant—and simply responded to me by quoting back information from the Post Office that was simply wrong.

I am afraid that that episode led me to lose confidence completely in the impartiality of the supposed consumer watchdog. I hope that, in the Minister's negotiations and discussions with the Post Office, which are of course taking place in a wider context, such deficiencies will be understood.

I fully support the principle that the Government have sought to develop. I am entirely with the Minister on the broader policy of the Post Office having greater commercial freedom. But, if it is given such freedom, the monopoly that it enjoys through its network must not be deployed to the disadvantage of the very many small businesses that make up that network. I also believe—as the Government obviously do—in the importance of maintaining, for social as well as economic reasons, the Post Office Counters network system. It is a very valuable institution. However, in the final analysis it is a people business, and the people are the sub-postmasters and sub-postmistresses. They must be employed on a fair and equitable basis; otherwise, that business loses much of its value to the community.

In that spirit, I ask the Minister to probe the matter further. I realise that there are limits to his statutory powers of intervention in a specific case, but I ask him to pursue the matter as far as possible, to rectify both a particular injustice and some fundamental systemic weakness in the way that the Post Office network system is managed.

1.10 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Dr. Kim Howells): I congratulate the hon. Member for Twickenham (Dr. Cable) on securing the opportunity to debate a range of issues relating to post offices and to the Post Office Counters business of the Post Office today. The points that he raised largely arise from the circumstances of a constituent, who formerly operated a sub-post office. The hon. Gentleman eloquently described the dilemma in which that person found herself. As he knows, many hon. Members have experienced similar problems with post offices in their constituency, so I am glad that the matter has been raised.

The hon. Gentleman knows that I am unable to discuss the specifics of the case. It centres in part on a particular set of circumstances in respect of which legal action is still in prospect. In wider terms, however, the issues that he has raised relate to aspects of the contractual terms and arrangements that apply between Post Office Counters Ltd. and about 18,000 individual sub-postmasters and sub-postmistresses throughout the country. Indeed, I understand that the Post Office is the biggest single retail chain that exists anywhere: it is an enormously important retail chain, and matters affecting it deserve our concern.

In responding to the range of issues and arguments that have been raised today about those terms and arrangements, it is important to understand the broader context in which they are set.

Since the Post Office was established as a public corporation in 1969, it has been the policy of successive Governments that decisions relating to the day-to-day running of the postal businesses, such as the contractual terms and the arrangements between sub-postmasters and Post Office Counters Ltd., are the operational responsibility of the Post Office Board and management. The Government's role in Post Office matters is confined to broad issues of general policy and to overall financial control. With a network of some 18,000 sub-post offices, it would be inappropriate and impractical for Government or Ministers to become involved in decisions or disputes relating to individual offices.

[Dr. Kim Howells]

However, I have noted the concerns of the hon. Member for Twickenham about the consultation procedures that operate in respect of proposed closure or relocation of individual post offices. A great many of us in this place have experience of such closure or relocation, as the Crown post offices were closed over a period and new offices were opened. The current arrangements operate in accordance with a code of practice that is agreed between Post Office Counters Ltd. and the Post Office Users National Council, the statutory body representing consumers' interests in postal services. I noted what the hon. Gentleman said about the POUNC. He will be pleased to hear—I say this in guarded terms at the moment—that I am carefully considering the effectiveness, strengths and weaknesses of the POUNC. The matter needs to be looked at—and, believe me, it is being looked at.

The consultation process is designed to inform—and to seek comments from—local residents and users of a proposed change in the status or location of a particular post office. During a one-month consultation period, views and comments are sought from the local Member of Parliament, the local authority, the local post office advisory committee and customers. In general, the consultation process works pretty well, though I am aware that the hon. Member for Twickenham feels that, in the case that is of concern to him, the consultation process should have specified the reason for the proposed relocation. As a Minister who is very much in favour of transparency, I believe that that issue should be very carefully examined.

It is fair to say, however, that in many cases there are sensitivities about the reason for the decision, and a delicate judgment may need to be made about disclosure and its potential impact on the reputation or standing of an outgoing sub-postmaster. Therefore—understandably—Post Office Counters Ltd. tends to err on the side of caution in such matters.

All sub-postmasters and franchisees are appointed under contract for the provision of services as agents. They are not employees of the Post Office or of Post Office Counters Ltd. and, as agents, their contractual terms and conditions differ significantly from those of an employee.

A sub-postmaster's contract is a commercial arrangement between the individual sub-postmaster and Post Office Counters Ltd. As a standard condition of the contract, both parties can give three months' notice of termination and neither party is required to give reasons for doing so. Similarly, there is no right of appeal on either side against a three-month notice to terminate the contract. I know that the absence of appeal processes in such circumstances is a matter of concern to the hon. Member for Twickenham and other hon. Members. Although I appreciate the background to that concern, such a right of appeal would tend to distort the commercial even-handedness of the contract unless sub-postmasters were also to be subject to appeals against their decision to resign. Contracts are terminated far more frequently by sub-postmasters than they are by Post Office Counters Ltd. Against that background, I understand that the National Federation of Sub-Postmasters fully supports the principle underpinning the present arrangements under which Post Office Counters Ltd. does, in appropriate circumstances, offer an interview with regional managers at the most senior levels.

On occasions, there will be disputes about the background to, and the circumstances of, a decision by Post Office Counters Ltd. to terminate a contract. That is probably inevitable, given the size of the network of sub-post offices and the number of sub-postmasters and sub-postmistresses. For the most part, however, the present arrangements appear to operate satisfactorily from the perspective of sub-postmasters and Post Office Counters Ltd.

What is indisputable is that the nationwide network of post offices which these arrangements underpin has served the United Kingdom well over the years. The post offices have enabled the Post Office to maintain the most extensive retail network in Europe. The Government fully recognise the importance of the post office network and both we and Post Office Counters Ltd. are committed to the maintenance of a nationwide network of post offices. We are also fully aware of the importance of post offices to their local communities, particularly, but not exclusively, in rural areas. More than 98 per cent. of the network, including all sub-post offices, is privately owned and operated, representing a valuable partnership between the public and private sectors.

It is obviously important that the contractual arrangements that govern the partnerships between Post Office Counters Ltd. and individual sub-postmasters are commercially and administratively viable. If they are not, the network will not survive. Although the network has been slowly shrinking for many years, the recent post office closures reflect the difficulties in finding suitable applicants to take on offices which, even in conjunction with an associated retail business, are not judged to be commercially viable by prospective purchasers. As far as either the Government or Post Office Counters Ltd. are aware, it is wider socio-economic and demographic factors, rather than the contractual arrangements at present applicable to sub-postmasters, that have largely been responsible for this trend.

Decisions relating to the operational arrangements for the postal business, including the contractual terms and arrangements relating to sub-postmasters, are and must remain the responsibility of the Post Office board and management. I am sure—I hope very much that this will be the position—that the chairman and chief executive will take note and reflect on the issues and concerns that the hon. Gentleman has raised so eloquently.

We have a little time to explore some of the specific issues to which the hon. Gentleman drew attention. As I said earlier, I am particularly concerned about the effectiveness of the Post Office Users National Council. The hon. Gentleman has done us all a valuable service by giving us a detailed account of the reaction that he had from the POUNC. The present Government, the previous Government and earlier Governments have put considerable sums into the POUNC. One wonders what benchmarks were used to test whether the funding was being used effectively. It is very much up to government now to understand whether precious taxpayers' money is being used properly. Against the background of the hon. Gentleman's experience, he identified some clear limits to what the POUNC is capable of doing.

I give him an undertaking that we shall carefully examine the POUNC, including its structure and the way in which it works. We shall examine whether it is open enough in its relationship with the public and whether it reacts quickly enough and with any degree of effectiveness to the problems that are brought before it.

The hon. Gentleman talked about whether the POUNC is too close to Post Office management. That is an important issue. The POUNC must be seen to be the consumers' champion.

The hon. Gentleman talked about Post Office Counters Ltd. being able to guarantee some job or contractual security to franchisees, to sub-postmasters and sub-postmistresses. I tried to indicate when I responded to the hon. Gentleman earlier that security is something that must be thrashed out between the various representative organisations and the Post Office itself. We are about to witness a sea change in the way in which the management of the Post Office works and the way in which it operates in a new commercial context. It is a good time to re-examine these issues and it is important that the Post Office does so.

I cannot give the hon. Gentleman any guarantee about security of tenure. There are few commercial organisations, and certainly retail outlets, that can offer such security, no matter which sector they are operating in. It is a difficult area. The hon. Gentleman told the House that currently there is not an appeal system. I feel that that is something that must be negotiated between the franchisees and the Post Office, and Post Office Counters Ltd. itself. It is to be hoped that sub-postmasters and sub-postmistresses will be employed, as the hon. Gentleman said, on an equitable basis. There is every reason why they should be. They are a valuable asset to any community of which they are part.

I hope very much that management will listen to the hon. Gentleman and that we shall see some results as a consequence of this short debate.

Kashmir

1.25 pm

Lorna Fitzsimons (Rochdale): It is a great honour to initiate this Adjournment debate. I understand that this is the first time that the House has discussed Kashmir since 1996. Given recent events in Kargil, it is important that British Members of Parliament have a chance to put on record our opinions and views and the work that we and the Government have been doing in relation to Kashmir and the people of Jammu and Kashmir.

I shall set out the movement that I am asking for from the Government in using the direct representation that Ministers have in their power and garnering support from the rest of the international community on several issues relating to human rights, democracy and demilitarisation in Jammu and Kashmir.

Many people will have views about my motivations as the hon. Member for Rochdale. Is the purpose of the debate pure electoral expediency because there is a large Kashmiri community within my constituency? Am I too pro-Pakistani? Might I be nice to the Indian Government? The House has to thank two people for my taking up the cause of the Kashmiri people. These are real, ordinary people in my constituency, who are British citizens. They do not represent an organisation. Their stories motivated me to take up the issue. I refer to Haji Ahmed and Amna Meir. They are two of my dearest friends.

Haji is the closest that I have ever come to someone who is genuinely a pacifist. He was imprisoned in India-controlled Kashmir for three years. He is with us now through the interventions of Neil Kinnock and Cyril Smith. To my knowledge, Haji has never done anything, not even swatting a fly, that could ever be construed as violence. The way that he stoically but passionately carries the belief still that the Kashmiris are the wronged people in everything that has happened throughout history in the territory led me to initiate the debate.

It is an historical truism that the Kashmiris are the wronged people. It was not their fault that 50 years ago their maharajah decided that, because of incursions from one side of the territory and because the state of Pakistan wanted to hurry him up in making a decision because he was doing a lot of fence-sitting, he would sign an accession agreement with India without consulting the people. The subsequent United Nations resolution recognised that and demanded that there should be a plebiscite to put the question to the people of Jammu and Kashmir and the princely state.

I have always been told by those much more eminent than me that we do not know where we are going in future if we do not know our history. In the research that I undertook in preparing for the debate I had quite a big history lesson. I want to say thank you to many people because I have actively tried to be even-handed and I have been briefed by the Indian high commissioner, the Pakistani high commissioner, representatives in the United Kingdom of Sultan Mahmud Chaudhary and many of my constituents. I have genuinely sought to be balanced.

I was surprised, when talking to the Indian high commissioner, about India's non-acceptance of the 1949 UN resolution. Basically, the high commissioner said that India played the politics of the day wrong. It did

[Lorna Fitzsimons]

not realise that, because Pakistan was starting to be pro-western, the cookie could crumble on its side. India thinks that the agreement that it signed with Pakistan in 1972 negates any responsibility in terms of the original UN resolution. It says that despite all the problems in all the other ex-princely states that now make up India, no plebiscite or vote was offered to them. The decision was made by the maharajah of the time. India says that it could not retrospectively, no matter what the UN resolution stated, refer the question to the people of Jammu and Kashmir now.

I pay tribute to one of our international guests who, I am pleased to say, is watching the debate—the former chief justice of Azad Kashmir, Majid Malik, whose wisdom and even-handed approach to history and whose advice to me I have found extremely beneficial.

Mr. Piara S. Khabra (Ealing, Southall): Will my hon. Friend give way?

Lorna Fitzsimons: No. I shall make a little progress before giving way.

I am led to believe that there are two historical anomalies in the current Indian position. The first relates to Juna Garh. I hope that the House will forgive my pronunciation—I am a northern lass. Juna Garh was a princely state whose ruler was a Muslim, although the majority of the population was non-Muslim. India opposed the decision that was made and Pakistan brought the matter to the attention of the United Nations Security Council. A plebiscite was held and the decision went with the will of the people, rather than the will of the maharajah.

A second example is Hyderabad, a large state in the middle of India. The ruler decided to declare independence rather than accede to India or Pakistan. According to some commentators, India forcibly occupied the state. A plebiscite was held and the will of the people, who were predominantly non-Muslim, favoured accession to India.

In those two examples, because of the discrepancy between the will of the maharajah and the democratic will of the majority of the people, a plebiscite was held. That flies in the face of what Indian representatives would have us believe about the problems of implementing the UN resolution.

I emphasise that I want to be seen to be even-handed, but deeds speak loudest about what is happening in India. I do not like to be told that my job is to represent my people in Rochdale, not to poke my nose into international issues. I have been requested to speak out by Haji and Amna. Their families still live in Azad Kashmir, and I represent people who still have families in Indian-controlled Kashmir. If the families of British citizens are affected by what is happening 50 years on, I have a responsibility as an elected representative in the United Kingdom Parliament to draw attention to the matter.

One of the things that brings us together, and brought the world together in the second world war, is that when human rights are denied in some part of the world, we as civilised western society have the responsibility to do everything in our power to bring about a cessation of violence, demilitarisation and the restoration of human rights.

Mr. Barry Gardiner (Brent, North): I am grateful to my hon. Friend for allowing me to intervene in this important debate. Does she agree that the line of control must be respected if there is ever to be peace between India and Pakistan, and that India has shown remarkable and commendable restraint in its response to the incursion by Pakistani armed forces across the line of control in their attempt to undermine India's territorial sovereignty?

Lorna Fitzsimons: I understand my hon. Friend's position, but I do not agree with him. Aircraft were used, not in time of war. I do not call that restraint. The presence of a military person to every six civilians is not what I call even-handed.

That does not mean that I do not have views about terror organisations that do not have at heart the interests of Kashmiri people. I abhor their perpetration of acts of terror, supposedly in the name of self-determination, as I abhor violence on the part of any country or military organisation. If we criticise terror organisations, as India and Amnesty International would have us do, we should also scrutinise India's human rights record. I watch with interest.

Mr. Khabra: Will my hon. Friend give way?

Lorna Fitzsimons: No.

We must ask those on the Front Bench to scrutinise the new state human rights commission established by India in 1997. When I met the Indian high commissioner, it was acknowledged that, because India had such a strong and independent judicial system, it was thought that that would deal with any human rights petitions, disappearances and so on. Primarily because of lobbying by the Kashmiri population throughout the world, and the pressures brought to bear by the British Government and others and by Amnesty International, the human rights commission was set up.

At first the commission was not trusted, and there was no flood of people coming forward with cases to be investigated. Now the head of the commission reports that it cannot cope with the number of cases of people reported missing, in enforced detention and so on.

Ms Margaret Moran (Luton, South): I thank my hon. Friend for giving way. Does she agree that it would enhance the confidence of the Kashmiri people in the organisations available to redress human rights injustices if the Indian Government would also recognise that scrutiny from independent human rights organisations would be helpful in matters of greatest dispute? As in my hon. Friend's constituency, people in my constituency have families who are directly affected. They can tell me of human rights violations that go on daily. Their confidence in the existing human rights organisations established by the Indian Government will not be enhanced without independent scrutiny.

Lorna Fitzsimons: I strongly agree with my hon. Friend. If it is true, as the Indian Government tell us, that the majority of human rights abuses are perpetrated by

terror organisations, why do they not allow independent scrutineers? We welcome the fact that recently they have allowed the International Federation of Red Cross and Red Crescent Societies and Save the Children some access, and one or two journalists have been allowed in. However, truly independent scrutiny would, for example, allow a delegation of interested UK Members of Parliament to obtain visas to visit the disputed areas to see the situation for themselves, and would grant Amnesty International access.

Mr. Khabra: Will my hon. Friend give way, please?

Lorna Fitzsimons: No. I want to make progress.

I understand the Indian Government's concerns about Amnesty International, which previously commented only on state-sponsored abuses of human rights. Now, as can be seen from Amnesty's latest report that was made available on the internet in February, it also comments—and investigates as far as it can without being allowed access—on abuses of human rights by terror organisations, the occurrence of which we must all acknowledge.

The Kashmiri people whom I represent hate the cause of Kashmiri liberation being hijacked by other organisations. Taking up the gun and using the bullet does no one any favours. The Kashmiri people have no chance of democratic choice and self-determination unless they have human rights.

I am not speaking of access to health care and education. Forget that. I am speaking about the fact that women and children are paying the price. People mysteriously disappear or are held in detention. There is ample evidence from Amnesty and the Indian Government in reports to Congress by successive Ministers that people are detained under defunct anti-terrorism legislation. All over the world, the people who pay the price are the most vulnerable in society. If the main breadwinner disappears, who will support the women and children, if there is no active welfare state?

As people who believe in human rights and as internationalists, we have to join together to say that India should allow the international community into Indian-controlled Jammu and Kashmir if it believes that people are being made destitute because of the actions of terror organisations. Independent evidence could therefore be gathered and people could make a judgment. When Back Benchers or delegations meet the Indian Government, they make the point that Pakistan is involved in funding and promoting terror incursions across the border. There is clearly enough room for believing that the Government of Pakistan are in some way involved in those incursions; indeed, it would be very difficult to say that they are not involved. However, proof is required. India uses the alleged incursions and the funding or promotion of such activities by freelance terror organisations—

Mr. Stephen Pound (Ealing, North) *rose*—

Mr. Tony Baldry (Banbury) *rose*—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Interventions from the Opposition Front Bench are not allowed in Adjournment debates.

Lorna Fitzsimons: I give way to my hon. Friend the Member for Ealing, North (Mr. Pound).

Mr. Pound: I thank my hon. Friend for giving way. Like every Member of the House, I respect her reputation for representing the best interests of her constituents and the even-handed way in which she has approached this matter, but she used the expression "alleged incursions". Does she not agree that there was a military incursion? Will she condemn it, regardless of who financed or initiated it?

Lorna Fitzsimons: I condemn any overt military activity taken against a peace-loving people, wherever it comes from. That goes for India's overt military action and the unwelcome terror activities undertaken by some of the organisations that allegedly support the Kashmiri cause. I represent wholly non-violent people who want to use the ballot box to achieve self-determination.

Mr. Khabra: Will my hon. Friend give way?

Lorna Fitzsimons: No.

People should be allowed to achieve self-determination through the ballot box and that can be achieved only when their human rights are established. For example, the United Nations does not want free and fair elections to be held in East Timor until stability has been achieved and until it has been proven that there will be no intimidation from any force. The same must happen in Kashmir. We cannot expect people to participate in a democracy when they are being subjected to bullying, which is the weakest phrase that I can use, or to terrorism, which is the stronger expression used in the Amnesty International report, in order to deny them their free will. Such action must be condemned, wherever it comes from.

Mr. Mohammad Sarwar (Glasgow, Govan): I thank my hon. Friend for giving way. Does she agree that, to end the tensions between India and Pakistan and to bring peace and stability to the region, it is absolutely essential that the dispute over Kashmir is resolved according to the UN resolution and the wishes of the Kashmiri people? Does she further agree that the representatives of the Kashmiri people should be involved in any future talks or negotiations?

Lorna Fitzsimons: Yes. The bottom line is that the Kashmiri people have been wronged. It cannot be argued that other princely states did not play a role in deciding their own destinies when disputes arose and, as was recognised as far back as 1949, the people of Jammu and Kashmir must be allowed to play such a role.

We must recognise that some of our compatriots, who want an independent state to be established, think that the UN resolution has shortcomings. It is not up to me to determine whether independence or accession to India or to Pakistan is the issue, but we have to be honest with the Kashmiri people we represent and say to them that that is not part of the UN resolution. I believe, however, that any vote that allowed the Kashmiri people to express a view, whether on accession to India or on accession to Pakistan, would be a step forward. Hon. Members will be able to understand these concerns, especially as there have been several rounds of bilateral talks between India and Pakistan over 50 years. The Kashmiri people themselves are at the bottom of the list, however, and the dispute is treated as territorial rather than as something that affects real people.

[Lorna Fitzsimons]

We must acknowledge in the debate that real people are paying the price for the dispute and scaling down the military presence must be the priority. If Pakistan is perpetrating or encouraging incursions and acts of terror as has been alleged, it must desist because the Indian Government are using those incursions as a fig leaf. By the same token, the Indian Government have to accept that having such an overt military presence has not worked; they have not calmed or charmed the Kashmiri people and implementation of the UN resolution is the only measure that would allow the Kashmiri people some peace of mind.

There has been a breakdown in trust because of the recent Kargil incidents, so we have to welcome the moves made by Nawaz Sharif, who visited the United States to hold talks with Bill Clinton, to try to calm the situation. We have to ask India to say that it is in nobody's interest to continue the stand-off: it has reclaimed Kargil and Nawaz Sharif has used his power and influence to make sure that the forces in Kargil retreated. We must ensure that the Lahore agreement, and every agreement that has been made since the original UN resolution was passed, is implemented.

It is right to pay tribute to the late Derek Fatchett and I welcome his successor, my hon. Friend the Member for Leeds, Central (Mr. Benn), to the debate. I know that, like Derek, he will take a lot of interest in Kashmir. We talked to Derek about the possibility of confidence-building measures being introduced to increase trust and deal with issues that affect the Administrations in both parts of the former princely state, which is split down the middle. We should try to achieve some movement—for example, dialogue between the representative groups in both parts of Kashmir. Nothing in the UN resolution or the 1972 accord says that the people could not and should not be allowed to cross the line freely.

Mr. Hilary Benn (Leeds, Central): I am grateful to my hon. Friend for giving way. Does she accept that this country's experience in Northern Ireland has taught us that recognition by sovereign states that such a problem is not merely a little local difficulty in part of their own country, but a bigger question, is one of the great steps that must be taken to achieve progress? When countries can accept that, the dialogue that needs to take place between two sovereign states in order to resolve a conflict is that much more likely to happen.

Lorna Fitzsimons: Absolutely. We could push for dialogue between the representative groups, including people who have been elected, so that they could discuss whether a joint agreement could be reached between them all. The Hurriat conference is an example of that. Lord Avebury has tried to organise conferences to facilitate some dialogue between the different representative Kashmiri organisations, and Derek Fatchett made similar efforts. We must keep trying even though we have not been successful so far—primarily because a lot of leaders in Indian-controlled Kashmir were not allowed visas to travel to the conference venues. We have to allow that dialogue to happen and we have to ask for the recommendations made by Amnesty International in its most recent report to be taken up.

We also must acknowledge our duty to ensure that we engage in continual dialogue with the Government of Azad Kashmir and the Jammu and Kashmir Administration of Farooq Abdullah. We must ensure that they provide people with feedback on any bilateral discussions that take place at the top table, or on any talks about getting other countries to take forward the cause of Kashmir, so that they feel that they are part of the process. If India is not going to accept a mediator, we must ensure that we use all the channels available so that the Kashmiris feel that they are represented. That is the key to the problem.

Mr. Khabra: Will my hon. Friend give way?

Lorna Fitzsimons: No, I shall not. I must leave enough time for the Minister to reply, and I have already run over time.

I am proud of my Back-Bench colleagues who join me in the Chamber today. Many of them have campaigned for far longer than I have been involved in the Kashmiri issue to ensure that it is on the agenda. It is at the behest of us all, however, not to use the Kashmiri cause as a political football. I lament the fact that, both in my constituency and nationally, certain parties are using it in that way. No Liberal Democrat has ever attended an all-party Kashmir group since I have been elected, nor ever been to an all-party ministerial meeting. A promised early-day motion, which was discussed in Rochdale council chamber, about recognition of nationality in the forthcoming census has not been produced. All the activity that has taken place to keep the flag flying for the Kashmiri people and to ensure that they feel that we are representing them has been, and will continue to be, initiated by Labour Members. I am proud to say that we shall keep the flag flying for people such as my constituents, Haji and Amna.

I hope that every office will be used, as it has in the past, by the Foreign Secretary and the appropriate Ministers to ensure that we make progress on this issue. We must not just use our diplomatic channels with India and Pakistan, but must harness the power of the United States and other nation states. Just because no oil is involved, we must not fail to recognise that an injustice has been done. The people who have had the injustice done to them are those who are most vulnerable: the women and children of Kashmir.

1.52 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Geoffrey Hoon): I am grateful to my hon. Friend the Member for Rochdale (Lorna Fitzsimons) for making Kashmir the subject of this debate.

This is a timely opportunity to debate the question, and its place in our wider relations with India and Pakistan. Kashmir is an issue of great importance to all in Britain who count themselves as friends of India and Pakistan.

The recent fighting in Kashmir underlines the risks inherent in this continuing dispute—risks that have taken on a disturbing dimension given last year's nuclear tests. It is widely accepted that Kashmir is one of the most pressing regional security problems. I assure the House that the Government fully share those concerns and are actively encouraging India and Pakistan to resolve the underlying issues.

Our relations with both India and Pakistan are deep, multi-faceted and long-standing. Well over a million British people have their roots in the sub-continent. Our shared history with those countries has developed into links of enormous variety and dynamism. Consolidating and developing our relations with both countries is a priority for the Government.

India is already a major player on the world stage, and its importance is set to increase over the next few years. We want a modern, close and forward-looking partnership. We have many shared interests and we could, and should, be working more closely together in areas of mutual concern. Environmental protection is a prime example of a global issue in which India and the United Kingdom have leading roles, and where we seek better co-operation with India.

Our relations with Pakistan have long been marked by their warmth. We continue to build on our relationship to work with the Government of Pakistan on a wide range of issues. We want Pakistan to realise its great economic and human potential, and to continue to develop as a democratic partner in the Islamic world.

Mr. Gardiner: Is the Minister concerned that, while Pakistan's army chief, General Parvez Musharaf, admitted on 16 July that Pakistan forces aggressively crossed the line of control, the Pakistani Government were claiming that they were not responsible for the incursions? Does he agree that that raises worrying questions about who is really running the country? Given what he has already said about nuclear proliferation in the region, is he concerned about whether the civilian Government or the military is in control?

Mr. Hoon: I shall deal in due course with the resolution of the recent events in Kargil. In specific response to my hon. Friend, it may not be entirely helpful at this stage to dwell on what might have happened in the past. As my hon. Friend the Member for Rochdale said, what is important is to say how we shall take these issues forward, which is what I shall seek to do.

I have spent some time describing our wider relations with India and Pakistan. Our policy towards Kashmir is bound to our ties with those two countries. We can, and do, promote the search for a solution to this long-running issue through our contacts with both countries. Our efforts are all the more effective for being conducted quietly and within the context of established political relations based on mutual trust.

I shall not repeat the history of the Kashmir dispute, which is well known to Members of this House. Three wars and countless skirmishes have been fought over Kashmir. It has the dubious distinction of containing the world's highest battleground, the Siachen glacier, where Indian and Pakistani soldiers face each other, at dreadful cost, in financial and human terms, at heights of over 20,000 ft. Kashmir has been one of the reasons that India and Pakistan have been unable firmly to establish good relations and to realise their true economic potential.

We were, therefore, particularly concerned by events in Kargil over the past few weeks. The fighting could easily have escalated. That it did not is a tribute to the Indian Government, who restricted their response to the incursion; and to the Pakistani Prime Minister, Nawaz Sharif, who used his influence to ensure that those combatants who had crossed the line of control withdrew from those positions.

The UK was active behind the scenes. We were in close and constant contact with both Governments. My right hon. Friend the Foreign Secretary spoke at an early stage to his Indian and Pakistani colleagues to urge restraint and despatched a special envoy to Islamabad to reiterate those points. I spoke to the Indian and Pakistani high commissioners to reinforce that. Our high commissions in New Delhi and Islamabad stayed in close touch with their host Governments. We co-ordinated closely with our international partners, especially the United States. The UK was instrumental in ensuring that the European Union and the G8 made strong statements on the fighting.

We welcome the joint statement by President Clinton and Prime Minister Sharif of 4 July as a positive step. The Prime Minister met Prime Minister Sharif on 6 July to urge him to take the steps described in the statement. The Prime Minister wrote soon afterwards to the Indian Prime Minister to encourage him to maintain India's policy of restraint and respond positively to any moves by Pakistan. The Prime Minister has welcomed the end to the fighting around Kargil. Relieved as we are by the end of the immediate conflict, we are concerned that the suffering of ordinary people in Kashmir continues. There have been four massacres in recent weeks, and militants continue to attack the Indian security forces.

Throughout the crisis in Kargil, we have made it clear to both India and Pakistan that we consider that the route to a long-term solution lies in dialogue.

Mr. Khabra: Is the Minister aware that terrorists have brutally murdered Kashmiris, both Muslims and Hindus, including Europeans, and that that is one of the biggest problems? Does he agree that every Member of this House must recognise that the Government are committed to the fight against terrorism?

Mr. Hoon: I accept my hon. Friend's point. I shall turn to that matter in a moment.

When Prime Minister Vajpayee memorably travelled to Lahore this February, there was good reason to believe that both countries were ready to address the issues between them in a new and constructive spirit. From popular reaction in India and Pakistan, it seemed clear that this new spirit matched the hopes of the peoples of both countries. It is a matter of great regret that, only a few months after both Prime Ministers undertook to intensify their efforts to resolve all bilateral issues, including Kashmir, the events in Kargil have rendered that process more difficult.

It is important to recognise that the incursion, and the continuing violence of the militants in Jammu and Kashmir, have done nothing, and can do nothing, to promote a durable solution in Kashmir. The evidence suggests that the militants have little in common with the ordinary people of Kashmir, and do not represent them. As Amnesty International pointed out in a recent report, the militants are guilty of severe human rights abuses. An end to the support that the militants receive from outside Kashmir would greatly assist the search for a solution to the problem.

The search for a solution would also be assisted by early steps to improve the human rights performance of the Indian security forces in Jammu and Kashmir. Amnesty International has documented continuing reports of disappearances. We have welcomed the action already

[Mr. Hoon]

taken by the Indian authorities to address human rights concerns. The national human rights commission is regarded as an effective custodian and promoter of human rights in India. It is to be hoped that the state human rights commission in Jammu and Kashmir develops in the same vein. We shall continue to press the Indian authorities to bring wrong-doers to justice, and to allow international organisations access to Jammu and Kashmir. My predecessor, Derek Fatchett, raised this issue with the Indian Home Minister last November, and I shall ensure that it continues to be a part of our dialogue with India.

Militancy, and human rights problems, will not be resolved overnight. In the meantime, we urge the Governments of India and Pakistan to resume their dialogue on all outstanding issues, including Kashmir. The long-term interests of both countries lie in a mutually acceptable solution.

The role of the people living in Kashmir is, rightly, another source of concern. No single group or institution can accurately claim to represent the views of all those who live in the territory of the former princely state. The interests of the Muslims of the Valley, the Buddhists of Ladakh and the displaced Hindu population are not uniform; nor have India and Pakistan agreed on the issue of Kashmiri participation. We firmly believe, however, that any solution, if it is to carry with it the people living in Kashmir, must take account of their views. Only then will it be accepted as just, and have a chance of lasting.

The Kashmir issue has been with us for more than 50 painful years. I agree with my hon. Friend—

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

CABINET OFFICE

The Minister was asked—

Civil Service (Ethnic Minorities)

1. **Mr. Ben Chapman** (Wirral, South): What his plans are for encouraging the recruitment of ethnic minorities to the civil service. [90870]

The Minister for the Cabinet Office (Dr. Jack Cunningham): The "Modernising Government" White Paper set out the Government's commitment to increasing ethnic minority representation in the civil service, particularly at senior levels. The Government have set a target to double the number of senior civil servants from ethnic minority backgrounds to 3.2 per cent. by 2005.

Mr. Chapman: I am grateful for that response and I congratulate the Government on their announcements. Does my right hon. Friend agree that it is not just in the higher civil service that there is a problem and that we need fair representation of ethnic minorities at all levels in the civil service? This issue should be tackled now, not just by the target year. We must take a systemic, root-and-branch approach to get people from ethnic minorities into the civil service and to change the climate so as to attract them. Will my right hon. Friend tell me what is being done now by way of secondment, recruitment policy and attachment from industry to change the climate in the public services to attract more people from ethnic minorities into their orbit?

Dr. Cunningham: I agree with everything my hon. Friend said. In truth, the performance of the civil service on the recruitment and promotion of people from ethnic communities has been poor, and the situation is unsatisfactory. That is why we have set that target but, as my hon. Friend will know, we are not simply setting a target and doing nothing else. We have announced a number of interim measures, and we shall announce further measures in the autumn. In the meantime, I shall appoint a senior ethnic minority adviser and an outreach worker to help to increase recruitment and secondment. We shall provide new opportunities for work experience for ethnic minority school children and students. We shall hold open days and careers fairs for ethnic minority undergraduates and young people. We are producing a video of ethnic minority role models already in the civil service. We are taking all those measures to attract more able young people from ethnic minority communities into the public service.

Sir Sydney Chapman (Chipping Barnet): As I am sure that the Government want to set an example in this area, will the right hon. Gentleman tell the House how many special advisers to Ministers are drawn from ethnic minorities?

Dr. Cunningham: I cannot give an accurate answer to that question off the top of my head. I suspect that there may be none, but I am not altogether sure so I shall write to the hon. Gentleman and let him know.

Mr. Piara S. Khabra (Ealing, Southall): Does my right hon. Friend agree that some employees are still not prepared to accept the new policy? If they continue the practice of discrimination, what steps does he propose to take against them?

Dr. Cunningham: I hope that there are no individuals in the civil service who do not subscribe to the Government's clear policy objectives in these matters. However, the Schneider Ross report, which I published a couple of weeks ago, emphasised the need for a culture change in the senior management of the civil service, and we are taking action with the help and strong personal commitment of the Cabinet Secretary, Sir Richard Wilson, to make the necessary changes in the civil service at all levels.

Genetically Modified Foods

2. **Mr. Desmond Swayne** (New Forest, West): What endorsement the Government have sought from the National Consumer Council with regard to its policy on genetically modified foods. [90871]

The Minister for the Cabinet Office (Dr. Jack Cunningham): Ministers discuss the development of Government policies with a large number of groups that have an interest in genetically modified foods, including the National Consumer Council.

Mr. Swayne: I suspected that the Minister would not go further than that. Does he agree that the leaked minute of the biotechnology presentation group on 10 May has been of great interest to a number of parties? It has funded an enormous number of questions, not least to the right hon. Gentleman. In the interests of open government, modernisation and the new politics, will he undertake to publish the minutes of that group to ensure that we continue to enjoy them in this way? Have independent spokesmen been placed on the "Today" programme, as the minute suggested?

Dr. Cunningham: I always welcome contributions to debates on this and other subjects from independently minded people on any programme, let alone "Today".

The hon. Gentleman said that the leaking of the minute had generated a great deal of interest. It certainly seems to have motivated him as we had exactly the same exchange of views in the Chamber a month ago and the answer was exactly the same: no.

Mr. Nigel Beard (Bexleyheath and Crayford): What steps are being taken to protect field trials of genetically modified crops from vandalism? If such trials do not take place, there will be no basis for judgment of the environmental impact of GM crops, and a major biotechnological opportunity for Britain may be lost.

Dr. Cunningham: This is a serious and difficult situation. It is deplorable that, while some environmental groups are calling for trials precisely so that we can gauge and examine the potential impact of genetically modified crops on biodiversity, other groups are trashing the experiments, wrecking the crops and preventing us securing the very evidence that we need in order to make an assessment and to make properly informed decisions. Disorder and criminal damage to property are, of course,

matters for the police rather than for Ministers, but the police have a very difficult job trying to safeguard the trials.

Mr. Norman Baker (Lewes): Can the Government explain why they are allowing animal feed with genetically modified ingredients to be sold unlabelled, with no indication to farmers and consumers that such ingredients are present? Do not farmers and consumers have a right to know what they are buying?

Dr. Cunningham: The explanation is that we inherited that situation. We decided to appoint an advisory committee on animal feedstuffs, which is being set up now. The previous Government received a recommendation suggesting that they should set up a committee but did not act on it. We are also considering the labelling issue.

Mr. Derek Wyatt (Sittingbourne and Sheppey): What point has the discussion on genetically modified food reached in the European Union? I am thinking especially of the changes that are due for agriculture beyond 2000. Is that discussion on the G8 agenda?

Dr. Cunningham: Given the current state of affairs, few agendas do not include an item referring to biosciences or to genetically modified food or crops. I assure my hon. Friend that there are continuing discussions in the European Union on labelling and other matters such as the implications for biodiversity. As he will recall, the Cologne summit decided to ask the scientific committee of the Organisation for Economic Co-operation and Development to examine all these issues on an international basis, and we shall make a positive contribution to that examination.

Mr. David Curry (Skipton and Ripon): Does the right hon. Gentleman realise just how limp his reply was on the subject of vandalism against genetically modified crops? Does he realise that that vandalism is being committed against field trials? We will shortly be moving to whole-farm trials. How does he imagine that they will be protected from vandalism? Do the Government propose simply to stand by and wring their hands, or do they think that they must do something to protect the information that comes from the growing of genetically modified crops?

Dr. Cunningham: Perhaps the right hon. Gentleman did not hear me properly. I said that such actions were deplorable, and I emphasise that yet again.

The right hon. Gentleman asks what we are going to do. The present policy position is that the grid references of all the trial sites are in the public domain. It is therefore very easy for those who want to engage in activities that the right hon. Gentleman rightly describes as unlawful to identify the locations and to destroy the crops. We are considering all the issues very carefully but, as the right hon. Gentleman must know, this too is a situation that we inherited from the previous Administration. We never anticipated that people who purport to act in the interests of the environment would wilfully wreck experiments that are intended to help us to a better understanding of the environmental issues involved.

Dr. George Turner (North-West Norfolk): Further to the exchanges that have just taken place, does my right hon. Friend recognise that some of the acts of vandalism, which are completely deplorable, are being carried out in the name of national and otherwise reputable organisations such as Greenpeace? They purport to be advancing arguments that are based on rational and scientific debate, but if, in their name, people are destroying the evidence on which that debate is to take place, perhaps Ministers need to talk to those organisations to ensure that their supporters are discouraged from undertaking such vandalism.

Dr. Cunningham: I am not sure that it is accurate to ascribe those activities to Greenpeace. Nevertheless, my hope is—I express it again today—that all organisations and groups that are interested in the health and well-being of people and the environment would want to participate in an open, well-informed, scientifically accurate debate about the issues, rather than seek to involve themselves in destroying the very evidence that will help us to take the policies forward.

Correspondence

3. **Mr. Michael Fabricant** (Lichfield): What targets his Office has set Government departments regarding ministerial replies to correspondence received from hon. Members. [90872]

The Parliamentary Secretary, Cabinet Office (Mr. Peter Kilfoyle): Each Department sets its own target for replying to correspondence from hon. Members. Over the next three years, all Ministers will work towards ensuring that at least 90 per cent. of all correspondence received from hon. Members is replied to within those targets.

Mr. Fabricant: That is a hopelessly irresponsible reply. The Minister does not set the targets or even say what the individual Department's target should be—he says only that the work should be completed within three years.

In January, I wrote to the Department of Health about a problem. It was admitted that there was a problem. Eventually, at the end of June, I received a reply saying that it could do nothing about that problem. Does the Minister agree that the targets should include not only the speed of the reply but its quality? Are not the Government singularly failing to deliver replies promptly, and developing a grand canyon between promises made and performance delivered?

Mr. Kilfoyle: The hon. Gentleman should keep his hair on. He should not get excited by such things. As he well knows, each Department is responsible for the targets that it sets. The Cabinet Office has set its own targets. It has achieved a 96 per cent. success rate on those. My right hon. Friend the Minister for the Cabinet Office has written to individual Departments exhorting them to ensure that they fulfil the requirement that, within the next three years, they meet 90 per cent. of their targets.

Mr. Robin Corbett (Birmingham, Erdington): I commend the Minister's assiduousness in trying to get Departments to live up to the targets that they set. Without wanting to be the school snitch, may I tell him that, in acknowledging a letter, the Foreign and Commonwealth Office was brazen enough to say that its target was to

reply within 15 working days but that, owing to the volume of correspondence, it could not meet that and the target was now 20 working days? In fact, the reply that I received on the back of that took 40 working days. May I urge the Minister again to place some penalties on those Departments that fail to get anywhere near the target that they themselves have set?

Mr. Kilfoyle: There is some merit in the argument that there has been an increase in correspondence, which went up by 5 per cent., but I make it clear on behalf of the Government as a whole that we hold no brief for any Department that fails to meet within the required period the targets that have been set. It is in the interests of hon. Members on both sides of the House to ensure that there are speedy responses to legitimate correspondence on matters of interest to them and their constituents.

Cabinet Joint Consultative Committee

4. **Mr. Gordon Prentice** (Pendle): What recent discussions he has had with the right hon. Member for Berwick-upon-Tweed (Mr. Beith) concerning new policy areas suitable for discussion in the Cabinet joint consultative committee. [90873]

The Minister for the Cabinet Office (Dr. Jack Cunningham): The review of the work of the Cabinet joint consultative committee, which I am undertaking with the right hon. Member for Berwick-upon-Tweed (Mr. Beith), includes consideration of new policy areas for discussion.

Mr. Prentice: I do not know what to think about that answer. I expected rather more. It was announced with a fanfare last November that the remit of the new Cabinet joint consultative committee, on which our Liberal Democrat comrades also sit, would be extended. I am left wondering whether the committee is hugely significant, or whether it is not worth the candle.

Dr. Cunningham: The aims of our co-operation with our Liberal Democrat colleagues are clear and simple. The Liberal Democrats have helped us to hold a more constructive and rational debate about a very important constitutional reform programme, but just at the moment their minds appear to be on other matters.

Mr. Andrew Lansley (South Cambridgeshire): Perhaps we might get specific about the discussions that the right hon. Gentleman mentioned. Does he recall that the hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy) takes the view that one of the constitutional issues to be discussed in the Cabinet joint consultative committee should be the campaign for British entry into economic and monetary union? Does the right hon. Gentleman share the opinion that that is a constitutional issue and that it should be discussed in the committee?

Dr. Cunningham: Fortunately, although I have many responsibilities, responsibility for the statements of the hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy) does not feature among them.

Mr. Lansley: If the right hon. Gentleman will not help me on new policies, perhaps he will help me on proportional representation which clearly is a matter for discussion in the joint consultative committee. In discussions with the right hon. Member for Berwick-upon-Tweed (Mr. Beith), has the committee offered the Liberal Democrats any assurance about the timing of a referendum on proportional representation at Westminster?

Dr. Cunningham: Our discussions with the Liberal Democrats are confidential, but I hope that we may be able to help the hon. Gentleman a little more when consideration of the report is concluded.

Public Appointments

5. **Mr. Amess:** To ask the Minister for the Cabinet Office what recent representations he has received on the criteria for public appointments. [90874]

The Parliamentary Secretary, Cabinet Office (Mr. Peter Kilfoyle): I receive occasional representations from hon. Members about public appointments issues.

Mr. Amess: Is the Minister aware that the fourth report from the Commissioner for Public Appointments states that an increasing number of health authority appointments are of Labour supporters? What is the Minister's view of the report's remarks about the possibility of political bias in appointments by the Scottish Parliament and the Welsh Assembly? Why are so many Labour party supporters or financial backers recipients of public appointments?

Mr. Kilfoyle: I am sure that the Scots and the Welsh can speak for themselves, but the Commissioner for Public Appointments in fact lauded the progress that the Government have made. She has responded to complaints about certain national health service appointments by setting up a small scrutiny group, which she announced to the Neill committee on 15 July. The Government's policy is one of appointment on merit. The previous Government did not always adopt that approach.

Mr. Gordon Marsden (Blackpool, South): Does my hon. Friend share my pleasure at the Government's successful attempts to increase the number of disabled people, women and people from ethnic minorities given public appointments? Does he also share my satisfaction at the decrease in the number of business people given such appointments who have no connections with the areas that they purport to represent?

Mr. Kilfoyle: I think that the commissioner would agree that the Government have increased the number of women, disabled people and people from ethnic minorities who serve on public bodies. It is certainly true that, rather than bringing people in from outside an area for political reasons, we have implemented the principle of proportionality in those appointments to ensure that they are far more representative of the population in a given area.

Mr. Simon Hughes (Southwark, North and Bermondsey): Would Ministers be prepared to contemplate taking appointments, such as health service appointments, out of the hands of Ministers and passing

them not to the Cabinet joint consultative committee but to an all-party forum—for example, the relevant Select Committee—where they could be scrutinised and approved in public and independently?

Mr. Kilfoyle: The arguments for appointments coming before Select Committees, analogous to the experience in America, have been well rehearsed, but there are sound reasons for not doing that. The hon. Gentleman must remember that all appointments are subject to the usual scrutiny by the Neill committee. The report of the Commissioner for Public Appointments gives due credit to the Government for the way in which they apply the Nolan principles to those appointments.

Government Modernisation

6. **Ms Sally Keeble** (Northampton, North): If he will make a statement on progress on modernising Government. [90876]

The Minister for the Cabinet Office (Dr. Jack Cunningham): The "Modernising Government" White Paper is the basis of our change programme to reform and modernise public services. We have already made substantial progress, and I shall shortly be publishing a document with an action plan towards meeting the commitments in the White Paper.

Ms Keeble: I am grateful to my right hon. Friend for that answer, but does he agree that an important part of modernising Government is updating employment practices and making them family friendly? What progress is being made in that regard in Government Departments and, in particular, what steps are being taken to ensure that all Departments reach the standards of the best in terms of flexible working, job sharing and all the other practices considered usual in a modern workplace?

Dr. Cunningham: Yes, I do agree, and we are developing a programme of more family-friendly employment policies in the civil service. It is our objective to promote best practice in all departments in the civil service and in Government agencies, and we shall continue to do so.

Mr. David Prior (North Norfolk): Does the right hon. Gentleman agree with the Prime Minister that people working in the public service are a major barrier to change?

Dr. Cunningham: I do not think that my right hon. Friend the Prime Minister said that. He was referring to the culture and some of the management systems in our public services which are obstacles to change. I am happy to tell the hon. Gentleman and the House that we have now made it clear to the civil service unions, whose leaders I met earlier this week, that we will open negotiations with them on a formal partnership agreement, and I applaud those unions for their considerable commitment to the "Modernising Government" agenda.

European Legislation

7. **Mrs. Diana Organ** (Forest of Dean): What steps he has recently taken to improve the ways in which the United Kingdom negotiates, implements and publicises European legislation. [90877]

The Minister for the Cabinet Office (Dr. Jack Cunningham): We have today published "The Guide to Better European Regulation". It is the result of wide consultation within both the UK and the European Union. This will ensure that Ministers and officials adhere to the principles of good regulation when developing European legislation.

Mrs. Organ: I thank my right hon. Friend for the announcement of that publication today. Does he agree that that clearly demonstrates how the Government are working positively with our partners to negotiate such good deals for farmers, businesses and consumers in Britain, and that we wish to regulate through the European Union and tell the British people how we are doing it, with openness and transparency?

Dr. Cunningham: Yes, and in stark contrast to the Conservative Opposition we are determined to play a leading part at the heart of developments in Europe and not lead Britain into the isolation that the previous Administration did.

Miss Anne McIntosh (Vale of York): Does the right hon. Gentleman share my view that the United Kingdom should subscribe to the theory that the Commission should do less but do what it does better? Does he also agree that Neil Kinnock, albeit a charming man, is not the right candidate to reform the EU given that he could not even reform the state aid regime for airlines throughout the EU as Transport Commissioner?

Dr. Cunningham: I certainly agree with the first part of the hon. Lady's question, but I profoundly disagree with the second part. Whatever the reasons for the failure to reform the regime to which she refers, they cannot be laid at the door of Neil Kinnock.

Illegal Drugs

8. **Mr. David Lock** (Wyre Forest): What progress his Department is making on tackling the use of illegal drugs by young people in Great Britain. [90878]

The Parliamentary Secretary, Cabinet Office (Mr. Peter Kilfoyle): The UK anti-drugs co-ordinator's national plan set targets to reduce the proportion of young people using heroin and cocaine by 50 per cent. by 2008 and by 25 per cent. by 2005.

Mr. Lock: "Tackling Drugs to Build a Better Britain" identifies growing evidence that treatment works but that its supply fails in some places to meet demand. Does my hon. Friend agree with that conclusion, and what steps will the Government take over the next two years to develop effective treatment so that a person does not have to go to prison as a drug addict in order to receive it?

Mr. Kilfoyle: My hon. Friend will appreciate that our first priority was to develop a strategy with an emphasis

different to that of previous policies. The strategy focuses on the interests of young people and communities, stressing treatment and rehabilitation without forgetting that we have to choke off supply. The national plan tries to cater to individual needs in different areas through the local drug action teams. That will be an extremely effective way forward.

Mrs. Ann Winterton (Congleton): Following the recent drugs debate, the Minister for the Cabinet Office will be aware of concerns on both sides of the House that treatment for drug abusers can take up to 12 weeks, during which time they can become completely demotivated. Has the Minister taken any recent steps in conjunction with the Secretary of State for Health to set targets to reduce waiting times for detoxification and to ensure that there is a seamless service that is followed by rehabilitation services?

Mr. Kilfoyle: The hon. Lady will appreciate that one of the problems in her cri de coeur for a seamless service is that there are many different forms of treatment. We want to ensure consistency in our overall objectives, and we and the Department of Health keep these matters under constant review.

Mr. Dennis Skinner (Bolsover): Does my hon. Friend agree that when millions of parents and others in Britain are wrestling with the problems of drug abuse among young people, and when the Government are trying to do their level best to tackle those problems, it is a sad state of affairs that the Tory Opposition receive £1 million a year from one of the biggest drug runners in the west? [HON. MEMBERS: "Oh."] Is it not high time that the Leader of the Opposition had the guts to get rid of him?

Mr. Kilfoyle: I obviously hear what my hon. Friend says, but he will not expect me to comment on the specifics of allegations that have appeared in newspapers and elsewhere. I share—I hope that we all do—his empathy with the many parents worried about the plague of drugs that affects their children and about its effect on wider communities. He will appreciate the efforts of the enforcement agencies which are pledged to try to stem the flow of drugs into the country.

Civil Servants (Work Experience)

10. **Fiona Mactaggart** (Slough): What progress he has made in developing opportunities for civil servants to gain relevant work experience in private companies and public institutions outside the civil service. [90880]

The Parliamentary Secretary, Cabinet Office (Mr. Peter Kilfoyle): The White Paper "Modernising Government" showed how we are promoting the exchange of people and good practice between the civil service and other organisations through the interchange initiative. Departments and agencies are on course to meet the current target of 50 per cent. of the senior civil service having experience outside Whitehall by 2005.

Fiona Mactaggart: I am glad to hear that we are on course towards that target. Will the Minister consider giving us a report on which Departments are taking initiatives, and what those initiatives are? That would allow us to encourage more short-term movements between public and private institutions and the civil service.

Mr. Kilfoyle: The initiative will certainly galvanise attitudes in the civil service and in outside organisations that benefit from civil service expertise. It will help towards the culture change that my right hon. Friend the Minister for the Cabinet Office has identified as the sine qua non for success in delivering modernised government. A full report will be produced on how well the interchange programme progresses Department by Department.

Mrs. Virginia Bottomley: Is the hon. Gentleman aware that the only relevant experience that the Labour Government seem to value is work experience with the Labour party? How else does he explain the appointment of Ian Hepplewhite as the head press officer at the Department for Culture, Media and Sport—a man who was widely reported in the press as being an aide to the Secretary of State for the Environment, Transport and the Regions and celebrating at the victory party? Mr. Hepplewhite was condemned by the hon. Member for Newport, West (Mr. Flynn) as one of the 24 Labour party insiders who went to a lobbyist; he has now been appointed as a head press officer, having been a Labour party press officer for many years. He was appointed without a press notice or any other public information. Is that what the Government call valuing "impartiality, objectivity and integrity"?

Mr. Kilfoyle: There was a very loud reception for my hon. Friend the Member for Bolsover (Mr. Skinner) when he mentioned an individual. I think it is extremely sad that the right hon. Lady has named an individual on the basis—*[Interruption.]* The right hon. Lady knows full well the terms and conditions for appointments to such posts. The byword has always been appointment on merit. People are entitled to put themselves forward for any jobs, whether as press officer, information officer or anything else. They get the position only on merit. I deplore the fact that the individual named should be maligned in the House.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [90900] **Mr. Eric Forth** (Bromley and Chislehurst): If he will list his official engagements for Wednesday 21 July.

The Prime Minister (Mr. Tony Blair): This morning, I met the Israeli Prime Minister and later visited Winsford in the Eddisbury constituency. Later today, in addition to my duties in the House, I shall be meeting ministerial colleagues and others.

Mr. Forth: With which of the views expressed on the future of the European Union by the Prime Minister's friend and protegé, Mr. Prodi, does the right hon. Gentleman disagree?

The Prime Minister: I am delighted to say that Mr. Prodi made a speech today with which I agree

wholeheartedly—it was a speech about the reform of the European Commission and how to make Europe more accountable. If it were not for the total anti-European obsession of the Conservative party, the Opposition might at long last find something to applaud in what he said.

Q2. [90901] **Mr. Patrick Hall** (Bedford): Does my right hon. Friend agree that a top priority for the proposed Strategic Rail Authority is to encourage the transfer of traffic from road to rail? Does he also agree that the east-west rail project that is intended to link towns and cities throughout the east and centre of England—including Bedford and Kempston—is precisely the type of imaginative scheme that the SRA ought to push forward to boost local and regional economies, and to raise the quality of life for all of us?

The Prime Minister: On the east-west rail link, I am pleased to say that my hon. Friend the Minister for Transport in London has been considering the proposals that have been made. She suggests looking at a phased approach that would allow sections of the proposed link to be updated and improved—delivering immediate benefits. More than that, the Strategic Rail Authority can restore order to the chaos of privatisation; in particular, it can ensure that public money is well spent after the scandal of the sale of our rail industry, at a loss of more than £5 billion—for which we have still not received an apology from the previous Conservative Government.

Mr. William Hague (Richmond, Yorks): The Prime Minister must know as well as anyone that the Army is now severely overstretched: 89 per cent. of its forces are committed in some way. Given the extent of those commitments and the need to back up the Regular Army, would it not now be wise to reconsider the huge reductions in the Territorial Army? The Prime Minister can ask his right hon. Friend the Secretary of State for Defence, who has just entered the Chamber.

The Prime Minister: The changes that have been made in the Territorial Army—*[Interruption.]* Let me remind Opposition Members that a Conservative Government cut defence spending by almost 30 per cent. and they cut the Territorial Army as well. The changes are to the benefit of the Territorial Army, which will be better used in the future. As a result of the strategic defence review that the Labour Government have undertaken, we shall have defence forces who are far better able to carry out the capabilities that we want.

Mr. Hague: The changes are obviously not to the benefit of the Territorial Army. As for lecturing us about the past, the Conservatives were maintaining the defences of this country when the right hon. Gentleman was waving a CND placard. We are talking about what is happening now. Are not the facts clear? The Army is 6,000 below strength, with more people leaving than joining and, at the same time, the Government are cutting the Territorial Army by 18,000, with the result that TA engineering battalions are being disbanded when we need more engineers. If we are not to undermine the future effectiveness of the Army, should not the Prime Minister at least postpone those decisions?

The Prime Minister: No, because the decisions were taken as a result of the strategic defence review that was conducted with the full support of our armed forces and has been widely admired right around the world. It is as a result of what we are doing that we are able to meet the capabilities that we have set out—and will in future have better capability, especially in areas such as strategic lift—whereas the previous Conservative Government actually left us unable to carry out the capabilities we inherited.

Mr. Hague: Perhaps the right hon. Gentleman should listen to the Select Committee on Defence, which has a Labour majority and which said in its report:

"The cuts in the TA infantry"—

and—

"engineers . . . are shortsighted. The TA are . . . a valuable resource of long term insurance against the unexpected . . . We urge the MoD to reconsider the cuts."

That was even before this year's events in Kosovo, since when the TA infantry battalions have been cut by more than half. Would it not be in the long-term interests of this country to reconsider or postpone those huge reductions?

The Prime Minister: No, for the reason that I gave. The changes that have been made will result in our armed forces being in a better position to carry out the capabilities that we have set for them. That is not only my view, but that of the Chief of the Defence Staff. The review has been conducted with immense care. It was the first time that any Government had come in and looked at what our capabilities would be. As I said, the result of that review has not only been widely admired but is expected to be imitated around the rest of the world.

As for the performance of British troops and the Territorials in particular, I pay tribute to the way in which our armed forces have worked, especially in Kosovo, and I pay tribute to the Territorial Army. However, just as changes were made when the Conservatives were in government, it is important that we make changes. The difference is that we are making them with the full agreement of the armed forces.

Ms Dari Taylor (Stockton, South): Will my right hon. Friend join me in congratulating a group of women from my constituency who are driving a truck full of aid to Kosovo? Will he reassure the House that the Government are responding to the support aid agencies that are helping refugees, who often have only the clothes in which they stand?

The Prime Minister: I thank all elements of the voluntary sector. People in my hon. Friend's constituency and throughout the country, in community groups, church groups and the voluntary sector, have raised an immense amount of money for Kosovo and have sent out a lot of aid and help to the people there. Britain can be immensely proud, not only of our armed forces, but of the contribution that the people of this country have made to the people of Kosovo.

Madam Speaker: I call Mr. Ashdown. *[Interruption.]*

Mr. Paddy Ashdown (Yeovil): Yes, yes, I shall miss you all too.

I am reluctant at this late stage to try the patience of the House by returning to an issue that I have raised several times. However, having returned this morning

from Pristina. I ask the Prime Minister to recognise that, although we won the war at no inconsiderable cost, it is important that we do not lose the peace. There is a race on in Kosovo between order and disorder, and disorder has made a flying start. In that context, I remind the Prime Minister of the international promise to have 3,000 police officers in Kosovo—there are only 70 there now. Into that vacuum, criminality and political intimidation are moving fast. Will the Prime Minister give an assurance that no stone will be left unturned in the effort to move the British contingent out there fast and that he will urge his alliance partners to do the same?

The Prime Minister: I certainly will give that assurance. We have been urging many of our partners to recognise—particularly in relation to troop movements—the importance of getting our forces to Kosovo as quickly as possible. I believe that the conference that will be held on 30 July in Sarajevo will provide an opportunity to make good the promises that we made during the Kosovo conflict. We made those promises not merely to the people of Kosovo, but to the surrounding front-line states and the Balkans region. I intend to make good the promises that this Government and this country made.

Mr. Ashdown: I am grateful for that assurance. However, this is a practical matter. Those policemen are needed on the streets of Kosovo today and there has already been a delay. I ask the Prime Minister to solve this puzzle. He will undoubtedly agree that the professionalism of the average British police officer would be of considerable advantage in Kosovo, where our police officers could make a considerable contribution. Why, therefore, has the Home Office decided that, because the Kosovo police will be armed, British police can perform only purely administrative duties? If British policemen can be armed in special circumstances in Manchester, why can they not be armed in Kosovo?

The Prime Minister: The decision on exactly how the British police forces will be used will be taken on the ground. That is a matter best left to the people on the ground to decide, rather than trying to decide it here. British police officers are ready to go to Kosovo and we are trying to clear obstacles there rather than here to facilitate their relocation. As for troops, we have troops stationed in Kosovo and we want to ensure that other countries make a contribution as well.

As this is the right hon. Gentleman's last Question Time, I pay tribute to the tremendous contribution that he has made to British politics in the past few years, not least on Kosovo and Bosnia, where he was well ahead of the rest of us and right long before the rest of us.

Mr. Paul Flynn (Newport, West): Does the Prime Minister believe that those patients who suffer from multiple sclerosis, the side-effects of chemotherapy or other chronic pain should be prosecuted and jailed for using medicinal cannabis?

The Prime Minister: The same regime applies to those people as to any others. Penalties are a matter for the courts, which will take account of all circumstances. I really cannot comment further except to say that I do not believe that it would be right to change the law in relation to cannabis.

Q3. [90902] **Mr. Lembit Öpik** (Montgomeryshire): The retirement of a leader brings many changes—[HON. MEMBERS: "Too late."] Je ne regrette rien. The retirement of a leader brings many changes, not least for the retiring leader. In light of the Sutherland report about the provision of care for the elderly, will the Prime Minister give an assurance that my right hon. Friend the Member for Yeovil (Mr. Ashdown) and others will be able to enjoy the benefits of long-term residential care—when the time comes—without having to sell their houses to pay for it?

The Prime Minister: I suspect that it is just as well for the hon. Gentleman's future in this place that the right hon. Member for Yeovil (Mr. Ashdown) is retiring.

As to the Sutherland report, we have already acted on some of the royal commission's recommendations. For example, we have improved services for carers by allocating £140 million over three years to help fund more respite care. We are extending direct payments for people aged 65 and over and we have announced our intention to establish a proper commission for care standards, as soon as parliamentary time allows, so that residential and nursing homes can be regulated and inspected by an independent agency.

As for the funding of long-term care, we are considering both majority and minority report recommendations. We want to put an end, so far as is humanly possible, to the situation where people face either poverty in old age or selling their homes to pay nursing care costs. We must do that in a financially responsible way and we will make our position clear in due course.

Q4. [90903] **Mr. David Taylor** (North-West Leicestershire): Will the Prime Minister's holiday reading include the 1999 United Nations human development report, which recently noted that income inequality in the mid-1990s in the United Kingdom was greater than in any other developed country? Does he share my concern about that leaden, not golden, Tory legacy? Will he encourage our Government to bridge the chasm that exists between the rich and the poor in our land as rapidly as possible?

The Prime Minister: Our desire to do that is our reason for introducing the new deal, which is the largest ever programme for the long-term unemployed, which is opposed by the Conservatives. It is the reason for the working families tax credit, which gives help to 1.5 million low-income families and which would be scrapped by the Conservatives. It is the reason for the minimum wage, which would also be scrapped by the Conservatives, and for the £100 bonus for pensioners, which is opposed by the Conservatives. Those are all policies that will help to reduce inequalities in this country, and that is a good and right new Labour message.

Mr. Crispin Blunt (Reigate): The operational assumptions that underlay the strategic defence review were wholly exaggerated, as demonstrated following the deployment to Kosovo. The strategic defence review cut £500 million from the defence budget. How can the Prime Minister reconcile that cut to the budget with the overstretch that our armed forces are now facing?

The Prime Minister: First, we have, through the strategic defence review, enhanced our main capabilities, which is important. Secondly, as I said earlier, the review

was carried forward with the consent and support of people in the defence and armed forces because they recognised that the services had to modernise. That stands in sharp contrast to the previous Conservative Government, who conducted no proper review and who cut spending, as I said, by over 30 per cent.

Q5. [90904] **Mrs. Sylvia Heal** (Halesowen and Rowley Regis): Will my right hon. Friend tell the House when he will introduce the promised legislation on the funding of political parties? Will he ensure that those proposals include safeguards to address the understandable public concern about the funding of a major political party by a UN ambassador to a foreign country?

The Prime Minister: I am pleased to say that a draft Bill will be presented to the House next week. As part of our commitment, we shall ban foreign donations and ensure that donations over £5,000 are disclosed. We should not forget that the legislation has been brought about by the recommendations of the Neill committee, and that the Conservative party, when in government, consistently blocked any independent inquiry into public financing.

Mr. William Hague (Richmond, Yorks): After the events surrounding formula one and fox hunting, we can see that in only one party is a large donation followed by a change in policy, and that is in the Labour party.

Figures released by the House of Commons Library today reveal that average class sizes throughout the country have risen in the past two years. Will the Prime Minister now admit that when he said at Question Time last week, "class sizes are falling", a true statement would have been, "class sizes have risen"?

The Prime Minister: That is wrong. Class sizes have fallen. For the first time in 10 years, we are seeing falls in primary school class sizes. When the right hon. Gentleman quoted primary school figures to me last week, he took the figure for one key stage and omitted all the rest. If one takes all the figures together, one sees that primary school class sizes are falling, and so are class sizes overall.

Mr. Hague: I asked the Library to take together figures for all primary schools, nursery schools and secondary schools, and the answer is that average class sizes have risen in the past two years. That is here in black and white, and the right hon. Gentleman can have the figures. Why does he not read out the Government's own figures for average class sizes, not only for five to seven-year-olds, but for nursery, junior and secondary school classes? Class sizes have stayed the same for five to seven-year-olds and they have risen for every other age group. Why does the Prime Minister not read out the figures?

The Prime Minister: The right hon. Gentleman is wrong; I shall give him the figures. For the first time in 10 years, class sizes in primary schools are falling. For the first time in five years, overall average class sizes in all maintained primary and secondary schools in England fell between January 1998 and January 1999—since the general election. More than that, as a result of our phasing out of the assisted places scheme, there will be an extra 160,000 five, six and seven-year-olds in classes of fewer than 30. The right hon. Gentleman's party is committed to reintroducing the assisted places scheme and getting rid of the money for the reduction in class sizes. If that is not so, let him come to the Dispatch Box and say so now.

Mr. Hague: The Prime Minister does not want to read out the figures because they show that class sizes have risen. He promised smaller class sizes in all classes to the whole country. It is even written on one of his famous mugs. I will show him one; it says: "Smaller Class Sizes". It does not say that for five, six and seven-year-olds. *[Interruption.]* I know that he wants to see the back of his mugs, but he will have to wait for the reshuffle— *[Interruption.]*

Madam Speaker: Order. I want to see the mug and hear what the right hon. Gentleman is saying.

Mr. Hague: All that the mug says on the bottom is:

"This product needs warm, soapy water".

When the Prime Minister publishes the Government's annual report next week, will he skip the warm, soapy water and explain to people that on this, as on so many other things, he has broken his election promise?

The Prime Minister: There is only one mug in this place. We know the difference between the two parties. The right hon. Gentleman prefers the assisted places scheme to reducing class sizes for five, six and seven-year-olds. When the annual report is published next week, it will show the fact that, for the first time in years, class sizes are falling; that hospital waiting lists are down; that unemployment is down; that we have the lowest interest rates for more than 30 years; that crime is down.

What the report will not show, but what I shall tell the House now, is the difference between the Labour party and the Conservative party. We are introducing, through the largest ever investment in schools, better schools for all our children. The Tory party opposes that extra investment and opposes the money for smaller class sizes, and that is because it is happy to stand for fox hunting and hereditary peers. When it comes to the minimum wage and class sizes, we need a Labour Government.

Q6. [90905] **Mr. Mike Gapes** (Ilford, South): Does my right hon. Friend agree that any consideration of the problems of public transport should start from recognition of the Conservatives' 18 years of underinvestment and neglect? Does he agree that, although the additional £517 million announced last week for the London underground is very welcome, the Government must do far more to put right the legacy? Will he assure the House that they will take all necessary steps to increase investment and modernise in order to make the public transport system something of which we can truly be proud?

The Prime Minister: Again, there is an important difference between Labour and the previous Conservative Government. Our proposals for London underground mean an extra £500 million funding for it. We propose to increase by 30 per cent. funding for the railway system. On roads maintenance, we are due to spend an extra

£900 million. The truth is that we inherited a chaotic, underfunded system from the Conservative Government, but under this Government, it will, step by step, get better.

Q7. [90906] **Mr. Tom Brake** (Carshalton and Wallington): The Prime Minister will soon be setting off on a well-deserved holiday. As he sits in the VIP lounge at Heathrow or Gatwick airport, would he care to read the report "The Future of National Air Traffic Services"? It says that the Government should

"re-evaluate its proposals for Public Private Partnership"

for National Air Traffic Services

"to ensure that they are entirely compatible with the safe and expeditious movement of air traffic",

and that

"any decision to opt for a Public Private Partnership"

for NATS

"should be deferred until the Swanwick Centre is opened."

Does the Prime Minister agree with me, the Environment, Transport and Regional Affairs Committee, an ex-Transport Minister in his Government and many Labour Back Benchers that he should deal with safety first, and get the Swanwick centre up and running before breaking his pre-election promise on NATS in the pursuit of profit and privatisation?

The Prime Minister: A public-private partnership is precisely what we did promise, and of course we shall look very carefully at what the Environment, Transport and Regional Affairs Committee and other Committees say about this. However, we must get not just the best value for money—safety obviously does come first—but the best system for the future. I do not think that involving private sector management in these situations is necessarily wrong, but we shall, of course, evaluate the matter and do the best thing.

Ms Linda Perham (Ilford, North): May I welcome the meeting that my right hon. Friend had this morning with the Prime Minister of Israel? Can he comment on those discussions and say how the Government can assist Israel and its neighbours in securing a peace of the brave?

The Prime Minister: I was very impressed by the degree to which the new Prime Minister of Israel was determined to take forward not just the Palestinian track, but the Syrian track, and to try to get a lasting settlement in the middle east. For our part, we have said that we shall give Israel every support that we can in achieving a proper and just settlement, which recognises the need for justice and the security needs. I was pleased that the new Prime Minister of Israel felt that Britain and, indeed, the European Union could play a part in trying to bring about peace in the middle east, and we shall certainly be happy to do so.

Q8. [90907] **Mr. Tim Loughton** (East Worthing and Shoreham): Is the Prime Minister at all concerned that one of his Back Benchers, the hon. Member for The Wrekin (Mr. Bradley), is prepared to abuse parliamentary privilege to smear a man who cannot answer back? Does he now acknowledge that the United States State Department has stated that it has never raised any concerns about the conduct of Michael Ashcroft with either Belize or British Ministers? Will he not instead condemn his hon. Friend for abusing his position when he was a member of Westminster city council planning department, when he voted against a planning application by Waitrose in preference to one by Safeway, which just happened to be one of his clients?

The Prime Minister: There is a very simple response to the hon. Gentleman. The Conservative party can refer this entire case to the Neill committee. So why does it not do so? *[Interruption.]*

Madam Speaker: Order. I remind the House that serious charges against another hon. Member must be made by tabling a motion on the Order Paper.

Mr. Martin Salter (Reading, West): Does my right hon. Friend the Prime Minister genuinely believe that the bipartisan approach to the Northern Ireland peace process is still alive, or does he share the view of some Labour Members that there are elements within the British Conservative party that have done all that they can to undermine the progress that we have made during the past 18 months?

The Prime Minister: I would simply say that I hope very much that the bipartisan approach is maintained, because Northern Ireland should not be an issue of party politics. [HON. MEMBERS: "Oh."] It was not when we were in opposition. I hope very much that bipartisanship is maintained, because it is in the interests of the people of Northern Ireland that it should be.

Q9. [90908] **Mr. Geoffrey Clifton-Brown** (Cotswold): Does the Prime Minister recall saying, on "Question Time" on 8 July,

"The point I am making is we've still got far too many people waiting to see a consultant and on the waiting list"?

He went on to promise significant improvement by the time of the next election. Given that the number of people waiting who have been referred by a general practitioner to a consultant has doubled in the two years since the Prime Minister was elected, will he now undertake to publish monthly figures not only for waiting lists, but for those waiting for the waiting lists, so that the British people can see what is happening?

The Prime Minister: Again the hon. Gentleman is simply wrong. Waiting lists have come down under the present Government. Waiting times have also come down. In relation to out-patient lists, this year, we have treated 200,000 more people than last year—far more than the previous Conservative Government did. And yes, it will take time, but we have introduced NHS Direct. An investment of £21 billion is being made in the health service, opposed by the Conservative party. We are renovating every accident and emergency department in

the country. We are introducing new cancer services. We have 7,000 more doctors and 15,000 more nurses coming in. Yes, it will take time, but the health service will get better under the present Government, not least because we, unlike the Conservative party, believe in it.

Q10. [90909] **Mr. David Lock** (Wyre Forest): As the minds of hon. Members turn towards their holidays, does my right hon. Friend agree that they will be joined this year by an extra 2.5 million people, who are getting paid holidays for the first time? Does he recall that Conservative Members, when in government, decided to oppose in the courts British people having paid holidays, rather than letting them go on those holidays? Does he agree that one effect of that opposition is that the British public will give Conservative Members a long time on holiday and out of government?

The Prime Minister: That is what they deserve. The Conservative party is opposed to the proposals for holiday leave. It is opposed to the minimum wage. It is opposed to any basic standards in the workplace. It is opposed to the working families tax credit—that boost to 1.5 million low-income families. It is opposed to it because the true one nation party of British politics today is on the Government side of the House of Commons. The Conservative party, as is obvious, is increasingly extreme, divided and out of touch.

Librarian (Retirement)

3.31 pm

Madam Speaker: I have some information to give the House. I have received a letter from the Librarian indicating her wish to retire at the end of the year. I will arrange for the text of the letter to be printed in the *Official Report*.

Miss Jennifer Tanfield has worked in the Library for 36 years, the last six as our Librarian. During that time, of course, the Library has greatly expanded its services to meet the requirements of Members, and has been through a period of great technological change and development, as I am sure all of us know and appreciate. I know that Members of all parties will join me in thanking Miss Tanfield for her long and devoted service to the House. We wish her a long and happy retirement. I take this opportunity also of expressing our appreciation of the assistance provided to us by the Library as a whole.

Miss Tanfield will retire on 31 December, and I would like to announce to the House today that I have appointed Miss Priscilla Baines, currently the Library's Director of Human Resources and Deputy Librarian, to succeed her. *Following is the Librarian's letter:*

Dear Madam Speaker

I am writing to confirm my decision to retire on 31 December 1999. I joined the Library in September 1963, so by December I will have served the House for more than 36 years, the last six of them as Librarian.

It is difficult on this occasion not to refer to all the changes that have taken place since I arrived, just after the Library's first photocopying machine. Today's electronic scanners and the computers on all our desks underline how much both technology and the methods of delivering information to users have developed. But I would also like to mention the things that have not changed. Working in the service of the House has been a great privilege, always interesting, always challenging—perhaps the only moments of boredom were when required to study the guide to National Accounts Statistics as a new Library Clerk. It has been a pleasure to work with so many Members of Parliament and I am grateful for their support of the Library and kindness to me personally. One of the continuing delights has been the calibre of my colleagues, in the Library, in other departments of the Commons and in the Lords and also those providing information services in parliaments throughout the world. And I still get a thrill every time I walk through the lovely Members' Library.

When you appointed me as Librarian I took over responsibility for a department whose services were highly valued by Members and other users. The challenge was to maintain the quality of the service without putting undue demands on the resources of the House. There is evidence that, thanks to the hard work and dedication of the Library staff, the challenge has been met and the service continues to be greatly appreciated.

Yours sincerely

Jennifer Tanfield

Librarian

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): I know, Madam Speaker, that the whole House will want to join in the tribute that you have paid to Miss Tanfield, who has given the House such long and devoted service. Indeed, it is my understanding that there are only about eight Members who were Members before she arrived here. She has also seen 17 Leaders of the House come and go, and I am delighted to be the one who is able to pay tribute to her on her own departure.

I know that we are all grateful for the professionalism of the Librarian and of all her colleagues, particularly given the large influx of new Members of all parties in May 1997. That is something which deserves a specific mention. We are all grateful, too, for the research papers that the Library produces, on which so many Members rely in providing an effective service.

There have been enormous changes during Miss Tanfield's tenure of office, with which she and her staff have coped admirably. I am sure that the entire House wishes her a very long and happy retirement.

Sir George Young (North-West Hampshire): On behalf of the Opposition, I associate myself, Madam Speaker, with your remarks and those of the Leader of the House. Opposition parties have particular reason to be grateful for the services provided by the Library. Indeed, they were used only a few moments ago.

The development of the standard notes, putting more information on the intranet, and training Members to use Library services more efficiently have all been welcome initiatives introduced under the leadership of Miss Tanfield. The Library has coped with a dramatic explosion in demands on its services. It receives about 60,000 inquiries a year. We pay tribute to the work of Miss Tanfield and of the Library and we wish her a long and happy retirement.

Mr. Richard Allan (Sheffield, Hallam): As Chair of the Select Committee on Information, I should like to express the Committee's sincere thanks and appreciation to Jennifer Tanfield for her work for the Committee and the House since 1993. She has successfully overseen a time of great change in the Library and placed it firmly at the forefront of developing new technology for the House and the wider public. The Library has done a great deal to provide information to the citizens of the country.

As well as being a repository of books and papers, the Library is a major research organisation and provider of information on the intranet. That is all done in a helpful and friendly way, so that those who still have panic attacks at the thought of programming videos can nevertheless receive an efficient, effective and helpful service from our Library staff. As a measure of the success of Miss Tanfield's stewardship, in a recent survey hon. Members gave the Library 8.9 out of 10 as a rating of their satisfaction with the Library services.

Jenny Tanfield leaves the Library in excellent shape, and we on the Information Committee look forward to working with her successor, Priscilla Baines.

I make these comments also on behalf of my colleagues on the Liberal Democrat Benches.

Mr. Tony Benn (Chesterfield): May I briefly add my appreciation of the work of Jennifer Tanfield, on behalf of all the Members who have used the Library over many, many years? She has been an outstanding Librarian and custodian of the collective experience of the human race.

Libraries represent the one natural resource that is expanding all the time. Oil and coal decline, but knowledge expands. Visiting the Victoria tower, as I have done, and seeing the scrolls written on parchment with quill pens, which are part of the history of Parliament, we are reminded that if we do not know our history, we do not know where we came from or where we are going.

[Mr. Tony Benn]

Anyone who has been up the Victoria tower will appreciate that so much has changed, but so little has changed, too.

I look forward to the Freedom of Information Act, as I am one of the Members who do not see why I should have to wait 30 years to discover what is going on. If the Freedom of Information Act were introduced, the Library would have access to more recent information.

May I express my deep appreciation to Jennifer Tanfield who, not only in the Library, but as chair of the librarians of the Parliaments of the world, has made such an outstanding contribution to the work of the House?

Mr. Barry Sheerman (Huddersfield): It would be remiss of the House not to express our appreciation of Jennifer Tanfield's work. I know of her work both in the House and outside. As a fellow graduate of the London School of Economics, I know that she has been active in a different cause.

Jennifer Tanfield has turned our Library into the leading-edge library of all European Parliaments through the way in which it has progressed the use of information technology for Members and many others, including scholars.

You, Madam Speaker, as I hope the House remembers, were our first woman Speaker. Jennifer Tanfield was our first woman Librarian.

Madam Speaker: I appointed her.

Mr. Sheerman: Indeed. I am delighted that Miss Tanfield's successor will be a good woman, too.

Points of Order

3.38 pm

Madam Speaker: Before I deal with today's points of order, I shall deal with one other matter. I need to respond to points of order made to me yesterday.

I regret that there appears to be continuing confusion in the minds of some hon. Members about the effect of the motion relating to the Railways Bill that was passed on Monday night by the House.

The motion before us that night was debated and agreed to, and the Bill was referred to the Select Committee on the Environment, Transport and Regional Affairs. It is now for that Committee, which I understand met this morning, to consider the provisions of the Bill. The Committee may make recommendations about the content of the Bill. It does not, however, have the power to make amendments to the Bill.

What may or may not become of the Bill after the Committee completes its work is certainly not a matter for me. That is a matter for the Government. Hon. Members who wish to pursue the further handling of the Bill should do so through the usual channels or through business questions.

Now that I have clarified the situation once more—not for the first time, but once more—I hope that hon. Members will not seek to draw the Chair into what is essentially a political dispute about the handling of legislation. May I say to those hon. Members who may remain dissatisfied with the procedures of the House that they are at liberty to make representations to the Select Committee on Procedure or to the Select Committee on Modernisation?

Mr. Gerald Howarth (Aldershot): Further to your ruling on that matter, Madam Speaker, which I did not know you were going to make—

Madam Speaker: I was asked to make a ruling.

Mr. Howarth: I did not realise that you would make a ruling today, Madam Speaker.

Madam Speaker: I always do things very speedily.

Mr. Howarth: Indeed, Madam Speaker. You always satisfy the requirements of the House.

As the Member responsible for ensuring that the motion was debated in the House on Monday—I objected to it last week—may I ask you for some clarification? Given that you have said that the Committee cannot amend the Bill, although it may comment on it, will there be another debate on Second Reading when the Bill comes back to the House, and will it go on Report; or is that in the hands of the House itself?

Madam Speaker: That is what I have just said. What may or may not become of the Bill after the Committee completes its work is certainly not a matter for me; it is a matter for the Government.

Mr. Howarth: On a different point of order, Madam Speaker. Last month, I raised the matter of the soldiers whose names were revealed by the Saville inquiry into

the events in Londonderry in January 1972. I said on the Floor of the House that their statements, which were given in confidence in 1972, had been released to the lawyers representing the families of those who were killed in Londonderry. The inquiry put out a statement that day, in effect rebutting what I said, but also saying that it was looking into the matter.

Today, the inquiry has issued a press release confirming that it has released the names of those soldiers—who served our country and put their lives at risk—for the first time since 1972, putting them into the public domain.

I seek your guidance, Madam Speaker. The inquiry is incompetent, but given that the Prime Minister has told me in a letter that the matter is nothing to do with him, even though he set up the inquiry, how on earth am I able to challenge that incompetence? Former members of the Parachute Regiment around the country and my constituents who are former members of the Parachute Regiment have absolutely no confidence whatever in the inquiry, but if I cannot tackle its incompetence through ministerial offices, how am I to deal with this matter, which is causing great expense to the public and seriously undermining confidence in the inquiry's fairness?

Madam Speaker: I want to be as helpful as I can to the hon. Gentleman. May I consider what he has said and look at the report and the press release, which I have not seen and to which he refers me? May I take the opportunity of writing fully to him after I have considered all those aspects?

Mr. Howarth: I am most grateful.

Mr. Quentin Davies (Grantham and Stamford): On a point of order, Madam Speaker. Convention and statute law give the House a number of privileges. I know that you, and almost all Members of the House, feel strongly that it is important for the dignity and effectiveness of Parliament that those privileges should not be abused. One of those privileges is immunity from suits of libel or slander relating to what is said in the House. I am afraid that the remarks made by the hon. Member for Bolsover (Mr. Skinner) a few moments ago, in which he accused a private citizen of being a drug runner without adducing any evidence whatever, were indeed an abuse of that kind.

Madam Speaker: Order. I have been in the Chair since 2.30. I have heard exchanges across the Floor of the House involving Members of both sides of the House which I strongly deprecate. We should remember the wise words of Erskine May:

> "Good temper and moderation are the characteristics of parliamentary language."

We should not be abusive, as we have been today. I deprecate very strongly the accusations that have been made from all parts of the House.

Mr. John Bercow (Buckingham): On a point of order, Madam Speaker. You will know that I was one of a number of Members who inquired about the procedure for the handling of the Railways Bill. I, among others, am very grateful for the guidance that you have given, and I understand that it is for the Government to decide on the future handling of Bills, but is it anticipated that there will be published or stated criteria according to which there will be either one or more than one debate on the Second Reading of a Bill? If Members do not know in advance whether there will be one or two debates on Second Reading, it will be very difficult for them to make any sort of judgment about the opportunities that they will have to contribute.

Madam Speaker: As I thought I had explained in my very long answer to points of order, those are questions that could be put to the Leader of the House at business questions, or through the usual channels across the Floor of the House.

BILL PRESENTED

EMPLOYMENT RIGHTS (INTERNATIONAL OBLIGATIONS)

Mr. Tony Benn, supported by Mr. Harold Best, Mrs. Ann Cryer, Mr. Alan Simpson, Mr. Llew Smith, Audrey Wise, Mr. Mike Wood, Mr. Austin Mitchell, Mr. Kevin McNamara, Mr. Dennis Skinner, Mr. Bill Etherington and Mrs. Maria Fyfe, presented a Bill to make provision for the implementation in the laws of the United Kingdom of the rights in employment which are established by certain international instruments ratified by the United Kingdom: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 146].

Work With Asbestos

3.45 pm

Mr. Harry Cohen (Leyton and Wanstead): I beg to move,

That leave be given to bring in a Bill to create new offences relating to negligent or malicious practice involving work with asbestos; to increase the penalties available to the courts for existing offences; to confer new powers on the Health and Safety Executive; to amend the law with regard to the employment rights of health and safety representatives; and for connected purposes.

I am grateful to my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), who is a sponsor of this Bill, for providing me with details of the film "DOA"—Dead on Arrival. In the opening scene, a man enters a police station and says, "I have come to report a murder." When asked who has been murdered, he replies, "I have."

Tens of thousands of men in Britain and across Europe could do the same, because they have been exposed to asbestos dust, often through the negligence and malpractice of their employers and contractors. In this country, there are an estimated 3,000 asbestos-related deaths a year: from asbestosis, asbestos-related lung cancer and mesothelioma, a particularly nasty and painful form of cancer, for which prognosis for any form of recovery is very poor.

At a conference on asbestos-related diseases in 1997, Dr. John Moore-Gillon said:

"People with mesothelioma all die, usually after a few months of increasing pain and breathlessness. There can be no condition which is more distressing for the patient, relatives and to the completely powerless doctor, as those individuals plough inexorably downhill."

Current projects based on a paper in *The Lancet* entitled "The continuing increase in mesothelioma mortality in Britain" suggest that, in 10 years' time, such deaths among men could range from 1,000 to 2,100; in 20 years' time, from 1,300 to 3,000; and in 30 years' time, from 1,000 to 3,200. The ratio of other asbestos-related deaths to mesothelioma is currently 2:1. On just a 1:1 ratio, Professor Julian Peto has estimated that, in the next 35 years, asbestos-related cancer will kill 500,000 men in western Europe.

Asbestos-related deaths have a long latency period—anything from 15 to 60 years from exposure to the deadly dust—so many of the murders of those who are still alive cannot be stopped. However, we can act now for the future. Many trade unions and health and public safety campaigners have long pressed for the law to be strengthened. To their credit, the Government have done that in a number of respects: they have introduced tighter regulations on asbestos licensing and exposure at work; and they have been negotiating hard for a Europe-wide ban on white chrysotile asbestos. Safer substitutes have now been scientifically established, so I hope that there will not be much more of a delay before white asbestos is banned in Britain and throughout the EU. If the date set for a total EU ban is some years ahead, I hope that that will not stop the Government announcing an immediate ban in this country.

Campaigners have also rightly pointed to the inadequacy of sentences delivered by the courts in cases involving negligent or malicious work with asbestos which places the lives and health of workers or innocent members of the public at risk. In a parliamentary answer to me in April, the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Mansfield (Mr. Meale), said:

"I am concerned that the general level of penalties imposed by the Courts for Health and Safety offences, including those related to asbestos, do not match their seriousness, especially given that lives are being put at risk."—[*Official Report*, 27 April 1999; Vol. 330, c.91.]

The Minister was being too polite. Many of the sentences have been derisory, and despite the fact that some bigger fines have been imposed, judges still seem out of touch. They fail to see the gravity of the offence and continue to assess life far too cheaply. They have also been reluctant to imprison asbestos cowboys, even where the crime has been blatant.

The first ever custodial sentence—three months—on a cowboy contractor for serious breaches of asbestos regulations was passed on Roy Hill by Bristol Crown court in January 1996. The second one, and the longest to date—nine months—was handed down to Paul Anthony Evans by Birmingham Crown court in September 1998. Despite not having a licence, Evans subcontracted the stripping of a factory roof of asbestos and its disposal. He hired a van and dumped 300 sacks of asbestos around the city. The co[illegible] was told that some of the bags had been left open and others had burst on inspection, releasing the asbestos fibres into the air. Children were found playing with the asbestos, some of which had been dumped on a school playground and some near a supermarket. I do not think—nor, I suspect, do most members of the public, especially people in Birmingham—that nine months' imprisonment was a sufficient sentence.

Mr. Justice Scott Baker, in an important Court of Appeal judgment last November, set out for the first time a range of factors for determining penalties. However, as in earlier judgments, he still managed to reduce the penalty imposed on the guilty party. It is hard to believe, but those were advances.

Earlier this year, there was a significant setback in the shape of the judgment in the case of the Medley brothers—Neil Peter Medley and Andrew Craig Medley. Their company, Medleys Limited, employed schoolboys to remove asbestos tiles from the ceiling of AE Turbines of Yeadon, Leeds. They employed two 15-year-olds and a 14-year-old for that work, and they also pleaded guilty to undertaking asbestos work in an old boiler house without a licence, failing to leave the premises in a clean state to prevent the spread of the asbestos, and placing employees at risk during work at a school by not properly maintaining records or medical surveillance. About 60 other charges were ordered to lie on the file. Neil Medley was ordered to do 240 hours of community service and pay £4,000 costs, and his brother was given half that penalty.

That was a grossly inadequate sentence. The judge, John Cockcroft, said that he could not send them to prison as, he claimed, the maximum punishment allowed by health and safety laws was an unlimited fine. He said:

"Only time will tell in relation to cases of this sort whether disease caused by exposure to asbestos will cause Parliament to look again at the maximum sentences for these offences."

The Union of Construction, Allied Trades and Technicians expressed its horror at the leniency of the sentence. George Brumwell, its general secretary, said:

"We believe the sentence is an insult to the thousands of asbestos victims and their families. This case illustrates that the law must be toughened up so that punishments received for health and safety crimes match the nature of the crime. Asbestos kills people."

UCATT drew attention to the Turin court decision three years ago when nine owner-managers of the Societa Italiana Amianto asbestos factory were jailed for terms of between seven months and eight years, and ordered to pay personal compensation totalling £6 million. They were found guilty of murdering 32 workers and causing the occupational diseases of the 11 still alive. Mr. Brumwell said:

"This level of punishment would make a real difference in attitudes of employers in this country."

My Bill would increase the range of penalties, including imprisonment, for those organising work with asbestos who place another person's health or life at risk by undertaking negligent or malicious practices in the performance of that work. It would strengthen the powers of the Health and Safety Executive in the investigation of suspected breaches of asbestos law and regulations. Any obstruction of the HSE's investigations would be a crime with stiff penalties in its own right. It would introduce offences of corporate neglect and corporate malevolent practice whereby the directors of a company organising work with asbestos, which places another person's life or health at risk by negligence or malicious practice, would also be subject to penalties, including possible imprisonment.

I favour the enactment of the Law Commission's 1994 proposed reform of manslaughter law. It proposed three new offences—reckless killing, killing by gross carelessness and corporate killing. My Bill nods in that direction for asbestos offences.

My Bill would also increase penalties for offences under the Employment of Women, Young Persons and Children Act 1920. The maximum penalty of a fine not exceeding £1,000 for employing a child in an industrial undertaking is far too low. It should be an imprisonable offence to employ any child on work with asbestos.

The Attorney-General has the right to appeal what he considers too lenient sentences. However, according to the Lord Chancellor, that does not apply to health and safety asbestos cases. My Bill would extend that right of appeal. It would also require the Lord Chancellor to arrange specific training courses for all judges who are likely to deal with asbestos cases, explaining the sentences available to them.

I know that Ministers were deeply disappointed by the Medley judgment, and are still actively considering how to respond. My Bill comes at the end of this parliamentary Session, so it will not make progress on this occasion. However, it points the way, and I hope that more realistic sentences that reflect the deadly seriousness of asbestos abuse will be enacted in the not too distant future.

Madam Speaker: Order. I have been indicating the digital clock for some time.

Question put and agreed to.

Bill ordered to be brought in by Mr. Harry Cohen, Mr. Nick Ainger, Mr. Michael Clapham, Mr. Jeremy Corbyn, Mr. Tom Cox, Mr. Neil Gerrard, Dr. Norman A. Godman, Helen Jackson, Mr. Gerald Kaufman, Mr. John Smith, Dr. Howard Stoate and Mr. Tony Worthington.

WORK WITH ASBESTOS

Mr. Harry Cohen accordingly presented a Bill to create new offences relating to negligent or malicious practice involving work with asbestos; to increase the penalties available to the courts for existing offences; to confer new powers on the Health and Safety Executive; to amend the law with regard to the employment rights of health and safety representatives; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 23 July, and to be printed [Bill 147].

Orders of the Day

Access to Justice Bill *[Lords]*

Lords Reasons for disagreeing to certain of the Commons amendments considered.

3.56 pm

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Keith Vaz): I beg to move, That this House does not insist on Commons amendments Nos. 27 to 30, to which the Lords have disagreed.

Lords Reason:

Because it is not appropriate for the Legal Services Commission itself to provide advice, assistance or representation to individuals involved in criminal investigations or criminal proceedings.

Madam Speaker: With this we shall take Government amendments (a) to (e) in lieu thereof.

Mr. Vaz: The amendments would reinstate powers for employees of the Legal Services Commission to provide advice, assistance and representation as part of the Criminal Defence Service. They would enable the commission to develop a mixed system for the provision of the full range of criminal defence services, through both salaried defenders and contracts with lawyers in private practice.

When the Bill first came before the House, it had been denuded of the power to provide services in this way as a result of action taken in another place in support of—it has to be said—blatant vested interests. The House wisely reinstated provisions that would give the commission the greatest flexibility to provide cost-effective services, and to provide a wider choice for the public.

As the House will know, a public defence solicitors' office has been operating in Scotland on a pilot basis since October last year. That office is already finding that 22 per cent. of its clients are choosing its services in preference to those of people in private practice. The remainder of its clients are allocated randomly between the private and the employed sector.

What the Bill proposes does not involve allocation; it is based on freedom of choice. It seems, however, that some in the private sector fear the competition that freedom of choice will introduce. It is surprising, to say the least, to find the principal opponents of choice in the other place on the Liberal Democrat Benches. The other place has now rejected these proposals twice. On the second occasion, it did so when it enjoyed the explicit backing of this House, which is directly responsible to the electorate who might wish to take advantage of the services involved. That cannot be the role envisaged for a revising Chamber.

I am delighted to see that the hon. Member for Torridge and West Devon (Mr. Burnett) is present. I am sure that he will advance the arguments of his party, and will explain why its members voted as they did in the other place.

The issue of salaried defenders has been the subject of widespread debate in both this House and another place, and also outside Parliament. I was very pleased to see early-day motion 840 on today's Order Paper. The motion, initiated by my hon. Friend the Member for Hendon (Mr. Dismore), has already been signed by 59 hon. Members, including the hon. Member for Colchester (Mr. Russell).

When listening to debates such as this, I have had occasion to wonder whether the opponents of the provisions really understand what they are opposing.

Mr. Edward Garnier (Harborough): No doubt as a result of some oversight, the hon. Member for Hendon (Mr. Dismore), who initiated that early-day motion, does not appear to be here to listen to the Parliamentary Secretary. For the benefit of the many Members who are listening to him, would he be good enough to recite the terms of the early-day motion, so that we could come to grips with it and see precisely what he supports and what the hon. Member for Hendon is so keen on?

Mr. Vaz: I know that the hon. and learned Gentleman has a special relationship with my hon. Friend the Member for Hendon. I will leave that to one side. He has a pair of legs. I am sure that he can trot off to the Vote Office, get a copy of the Vote—which we are all entitled to do—and read it for himself.

There are those who seem to think that the criminal defence service is synonymous with a United States-style public defender office. In fact, it refers to the flexible system that will replace criminal legal aid, which will provide criminal defence services through a mix of salaried defenders and lawyers in private practice.

It is emphatically not the Government's intention to introduce a comprehensive public defender system. We have made that clear on a number of occasions, yet unfavourable comparisons are drawn with public defender systems in other countries, rather than with mixed systems such as those in Canada.

There has been debate about the independence and ethical standards of salaried defenders, but little acknowledgement of clause 37, which places the overriding ethical duties of all advocates and litigators on a statutory footing; or of clause 16, which provides for a code of conduct specifically for salaried defenders.

Furthermore, the Legal Services Commission will be an independent non-departmental body. There is simply no danger of collusion between its employees and the prosecution, and perhaps less risk of an appearance, or perception, of collusion than where two barristers from the same chambers appear on opposite sides.

Lawyers in Britain are rightly proud of their integrity and independence, but that independence flows from their membership of a profession and their obedience to the ethical rules that their profession enforces, not from the way in which they are paid. It is fallacious and an insult to thousands of employed lawyers to seek to equate "independent practice" with the independence needed to advise and to act for a client.

Salaried defenders will give the public a wider choice of representative. They will provide the Legal Services Commission with the means to assess value for money provided by criminal defence services generally. They will increase the commission's flexibility in the provision of criminal defence services and provide a competitive stimulus to lawyers in private practice.

The state is under no obligation to guarantee to the private profession that it, and it alone, may provide publicly funded legal defence services. Given that high

standards will be maintained, the public will gain from the introduction of salaried defenders as part of a mixed system of legal service provision.

International research shows that mixed systems, with salaried defenders operating alongside private lawyers, can be the most successful way in which to provide criminal defence services. That is the view of Bar associations, including the Canadian Bar Association and the American Bar Association. It is advocated by official bodies such as the Legal Services Corporation in America and the National Legal Aid Advisory Committee in Australia.

We will learn from the overseas and Scottish experience as we introduce salaried defenders in England and Wales. We also intend to consult widely before taking any steps. After that, the Legal Services Commission will establish pilot projects to test and to evaluate different models for providing services through salaried defenders. We would start with small pilots and monitor them precisely to see how effective the arrangements were. The pilot projects would be extended throughout the country only after we had had experience of salaried defenders in practice. Decisions will therefore be taken on the basis of evidence, not prejudice and assumption.

Alternative amendment (e) broadens the scope of clause 15(9), which currently provides that regulations may not require someone to select an employee of the commission as his or her representative. If amended as I propose, the subsection would also catch employees of separate bodies established and maintained by the commission to provide salaried criminal defence services. We intend to test both models—direct employment and separately maintained bodies akin to law centres—in the pilots.

I should also make it clear that, within the commission, salaried defenders will work within a separate organisational unit or units, reporting to a senior lawyer responsible for managing them in a way that respects and protects their professional integrity. They will not have additional responsibilities for any other of the commission's functions. They will be employed as criminal defenders, and I have no doubt at all that, as such, they will dedicate themselves to defending their clients with the same professional skill, judgment, and fearless independence and integrity as would any lawyer in the private sector.

Alternative amendments (d) and (c) are intended to give a better flavour of that. Rather than saying that the commission may itself provide advice, assistance and representation, the amended Bill will say that the commission may employ persons to provide those services. We have not proposed a similar change to the language of clause 7 on the community legal service, because there is not the same imperative to ensure that salaried providers of civil services are managed, and are seen to be managed, separately from other staff; and because the commission may provide services other than by employing people—for example, by making information available in electronic form on the internet.

The Government are confident that salaried defenders will develop to play a valuable role in the criminal defence service without any element of compulsion. I challenge the private profession to demonstrate the same confidence in the service that they provide. I, for one, have that confidence, and submit that the private professions have nothing to fear from competing alongside salaried defenders in a system based on an informed choice of representative.

Those in another place who have removed similar provisions are effectively seeking to protect the vested interests of the established profession by preventing that choice from being made. They are not prepared to accept that there might be lessons that we can learn from other countries, and that there may be a case for looking at arranging our legal services in a different way. It is, I regret, a blurred vision, which is not prepared to accept that there can be merit in change and diversity.

I hope that hon. Members will see that, subject to the safeguards set out in this Bill, there is great merit in allowing criminal defence services to be provided both by private practitioners—whether in independent practice or employed by law firms—and by those employed by the state. The Bar and the solicitors profession can survive on their merits. They do not need to be cocooned with restrictive practices and guarantees of state work.

Mr. Garnier: I am most grateful to be called to contribute to this important debate. We are at the point of collision in our deliberations, but that is not unusual when a matter is of concern to those who think about it.

The collision is between the arguments advanced in another place and the Minister's arguments, if I can use that word in connection with what he has said. The Minister had to resort to abuse. He said that lawyers were demanding that their vested interests should be protected against the freedom that he claims will be provided by the amendments that he has tabled. He also said that the amendments would allow the wider public greater access to a full range of lawyers, including both salaried state defenders and those in private practice.

I have never believed that argument by abuse is a substitute for the proper evidential and intellectual analysis of a proposal.

I bow to no man in my admiration of the Parliamentary Secretary's ability to read out unthinkingly the civil service brief with which he has been provided by the Lord Chancellor. There is no doubt that he knows how to read. However, this is not a trivial matter, despite the low attendance in the Chamber this afternoon. No matter how emollient or smooth the Minister's tone, and no matter how he puts forward the words that he read out a moment ago, not much of value or worth underlies them.

I begin by reminding the House what clauses 13 and those immediately following, headed "The Criminal Defence Service", are all about. The Legal Services Commission replaces the Legal Aid Board to run legal aid, for criminal cases via a criminal defence service, and for family/civil cases through a community legal service fund. Lawyers and other providers need a contract from the Legal Services Commission to offer services under the fund, and the Legal Services Commission has the power to make any type of contract.

In relation to criminal cases, most criminal defence service services will be provided under contract, usually at a fixed price. I fully accept the point made by the Minister, the Lord Chancellor and other loyal members of the Government and their supporters, that we are looking at a mixed system. There will not be a wholly state defender system. Some criminal defendants will enjoy the services of private practitioners, but other defendants—

[Mr. Garnier]

this will be the subject of a debate later this afternoon—will not, and they will be required to make use of the services of employed salaried state defenders.

Those contracts, to which I have referred, will cover everything from police station advice to Crown court representation. As I understand it, the Government intend that high-cost criminal defence service cases will be subject to individual contracts. The possible introduction of United States-style public defenders employed by the criminal defence service with a favoured long-term plan of mixing private and staff lawyers is envisaged, as I implied a moment ago. The courts are to decide if it is in the interests of justice to grant representation under the scheme. The powers previously enjoyed by others will now be transferred to the criminal defence service.

Eventually, legally aided defendants will be able to choose only lawyers with a contract. In high-cost cases, the choice will be limited to lawyers on a specialist panel and, in certain circumstances, defendants are to be assigned to a lawyer. Means testing will be abolished and the court will be able to make convicted defendants repay some or all of their defence costs.

As with so much of the Bill, the aspects that we are now discussing are very much a curate's egg—good in parts but, unfortunately, also bad in parts. No matter how much the Minister and his master seek to persuade the wider public that what they are doing is all good, I regret to say that a proper analysis of what they seek to do does not allow that case to succeed.

For the Opposition's part—I believe that we have the support of the Liberal Democrats—we see no evidence of the need for a criminal defence service. Nor do we understand how injecting a degree of nationalisation into criminal defence can enhance competition. Thirdly, we do not understand how the quality of criminal defence in Britain will be improved by a system of state defenders. Fourthly, we fear that the introduction of state defenders will undermine the perception and the reality of criminal justice. That is particularly true when we consider that, in future, we are likely to be faced in many trials with not only the prosecution being represented by Government officials in the form of the Crown Prosecution Service, but the defence being represented by a Government official.

4.15 pm

You may feel, Madam Speaker, that this is a deeply interesting esoteric discussion to listen to on a Wednesday afternoon. After all the excitement of Prime Minister's Question Time, it must be hideous to have to chair a discussion about arguments over one sort of lawyer or another. *[Interruption.]* Fortunately, I am deaf in my left ear—like the Labour Government—and I did not hear what the Minister said. It is unlikely to matter; I heard his speech, and I do not imagine that we have much to learn from him.

On 5 July, our revered, noble and learned Lord Chancellor went to Edinburgh, the capital of his home country, to address the Common Law Judiciary Association. He made it clear—and I agree with him—that the independence of the judiciary is a cornerstone of our constitution. He went on to say—and I again agree—that one guarantee of the independence of the judiciary, and one reason why members of the public and Members of Parliament can have confidence in it, is that the profession of advocacy, whether among solicitors or barristers, is also independent.

Advocates are able—from my own experience, I believe that it is their second nature—to appear before courts and judges against public authorities, Government Departments and police forces, and fearlessly to represent their clients' interests, whether or not the clients are popular or appealing to the press, the judiciary or the jury. If I have not made my interest clear already, may I declare that I am a practising member of the Bar. It is our firm duty to represent our clients irrespective of our prospects of promotion or career or remuneration. *[Interruption.]*

It is permissible for Ministers to snigger when members of the Bar or solicitors make that point, and it has happened many times. They say how old-fashioned we are and how sad it is that Opposition Members should seek to protect the vested interests of the privately financed Bar. I beg to differ with that view. It is of huge constitutional importance that the independent Bar and the independent solicitors' profession on which the independent judiciary is founded and nourished should be able to appear in the courts without having to worry about whether what they do is favourable or appealing to the state.

The state already prosecutes through the Crown Prosecution Service, which, after 10 years, is beginning to find its feet. We have not yet had the happy experience of a criminal defence service. One need only look across the Atlantic to see what has occurred in the United States. Indeed, we need look only along the corridor to the other place. We can read the record of debates about the Bill conducted by Labour peers who have considerable experience of the law, and who, with all due respect to the Parliamentary Secretary, have greater experience than his.

Let me refer the House to an intervention made by Baroness Kennedy of the Shaws. As far as I recall, she is not a card-carrying member of the Conservative party; indeed, from time to time—certainly during the deliberations in which she took part in the other place—she may have doubted whether she should be a card-carrying member of the Labour party.

The noble Lady made several trenchant points, although they may not yet have sunk in for Members on the Treasury Bench, but my hon. Friend the Member for Surrey Heath (Mr. Hawkins) and I will draw them to the attention of the House—or at least to the attention of those Members who are unfortunate enough to be in the Chamber this afternoon listening to my speech. I shall paraphrase the noble Lady's remarks because I do not have her words in front of me. From her experience of talking to lawyers in the United States, she found that those who were the least experienced and the most susceptible to pressure found it necessary to join the state defender service. As a consequence, deals were done; pressures were exerted on those lawyers to deliver the list and ensure that the throughput of cases was achieved to the satisfaction of the prosecutors and the courts, and, no doubt, to the career satisfaction of the state defender—but not necessarily to the advantage of the defendant whom they were supposed to represent.

I know that the Minister is a man of immense calm and not likely to lose his temper at any stage—that would be wholly outside his character—but before he gets an ulcer,

I advise him that I am as well aware as he is of clauses 16 and 37. They set out the statutory code of conduct and the overriding duties that members of the state defence service will be required to observe. However, it is one thing to write provisions in a Bill and quite another to ensure that those codes and duties are observed in the rush and heat of battle as one leads up to a case in the magistrates court or the Crown court. I fully accept that the words of the code of conduct and of clause 37, which deals with overriding duties, will be considered; no doubt, they will be stuck up in the robing rooms of every state defender office in the country. However, in due course when the Bill becomes law—sadly, in respect of this aspect of it—I shall be interested to see whether those words will be honoured more in the breach than the observance.

Of course, there will be no evidence of that. Which criminal state defender would put his hand on his heart and run round to *The Sun*, the *Daily Mail*, *The Times* or the *Law Society Gazette* to say "Oops", because he had settled the case or persuaded the client to plead guilty in order to appease the ire of the prosecutor, who had four cases in a different court and needed to get on, or to assuage the anxiety of a magistrate or a Crown court judge who needed his list to be completed?

Mr. John Burnett (Torridge and West Devon): Does the hon. and learned Gentleman agree that there could be great proximity between prosecutor and defender? They might even share the same office.

Mr. Garnier: We do not know. I share the suspicions of the hon. Gentleman; we discussed them in Standing Committee and it is right that they should be raised again today. The prosecutor and the defender may well share an office; they may share an employment stream. If people do well and deliver for the state as a defender, they may be promoted across to the prosecution service as a district or regional prosecutor.

Mr. Andrew Dismore (Hendon): Will the hon. and learned Gentleman explain the difference between the Liberal party hypothesis that a prosecutor and a defender may share the same office and the current practice in which people acting for both sides of a case often share the same chambers or even the same room? Indeed, people's progress up the prosecution ladder very much depends on whether they find favour with the CPS in defence work.

Mr. Garnier: Let me assist the hon. Gentleman, who claims to be a highly experienced solicitor—as I am sure he is. He may well have instructed barristers from the same chambers in different cases—for example, on one occasion acting for a plaintiff and on another acting for a defendant in a personal injury matter. I do not know what the hon. Gentleman's experience is of criminal cases, but I offer him an example from my own practice.

I am a defamation practitioner. There are not a huge number of defamation practitioners at the Bar of England and Wales—so, inevitably, there are cases in which barristers from my set of chambers act for both sides. However, the great distinction between members of my chambers and members of the criminal defence service and the criminal prosecution service is that my friends in chambers and I are self-employed: we are independent economic and intellectual units. I do not owe anything other than a duty of courtesy and the normal professional duties to the court to a colleague in chambers when I am against him in a contested matter.

I do not know whether the hon. Member for Hendon has had the opportunity to act in a libel case, but let me tell him that often the hardest-fought fights between barristers take place between opponents who happen to be in the same set of chambers. A barrister survives and gets his next brief by virtue of his reputation as an independent and fearless advocate on behalf of his client. He does not recover fees or get another brief because he has greased up to some paymaster, or because he has managed to ingratiate himself with some state provider of funds. *[Interruption.]*

It is easy to snigger. The hon. Member for Streatham (Mr. Hill), for whom I have the highest admiration, has learned a lot over the past year, since becoming a Whip and joining the legal services team. However, as I look across the Chamber at the right hon. Member for Llanelli (Mr. Davies), who is an experienced advocate, I have a suspicion that he and I, despite our party political differences, and other members of the Bar and members of the solicitors profession—perhaps with the exception of the hon. Member for Hendon—share a certain understanding of the way in which the independent advocate exercises his duties and carries out his work. My fear is that, if the Government have their way, the way in which the right hon. Gentleman and I have carried out our job in respect of both criminal and civil defendants will be made far more difficult.

There is no evidence of the need for a criminal defence service. It might be said that the Chancellor needs to save money, or at least not to increase expenditure—all Governments need to keep control of expenditure. However, there is no empirical evidence that I have seen, or that the Government have been able to demonstrate to the House or any other interested body, that there is a need for a criminal defence service. There are plenty of private professional advocates who are willing and available to act for defendants in criminal matters.

The Parliamentary Secretary says that it is not the duty of the state to guarantee work for private lawyers. Of course it is not, and no one has ever suggested that it is. The best will do well and the worst will not. There is no requirement in the private professions for the state to hand out free money—a free ride—to either solicitor advocates or barrister advocates who act for defendants. It is a simple canard for the Government to suggest that there is an overwhelming need—or any need—for the establishment of a criminal defence service.

The Labour Government have wholeheartedly embraced the Conservative ethos of privatisation. They call it different names, such as private-public partnerships, and they use the language of "Alice in Wonderland" and George Orwell's "Nineteen Eighty-four" to confuse the public and to hide their true intentions, but there is no question but that they are a pale-pink Conservative Government—not a good pale-pink Conservative Government, if I, a pale-pink Conservative, can say that—who are doing their best to understand the language of conservatism without knowing what it is all about. The Government have been found out in relation to clause 13, and the other place, in its refusal to accept this amendment, has found them out as well.

4.30 pm

By resisting the Lords' refusal to accept this House's amendment to this clause, the Government are injecting a degree of nationalisation into the criminal defence system. The Government talk privatisation, the free market and competition. However, because they do not understand what they are doing, they have fallen into the trap of nationalising part of the legal system. They say that they are making the change because it is right and it is what is required. Would that the Government knew what they were doing. If they looked at what is happening both here and in other countries and if they compared like with like, they would understand that they have fallen into a trap of their own making. There is no need for a nationalised criminal defence service.

The Government claim that the quality of criminal defence in this country will be improved by a system of state defenders. They think that asserting it proves the case, but there is no evidence to back up the assertion. I listened carefully to the Parliamentary Secretary—I always listen carefully to him and I read his articles in the *Leicester Mercury* every week. However, nothing that he has said, written or caused to be published—if I may resort to the language of a pompous barrister, which is what I am—

Mr. Vaz: Hear, hear.

Mr. Garnier: I am glad that the Parliamentary Secretary was listening to that part of my remarks at least.

None of the Minister's utterances has persuaded me that the quality of the criminal defence system in this country will be improved by a system of state defenders. I suggest that the service will deteriorate and diminish.

I accepted at the outset that the Government envisage a mixed system comprising salaried defenders and contracts for private practitioners. The Minister cited the example of the Scottish experience. I always shudder when Ministers—particularly Ministers from the Lord Chancellor's Department—use the expression "the Scottish experience". It takes me back to a 1996 speech made by the Lord Chancellor, then shadow Lord Chancellor, about the Scottish experiment with conditional fee arrangements, which he deprecated. Amazingly, by May 1997, he had done a complete volte face and thought that anything emerging from Scotland was wonderful.

The Minister said that 22 per cent. of defence clients choose the equivalent of the criminal defence service in Scotland. So what? I am not sure that that tells us anything other than that 22 per cent. of clients choose the criminal defence service. The Minister did not tell us why they choose the service, where those clients come from or whether other choices were available to them. Is it the case that in the centres of Glasgow and Edinburgh there is a choice between private practitioners and state defenders, but, because of the excellence of the criminal defence service, 22 per cent. of clients choose the CDS or its equivalent in Scotland?

Do clients choose that service because—as we suspect will happen in this country—they must retain the lawyer with whom they were presented or whom they were required to choose when they were beaten up or drunk and were brought to the police station at 2 am? We do not know. It was a totally useless piece of information that no doubt satisfied the Minister. Ministers like statistics, and civil servants like writing numbers into Ministers' speeches. We need to understand what is behind the statistics, and the House does not have any inkling of whether the Minister understands what that 22 per cent. from the Scottish example means.

The Parliamentary Secretary went on to say that the policy is based on freedom of choice, and, in doing, so he demonstrated a point that I made not so long ago, which is that there is a total inability to understand what lies behind the Government's jargon. I have no doubt that the hon. Gentleman is a great speaker. I have heard him speak on a number of occasions. I prefer it when he says nothing, but none the less, when he speaks, absolutely no one in the whole county of Leicestershire can do anything but admire what he has to say and the way in which he says it. However, to say that the Government's policy is based on arguments related to freedom of choice is absurd, if not obscene.

"Words mean what I say they mean." Do you remember, Mr. Deputy Speaker, your schoolboy days when you read "Alice in Wonderland", or your teenage days when you read George Orwell's "Nineteen Eighty-four"? It is absurd, obscene and ridiculous for the Government to use the arguments that they have used to seek to defend their resistance to the refusal of the other place to swallow the amendment proposed by this House.

The Minister went on to say that those who think as I do were insulting the thousands of employed lawyers and traducing their qualities and professional standards. There are, as yet, no employees of the criminal defence service, and our only experiences of a criminal defence service are those in Scotland, the United States and Canada, none of which is wholly similar. There may well be other jurisdictions where there are state defender services. I think of the former Soviet Union and the People's Republic of China, which are not examples that I imagine the Minister will rush to embrace to support the arguments that he has limply put forward.

I would have greater confidence in what the Minister has said if he could tell us how many employees the criminal defence service will have and how much money his Department or the Treasury will give the service. I want to know, and the public have a right to know, what the Government are proposing. I have listened to many of the debates in the other place and to all the debates in Committee and on the Floor of this House, and I suspect that the short answer is that the Government simply do not have a clue. They are pushing up a balloon and hoping that it will float gently into the sky and that everyone will marvel at the tightness of this great rubber sphere.

Mr. Vaz: We do not want to hear about the hon. and learned Gentleman's private life.

Mr. Garnier: We shall turn to the Minister's private life in a moment, because that has some bearing on what we may yet discuss. What is inside the balloon is no more than Government hot air.

As a fourth argument against this aspect of the Bill, my noble and learned Friend Lord Kingsland suggested in the other place that

"the introduction of state defenders will certainly undermine the perception, and also perhaps the reality, of criminal justice."—[*Official Report, House of Lords*, 14 July 1999; Vol. 604, c. 418.]

Cogent speeches were made by Lord Kingsland and Lord Thomas of Gresford, to whom, no doubt, the hon. Member for Torridge and West Devon (Mr. Burnett) will refer if he manages to catch your eye, Mr. Deputy Speaker. They put forward arguments that wholly undermined what I am gracious enough to call the Government's arguments for the criminal defence service and in support of their resistance to the Lords proposal. Apart from being, to say the very least, tiresome, the Government's arguments in favour of resisting the Lords proposal are ill-considered.

One need only read the arguments not only of my noble Friend Lord Kingsland and Lord Thomas of Gresford, but of Lord Hutchinson, who said:

"Our democracy and our fundamental freedoms depend on the rule of law. The law is upheld first by an independent and uncorrupt judiciary. Secondly, it is upheld by advocates—barristers and solicitors—without whom the judges could not operate and from among whom the judges are drawn."—[*Official Report, House of Lords*, 14 July 1999; Vol. 604, c. 416.]

That draws me back to a very good point made by the right hon. Member for Llanelli (Mr. Davies) in earlier debates that without an independent advocacy profession there can be no independent minds from which to draw an independent judiciary.

I read with great care the Lord Chancellor's speech in Edinburgh on 5 July. I agree with pretty well everything he said in it. My only concern is that he has not learned the lessons that he is teaching us all and which he sets out in that speech, much of which followed the remark of the right hon. Member for Llanelli in the House some weeks ago, to which I referred. The establishment, even in part, as the Government propose, of a criminal defence service will lead to the damaging of the independent advocate and therefore to the damaging of the independent judiciary—two concepts which I and my party particularly revere.

It is perfectly possible for the Government to sneer. They frequently do; they do not have to listen to arguments because they have a huge majority. It is perfectly possible for them to pooh-pooh all that Opposition Members say and to try to persuade both the public and supporters in this House that all this is from a tired, middle-aged, white, middle-class barrister who is working out his frustrations at the Government for having been elected in May 1997. I am perfectly prepared to salute the Government's huge majority. What I deprecate is the way in which they use it like a scatter-gun to damage our constitution and our legal processes.

I urge all right hon. and hon. Members to agree with my noble Friend Lord Kingsland, Lord Thomas of Gresford and all the majority in the other House who, having thought about the matter and having listened to the issues and the way in which they were debated on 14 July, would assist me in resisting the Government's decision to strike down the House of Lords proposals.

Mr. Denzil Davies (Llanelli): I rise to speak briefly in support of the Lords proposal that the Parliamentary Secretary is seeking to oppose. As I understand it, it would remove from the Bill the provision that would enable this or any future Government to set up a criminal defence service.

I practise occasionally in the criminal courts, and declare an interest as an advocate. I am not asking for a ruling from the Chair, but I am not sure why I need to declare an interest. I speak as a Member of Parliament with some expertise in legal matters, but as one who is concerned about the rule of law and this country's criminal justice system.

My hon. Friend the Parliamentary Secretary mentioned those in the other House with a blatant vested interest. I do not know to whom he was referring. I hope that he was not referring to Baroness Kennedy, for instance, who has been mentioned. I hope that he was not referring to Lord Hutchinson, who, as Jeremy Hutchinson, was an extremely distinguished defence advocate in cases involving the state and always conducted himself with great artistry and sophistication—qualities which he displayed in the speeches in the other place, which are well worth reading. I hope that my hon. Friend was not referring to those people. I hope that he is not thinking that I represent a blatant vested interest as I make my few brief remarks.

4.45 pm

I spoke on Second Reading and I shall not repeat myself. My arguments have been made in the other place, and they have been made in this place by the hon. and learned Member for Harborough (Mr. Garnier).

Perhaps I am an old romantic, and perhaps I am old-fashioned, but I believe that the defence of those accused of crimes by the state should not be in the hands of employees of the state. I understand that there will be a pilot scheme and that a mixed system will then be set up, but I believe that—Governments being Governments and bureaucracies being bureaucracies—the movement that is under way will continue until, eventually, the defence system is almost wholly state run.

Essentially, the criminal justice system is already dominated by the state. In effect, all crimes are crimes against the state. The prosecutor is the state and, with the development of the Crown Prosecution Service—to which I do not object, and which appears to be putting its house in order—prosecution advocates will increasingly be employees of the state. Judges, who are the salt of the earth, are, ultimately, employees of the state.

Mr. Nick Hawkins (Surrey Heath): Under the separation of powers doctrine, the role of the judiciary is entirely separate from that of the state. However, the difficulty that we perceive, which was mentioned by many hon. Members and by some Government supporters in the other place—including Baroness Kennedy of the Shaws, as my hon. and learned Friend the Member for Harborough (Mr. Garnier) said—is that salaried state employees in a nationalised criminal defence service may be put under pressure to fit in with the system. Is not that a cause for concern? Is not the danger of such pressure wholly different from the separation of the role of the judiciary?

Mr. Davies: Well, perhaps. There was a lot in that short intervention. Perhaps the hon. Gentleman will develop and pursue it.

I shall be more factual, perhaps, and simply say that judges are employed by the state. Recorders—I believe that the hon. and learned Member for Harborough is now a recorder or assistant recorder—are employed by

[Mr. Davies]

the state. Stipendiary magistrates are employed by the state. We still have juries, which are not employed by the state, but for how long? Who knows?

Mr. Garnier: Will the right hon. Gentleman give way?

Mr. Davies: I have obviously upset the hon. and learned Gentleman.

Mr. Garnier: The right hon. Gentleman has certainly not upset me. He is right—I am an assistant recorder, and I pay tribute to the good sense of the present Lord Chancellor in appointing me one. However, the distinction that one must draw between judges and other employees is that although assistant recorders, recorders and full-time judges are paid by the state, they are not, in the strict sense, employed by the state and they do not owe their first allegiance to the state. They owe their allegiance to the oath of office that they take.

Mr. Davies: That may be so, but, ultimately, they are the creatures of the state in the criminal justice system; they have to be.

Mr. Dominic Grieve (Beaconsfield): A person brought before a Crown court inevitably perceives the judiciary as an arm and extension of the state.

Mr. Davies: The hon. Gentleman puts it very well. Juries, not being "employed", are independent of the state. Who knows how long we shall have juries? The Government are working at it—they are trying to reduce the function of juries. Justices of the peace and lay magistrates are still independent of the state. I do not know whether they will gradually be replaced, if the state can afford it, by stipendiaries. It is easier to have stipendiaries around than lay magistrates. However, they are certainly more expensive.

So, inevitably, we shall have a criminal justice system with a state dominance. The proposition now is that the defence of the accused as well is to be in the hands of the state. The defence advocate is to be a state employee. As I have said, I am old-fashioned and perhaps romantic, but I am not a blatant vested interest. Perhaps I am old-fashioned to believe that what I have described is not desirable. However, as I understand it, that is what my hon. Friend the Minister is proposing.

If we go down the road of state dominance, there will be repercussions and not only for the accused, as the hon. and learned Member for Harborough said. In future, an advocate could spend the whole of his or her professional life working for the state, for the state prosecution service for a time and then for the state defence service. Twenty or 30 years of that person's professional life would be spent working as an advocate in the criminal justice system for the state.

In the main, judges in the Crown courts, the criminal courts, are inevitably and rightly chosen from advocates who have experience of criminal cases.

Mr. Hawkins: Will the right hon. Gentleman give way?

Mr. Davies: I will in a moment. I hope that the hon. Gentleman's next intervention will not be as deep and heavy as his last one.

Judges will be chosen from practitioners with experience of criminal cases, who will have spent all their professional life working for the state prosecution and defence services. That is unhealthy.

Mr. Hawkins: As the right hon. Gentleman appreciates, I very much agree with the argument that he is developing. Would he accept that it might be even more dangerous if advocates spent not half of their career, as he suggests, in the nationalised criminal defence service and the other half in the Crown Prosecution Service, but spent their entire career working for just one of those services? Someone may spend his entire career in a nationalised criminal defence service, becoming entirely hidebound by the pressures that that state employment may bring.

Mr. Davies: That is a danger as well. The point is well made.

I move on to evidence and procedure. Perhaps more so in criminal matters than anywhere else, the rules of evidence, especially, and those of procedure are extremely important. Those rules grow out of cases, situations and lawyers' perceptions. There is a danger if all the lawyers involved are working for the state and if all their experience is in a state service. At the end of the day, the state is the prosecutor. The rules of evidence, the rules of procedure and all the books that are written about evidence and procedure will be dominated by advocates who have worked for the state in the criminal justice system.

I shall digress before I resume my place. Years ago, I was rummaging in the Library when I came across a book with an extraordinary title. I still cannot believe it. I still think that perhaps I dreamt it or I was half asleep. Believe it or not, the book was called "Vishinski on Evidence". We are living in a period where history has come to an end. For those of the present period, I shall explain that Vishinski was Stalin's chief prosecutor during the 1930s show trials. I think that he ended up for a short time as the Soviet Foreign Minister, either before or after Molotov. I have not been able to find the book since. Perhaps it has been removed.

I thought, "What did Vishinski know about evidence?" I then thought, "Vishinski knew everything about evidence" because he was the evidence. He made the evidence. He prosecuted and probably there was no defence service. Well, perhaps there was some sort of Stalinist defence service.

We must be careful. I do not like the word "nationalising". I think that that is the sort of word that the hon. and learned Member for Harborough would use. Did he talk about pale pink? Once we make the entire criminal justice system become dominated by the state, we could have the difficulties and problems that I have described.

I was going to say that I hope my hon. Friend the Parliamentary Secretary will think again, but we are not on Report. I am sure that his instructions from the Lord Chancellor contain in large capital letters the words, "Resist. Resist. Resist." I shall not ask him to think again—perhaps he knows, anyway. I say to him in all honesty and good faith, not as a blatant vested interest, that it saddens me that my party and my right hon. and

hon. Friends are going down this road and enabling the state system to dominate completely the defence of criminals and the rule of law.

Mr. Burnett: I am particularly delighted to follow the right hon. Member for Llanelli (Mr. Davies), who made a marvellous speech. I should declare an interest: I am a solicitor, but not a practising one.

The grouped amendments deal with the Government's intention to set up through the Bill a state defender system. It has been opposed by me and my party in this House and in the other place. The Government claim that defendants will always have a choice between an independent lawyer and a lawyer employed by the criminal defence service.

I wait to hear from the Minister what notice defendants will be given of that option. What will they be told? When will they be told? By whom will they be told of that choice? Will there be a statutory duty on any individual to give proper and complete notice of the choice? We are dealing with the rights of people accused of crimes—people who will have the vast apparatus and resources of the state arraigned against them.

I pay tribute to my noble Friends Lord Thomas of Gresford and Lord Hutchinson of Lullington who, as the right hon. Member for Llanelli and the hon. and learned Member for Harborough (Mr. Garnier) both acknowledged, made excellent contributions in the debate in the other place. I thank both for their generosity.

My two noble Friends made cogent and effective speeches reported in columns 412 and 416 of *Hansard* dated 14 July 1999. I also commend to the House the speech of Lord Kingsland, reported at column 418. His speech was clear, concise and compelling. To my mind he made four bulls-eye points, which I shall summarise.

First, Lord Kingsland argued, there is no evidence of a need for a state salaried defender system. Secondly, he asked how the introduction of a partially nationalised system would enhance competition. Thirdly, he asked what evidence there was that its introduction would improve the quality of criminal justice. Finally, Lord Kingsland rightly asserted that the introduction of state defenders would undermine the perception and perhaps the reality of criminal justice.

We shall have the state on both sides of a case—the prosecution, rightly, represented by the Crown Prosecution Service, and the defendant represented by a state defendant. To most of us in the House, that is a glaring conflict of interest.

We have debated these matters long and hard at many stages in the House, and they have been debated at length in the other place. This is not a plea for the retention of restrictive practices. Independent lawyers compete fiercely and keenly with one another. This is a plea for justice, and the Government would be wise to heed it.

5 pm

Mr. Dismore: I ought to declare an interest: I am a solicitor, although I have not undertaken a great deal of criminal practice recently. However, I have practised in the criminal courts.

I am grateful to my hon. Friend the Minister for referring to my early-day motion supporting what the Government are trying to achieve, which has been signed by 58 parliamentary colleagues from both sides of the House. I am afraid that I was not in the Chamber when he mentioned it, but I am grateful for his recognition of the strength of feeling in the House that it reflects. Indeed, he had completed his remarks when I entered the Chamber and the hon. and learned Member for Harborough (Mr. Garnier) was reaching his peroration. My initial reaction was to ask, "Where's the beef in that argument?" I have listened to many hours of debate on this issue in Committee and in the Chamber and, so far, I have not detected any meat in it, except for the beef made on behalf of the barristers and Queen's counsel protection club, which the hon. and learned Member represents.

I regret that I have always found the barrister profession to be very conservative and it inevitably rejects the arguments when any sensible reform of the legal system—such as the extension of conditional fees under the Bill or rights of audience for employed advocates—is put forward. Every single attempt to open up the profession is resisted by the Bar, and it is crying wolf yet again.

Mr. Garnier: I shall not take the bait in respect of members of the barrister profession, because I do not think that I need to bother with that. Would the hon. Gentleman care to look at the Division list of 14 July, when this matter was debated in the other place? Can he tell me the percentage of barristers who voted for the amendment tabled by Lord Thomas? I think that he will find that it is a tiny percentage of the overall majority. His argument is not improved by his abusiveness, and he ought to try to concentrate on the underlying arguments. I do not know whether that idea appeals to him.

Mr. Dismore: The hon. and learned Gentleman's intervention does not take the matter a great deal further. I simply said that whenever a law reform comes before the House the barrister profession seems to be agin it. I was about to address an argument relating to clauses 37 and 16 that he touched on briefly, but did not develop.

A duty of impartiality and independence is imposed on advocates for the first time by clause 37. That may have been a professional requirement, but it will become a statutory duty as well. The Bill goes beyond that, because clause 16 provides additional protection through the code of conduct, which will be subject to approval by the House. It will put in place

"duties to protect the interests of the individuals for whom services are provided . . .

duties to avoid conflicts of interest . . .

duties of confidentiality".

The duty to the court is set out in clause 37, and all those matters will be dealt with by the code of conduct. The Bill provides much stronger protection for advocates, whether they be employed or not employed, against improper resistance from whatever quarter.

Mr. Grieve: Returning to the theme of "Vishinski on Evidence", the hon. Gentleman will agree that the constitution of the legal profession in the Soviet Union always provided protections on paper, including that of the role of lawyers in defending individuals, but they were of absolutely no importance because no such ethos existed.

Mr. Dismore: I am grateful to the hon. Gentleman for that intervention because I studied the Chinese legal

[Mr. Dismore]

system when I was an undergraduate. My recollection is that it is based on very different premises from those on which our own common law system is based. As he says, the statutory rights of independence such as we have here are not incorporated in it. Indeed, it presumes guilt, and people have to argue that they do not deserve such severe punishment. He has not done much for his argument by referring to those totalitarian regimes. Their systems do not compare to the system that exists in this country, which will continue to exist after the Government amendments are agreed to and the Bill becomes law.

Mr. Hawkins: The hon. Gentleman is missing the point—probably deliberately and consciously—made by my hon. Friend the Member for Beaconsfield (Mr. Grieve). The point is that, however much things are put in a code, as the right hon. Member for Llanelli (Mr. Davies) said earlier, one cannot alter the ethos of a profession. If the hon. Gentleman could have looked behind him and seen how strongly the right hon. Member for Llanelli was disagreeing with the aspersions that he was casting on the traditions and reforms that the independent Bar has introduced, he would have realised that his case is not supported, even by those on his own Benches.

Mr. Dismore: I disagree with the hon. Gentleman. If the House divides later, we shall see where the support lies. Although, in the past, we have had professional requirements, clause 37 now introduces statutory requirements, which go as far as, if not further than, existing professional requirements.

We have heard a lot of humbug about the position of salaried state employees. The so-called "independent" Bar gets practically all of its not inconsiderable income from state funds, whether from the Crown Prosecution Service or from legal aid for defence work. In practice, it makes little difference whether the money comes from that direction or as a salary. It is a false distinction to draw.

Moreover, a salaried employee is in a stronger position of independence than somebody in private practice, who is subject to pressures to earn a living that do not exist for somebody on a salary. It is extremely important that we consider those distinctions. For example, somebody in private practice must always look to see where his next case will come from. If anything, he is more likely to want to suck up to those providing the work than somebody who is given the work as part of his job.

One important factor is the job security that a salaried employee has through existing employment protection rights, which will be strengthened by the Government if the Employment Relations Bill, which is to be considered after this debate, is enacted. One of my constituents is a CPS employee, and she has felt it appropriate to bring a case before an employment tribunal against the CPS to enforce her employment rights, without fear or favour in doing so. That right would not be available to an independent barrister, who may, for some reason, find himself struck off the CPS list simply because the CPS has decided that it no longer likes his work. Therefore, independent contractors have rather less protection against the pressures about which we have heard a great deal from the Opposition than employed advocates.

Mr. Grieve: Does not the hon. Gentleman make a compelling point against his own case? If an independent barrister working for the CPS loses his CPS work, he can always return to the rest of his practice. A criticism that has often been made of, for instance, Old Bailey practitioners, who do only prosecution work, is that they are too hand-in-glove with their paymasters. Is not that precisely what will happen, but even worse, in relation to a criminal defence service? The hon. Gentleman's comments destroy his own case.

Mr. Dismore: The hon. Gentleman makes my case for me. If we have in independent private practice people who depend on that sort of work, without the current employment protection laws they will inevitably do the sucking up to which the hon. Gentleman referred. We are strengthening our employment laws, and we have the necessary duties in clause 37 and a code of practice in clause 16. If an employed barrister were, for some reason, subject to disciplinary action for defending an individual too fearlessly, he would be extremely likely to rely, either through the judicial review proceedings, on his overriding duties under clause 37, or on the code of practice in clause 16, or would have an absolute defence in any disciplinary proceedings before an employment tribunal.

We have heard a lot of humbug from Conservative Members. All that is proposed for the criminal defence service is a pilot scheme. I think that it will be an interesting development in our legal system. It will potentially lead to a mixed economy and valid competition to the private Bar, which has had its way for far too long. I welcome the Government's proposals.

Mr. Grieve: As I have done on several occasions in debates on this legislation, I must first declare an interest as a practising member of the Bar. I apologise for not hearing the beginning of the Minister's speech as I was delayed, although familiarity with his arguments will have come from the many hours that were spent listening to his predecessor in Committee. I recollect that the Minister was also present for much of the time.

The issue was put succinctly by the right hon. Member for Llanelli (Mr. Davies). People who are caught up in the criminal justice system are gradually being ground up, perhaps justifiably, by a Moloch descending upon them with the ultimate intention of punishing them for misdeeds of which they are accused. As the right hon. Gentleman correctly said, within the bounds of what is humanly feasible, we have in this country, by dint partly of accident and partly of tradition, tried to erect a system of justice that is fair and impartial, especially in respect of the judiciary.

Nevertheless, it remains the case that for those on the receiving end, the whole system—including the prosecutor and the judge—is an arm of the state. In reality, that is so. That arm of the state may be designed or intended only to punish them for their wrongdoings if they are guilty, but it is the system into which they have been dragged. In those circumstances, whether paid for by the accused or through the legal aid system, the only person who will stand up for them and be their champion is their representative, be he the solicitor whom they have instructed or, if the matter is in the Crown court, their advocate—the barrister. If, in the future, it is their solicitor advocate, so be it. The independent advocate will represent their interests.

Those who practise in the criminal courts know that, in the vast majority of cases, the people who are accused of murder and grave offences, such as robbery and other

headline offences, are poor, inadequate, inarticulate, eccentric, or mildly or severely deranged and have no one else to represent their interests apart from those who, through the legal aid system, have been appointed to act for them.

Mr. Hawkins: Does my hon. Friend agree that one of the most powerful points that Baroness Kennedy of The Shaws made when she attacked the Government's proposals was to ask who, under the new system, would represent clients who allege serious miscarriages of justice, and how could advocates represent defendants if a specific and specialised knowledge of, for example, mental health law was required? Will people with those specific difficulties be unable to be represented properly because there will not be sufficient expertise in the new nationalised criminal defence service?

5.15 pm

Mr. Grieve: I agree with hon. Friend. I concede the point that some of the details of this proposal may enable the problems that undoubtedly exist to be bypassed. However, I stick to the general point that concerns me even more, which is about the ethics behind the system that it is suggested should now be established. I do not accept that a public defender system can adequately and properly meet the needs of the accused person, so as to reassure him and me—leaving aside my role as a barrister, but acting as a legislator, a Member of the House and a member of the public—that the role is being adequately discharged by those who have been appointed to do the job.

I come back to what I said to the hon. Member for Hendon (Mr. Dismore) about the prosecution system. I do not seek to draw a direct comparison between the two, but it is instructive that there are pointers to the dangers of the public defender system in the public prosecutor system, albeit that the two are different. It is well known in my profession that excessive identification with an individual barrister who has been retained to do only prosecuting rather than defending work always causes concern among his fellow professionals. This is an historical matter that goes back long before the CPS.

One of the great strengths of our system of advocacy and justice, which is much commented on by foreigners who come here to observe it, is the interchangeability of advocacy between those who prosecute and those who defend. When that interchangeability diminishes, especially at an advocacy level—as it has done over the years for those who are retained almost non-stop to prosecute—anxieties creep in about impartiality. That concerns the prosecutor's role, but it is an interesting example to look at when one considers the whole issue of the proposed public defender service. What are the criteria by which the success of the public defender will be judged? Will it be his fearless championing of the individual whom he is representing, or will it be his ability to dispose of business quickly through the courts, thereby leading to a lessening of costs, which underpins much of what the Bill is all about? I think that the pressures will be for the latter.

To what extent will the public defender have freedom of action, notwithstanding the grandiloquent words that may be in the Bill or in the rules that will be placed before the House for its approval? There will be continuous pressures on the public defender of a completely different order from those on independent persons who are appointed to represent an accused and are being paid under the legal aid system.

I do not accept that there are any benefits to be derived from the public defender system. Indeed, I do not understand what the benefits are, or even from what point they are envisaged to start. We shall address some of these matters in the next debate, which, in some ways, concerns me even more and points to the iniquities of the proposed system.

Mr. Hawkins: Does my hon. Friend agree that the issue arises of the parallel to which the right hon. Member for Llanelli (Mr. Davies) adverted? The irony is that the Minister is constrained by the same concerns that we are all expressing about the criminal defence service. As the right hon. Gentleman said, someone who speaks on behalf of the state is constrained because he is unable to depart from his brief. He is instructed to resist, and not to take account of the arguments that the right hon. Gentleman and my hon. Friend are making.

Mr. Grieve: My hon. Friend makes a telling point. Having recently been appointed to the Front Bench of my party on a matter unrelated to this one, on which I continue to speech as a Back Bencher, I am fully aware as a parliamentarian of how one's independence of judgment is inevitably fettered, and perhaps properly so, by the calls of loyalty and discipline in the party structure. I am sure that the Minister suffers that fate every day of the week. That is precisely the point. That may be appropriate in this forum, but the person who is appointed to represent an accused person who is being dragged through the criminal justice system should not be placed under such constraints. I do not see how he can escape being under such constraints if there is a public defender system, as is envisaged.

The Minister says that other countries have adopted such systems, and that the world has not come to an end. Indeed, it has been suggested in the other place that they work quite well. As a lawyer practising in this country, but with plenty of international contacts—especially on the continent of Europe—I can only say that I have not heard it suggested that the independence of our defence system is something about which we ought to be concerned. Indeed, it is repeatedly held up as a model of its kind.

We have debated this matter at great length, and I do not wish to take up too much of the House's time. We have debated it on Second Reading, in Committee and on Report. Perhaps the Minister should note this, however. A number of amendments that the Government did not like were tabled in the other place when the Bill began its progress. Independent-minded Members of the other place, while accepting a good many Government amendments, concentrated their fire on certain key issues. The Government would do well to consider those issues carefully, because they go to the heart of the independence of the criminal justice system—and, indeed, the assurance that must be given to those accused of crimes that they will be treated fairly.

[Mr. Grieve]

This measure smacks of unfairness. As such, it is a retrograde step, and I do not understand the justification for it. I wish that the Minister would think again.

Mr. Hawkins *rose—*

Mr. Vaz *rose—*

Mr. Deputy Speaker: Order. I am happy to call the Minister, if he is winding up the debate, but I think that the Opposition spokesman wants to speak first.

Mr. Hawkins: Thank you, Mr. Deputy Speaker.

I think—especially as the Minister invited me to expand on some of the concerns that were being expressed—that I should return to some of what was said about this part of the Bill on Second Reading. At that time, I expressed such concerns from the Back Benches, but it should be remembered that they were expressed by hon. Members on both sides of the House, as they have been again today.

The Government suggest that the Bill will improve access to justice, but Members on both sides of both Houses have voiced the fear that it will achieve the precise opposite. My hon. and learned Friend the Member for Harborough (Mr. Garnier) was right to quote the character in "Alice" who said, "A word means what I want it to mean", and to say that the Bill uses the language of George Orwell—newspeak. As in so many other areas of their policy, the Government believe that it is enough to cause a title to be chosen for a Bill that sounds wonderful—that sounds as if the Bill is helping people. That reminds me of an exchange between Sir Humphrey and the Minister in "Yes Minister". Sir Humphrey says, "Always deal with the most difficult bit in the title, Minister." That is clearly the lesson that the Lord Chancellor wished to convey in his choice of title for this Bill.

As has been pointed out yet again today by my hon. and learned Friend the Member for Harborough, my hon. Friend the Member for Beaconsfield (Mr. Grieve), the hon. Member for Torridge and West Devon (Mr. Burnett) and the right hon. Member for Llanelli (Mr. Davies), the Bill will result in a denial of access to justice. Neither my right hon. and hon. Friends nor I accept that the Bill will enable a criminal defence service properly to represent defendants involved in particularly difficult cases—cases involving allegations of miscarriages of justice or malpractice on the part of police officers, or involving specialised questions concerning mental health law.

It would not be enough for Opposition Members in the House of Commons, whether Liberal Democrats or Conservatives, to express such concerns. The Minister and the Lord Chancellor must take account of the fact that far more distinguished lawyers than us on the Government Benches in another place—distinguished barristers such as Baroness Kennedy of The Shaws—have expressed precisely the same concerns, in extremely strong terms. Let me again quote what Lady Kennedy said in the first debate in another place. I quoted it when I spoke from the Back Benches on the Bill. She said:

"I know that our Lord Chancellor is committed to human rights . . . But might he also be creating another legacy—the introduction of a system which can only disadvantage the many, particularly the poor?"—[*Official Report, House of Lords*, 14 December 1998; Vol. 595, c. 1158.]

I urge the Minister and his right hon. and noble Friend to think again. Surely, when as distinguished a human rights lawyer as Lady Kennedy, with an impeccable pedigree in the field, says that the system can only disadvantage the many, particularly the poor, that is the worst criticism that anyone could make of a Government whom the Prime Minister claims—so often that it has almost become a cliché—to be a Government of the many, not the few. Lady Kennedy has said that the Bill will disadvantage the many, particularly the poor, and I feel that no stronger condemnation could be expressed.

As was said by Lord Thomas of Gresford in the most recent debate in another place, speaking for the Liberal Democrats, it is essential to recognise the dangers in what the Government propose, notwithstanding the canards of the hon. Member for Hendon (Mr. Dismore) about protectionism on the part of the Bar. As my hon. and learned Friend the Member for Harborough pointed out, those who consult the voting list will see that, when these proposals were defeated in another place by a large majority—no less than 141 to 85—most of those who voted were life peers and non-lawyers.

The present Government are committed to the politics of envy, and to the abolition of the voting rights of hereditary peers; but they still want a Chamber containing life peers. The Minister said earlier, "We believe in a revising Chamber", but he does not want that really. We are back to "Alice": the Government want a revising Chamber only when it does not seek to revise. What they really want is a poodle—or perhaps, in this instance, Derry's dachshund. What they really want is a revising Chamber that never defeats the Government: a Chamber that says, "We may have concerns, but we will let this go through on the nod. We have faith."

It is clear that the other place as currently constituted is wiser than that. It wishes to behave as a real revising Chamber. When it sees the Government introducing legislation that will clearly not be advantageous to the public, it wishes to say so. Members on both sides of both Houses are determined to demonstrate to the Government that this is an unhelpful and damaging proposal.

If the Government, the Lord Chancellor and the Minister really know in their heart of hearts that the Bill will not increase access to justice, and that it is damaging, what is it really all about? The hon. Member for Hendon asked, "Where is the beef?" The beef is here: we know that the Lord Chancellor is presenting proposals in government that he specifically criticised in opposition. As I pointed out on Second Reading, the Lord Chancellor—then shadow Lord Chancellor—made a speech criticising proposals of this kind. He has gone back on that now, because he is constrained by Her Majesty's Treasury. He believes that this is a cost-saving measure. I believe that, in practice, the criminal defence service will not achieve even that, and I share all the concerns that have been expressed. The right hon. Member for Llanelli nods.

On Second Reading, I suggested that the Government were in danger of creating the same problems that we experienced with the Child Support Agency. Since I made that speech, the Government have said that they will improve the CSA. The Act that established it was introduced with all-party support and with the best of intentions, but we know that the road to hell is paved with good intentions. The Government claim to be keen to deal with the waste caused by bureaucracy; yet a Government

who, as my hon. and learned Friend the Member for Harborough pointed out, have claimed to be convinced of the merits of privatisation and the involvement of the private sector now say that the legal profession is different, and that part of it must be nationalised. They say that they want to go in the opposite direction to all their other policies. It would have been far more consistent if the Government had stuck to the Lord Chancellor's line when he was shadow Lord Chancellor, and not introduced such damaging proposals.

Our case has been made for us not only by Opposition Members, but by the right hon. Member for Llanelli and Labour peers in another place. I hope that, even at this late stage, the Government may have second thoughts and decide not to proceed with the proposals. I ask hon. Members on both sides of the House who feel strongly about the matter to support what their lordships have done in another place and to reject the Government's proposals.

5.30 pm

Mr. Vaz: This has been an interesting debate, not least because of the fact that there is a bit of confusion as to who is the spokesperson for the Opposition. It seems that the hon. Member for Surrey Heath (Mr. Hawkins) has been shoved aside and we have the return of the hon. and learned Member for Harborough (Mr. Garnier), who was very keen to criticise and to pepper his arguments with personal abuse.

The hon. and learned Gentleman referred to me reading out the civil service brief. Some people will never in their careers have the opportunity to be able to do that. They will spend their lives wandering around Market Harborough bitterly, trying to be recognised by their constituents. The hon. and learned Gentleman described himself as a pompous barrister. The cheers from Labour Members and, indeed, some Opposition Members demonstrate the fact that most people would agree with that description. I say nothing more about it.

In Edinburgh, the Lord Chancellor made an excellent speech, which the hon. and learned Member for Harborough has endorsed. The point that the Lord Chancellor made, although it was lost on the hon. and learned Gentleman, was that judges receive their salary from the state, as will those in the salaried criminal defence service. There is no question of judges' independence or integrity being compromised in their work, a point that was correctly raised by my right hon. Friend the Member for Llanelli (Mr. Davies), who stated that state-funded services had a fundamental role in our the legal system. We cannot have those services without state funding. They exist and are there to be used.

Mr. Burnett: I hope that the Minister will deal with the argument that was advanced by the right hon. Member for Llanelli (Mr. Davies) about the huge panoply of the state apparatus: it consists of not only the judiciary and prosecution, but now the defence. Will he deal with that argument?

Mr. Vaz: I hope that I will deal with it briefly, but, as the hon. Gentleman has said, we have discussed the matter on several occasions on Second Reading, in Committee, in the other place and again today. The position has not changed. The state is involved in the provision of legal services. The hon. Gentleman made a very half-hearted defence of the case that was made in the other place. Perhaps he does not particularly believe in the case that he put forward today, but was going through the motions because he had been entrapped into doing so by his Liberal Democrat colleagues in the other place.

There is no question that the independence of the prosecutor and those who conduct the defence will be compromised. The view that they will both sit in the same room and collude with each other about the outcome of cases is absolute nonsense. For a start, they are responsible to different Departments of State; the Legal Services Commission is indirectly responsible to the Department because, as the hon. Gentleman knows, it is an independent body—it is independent of the Lord Chancellor's Department. The Attorney-General is accountable in Parliament for what the Crown Prosecution Service does.

There is no question of collusion. We would like salaried defenders to be in exactly the same position as prosecutors—the hon. Member for Beaconsfield (Mr. Grieve) described them as fearless champions ensuring that prosecutions are conducted appropriately. That is exactly what we want in relation to salaried defenders.

The hon. and learned Member for Harborough mentioned international research. Was he listening to my speech? Are we taking part in the same debate? Does he understand what we are saying? International research shows that mixed systems can be the best and most cost-effective way in which to provide criminal defence services. I listed in my speech the various research studies in America and Australia, and pointed out that the way forward was to look at a mixed system, which will provide not only better value for money, but better legal services.

As I have said, we intend to consult widely on our proposals, and we intend to have a pilot scheme. I raised the example of what is happening in Scotland. That shows that people wish to use the system that is being developed there, but it is right and proper that we should have a system that best meets the needs of this country's legal system. That is why the pilots are being initiated.

My right hon. Friend the Member for Llanelli has nothing to fear from the proposals because, as he said, the state pays for defence work at the moment. It pays private sector lawyers for each case in which they act. In future, most defence work will be provided by private sector lawyers who are paid under contract. Therefore, there is no question of the system changing fundamentally. We hope to provide choice for people, enabling them to get the best possible advice, assistance and representation that they can. That is all that the system aims to do.

The hon. Member for Torridge and West Devon (Mr. Burnett) asked several questions about timing, information and the like. As I and the Lord Chancellor have said, regulations will cover exactly those points. Before we have those regulations, we will consult and ensure that the system actually works. Services that need to be provided will be provided. Of course, it depends on when the person enters the system. When that person enters the system, he or she will be provided with the full list of firms and any salaried defenders who may be available to do the work.

As the House knows, I worked in a law centre. People came there to ask for assistance on such work—state-funded work—because they had confidence in the

[Mr. Vaz]

lawyers who were doing the work. The lawyers who will work in the criminal defence service will be of the highest quality. They will be specialists.

The hon. and learned Member for Harborough has, in a veiled way, advertised his work as a libel barrister—I know whom to go to if I am ever defamed: it will not be to him. Of course we want the best possible advocates; that is what we want for the system. It is not true that, because it is a state-funded system with salaried defenders, defenders will be of an inferior class or type. We want the best, in the same way as the Director of Public Prosecutions in the Crown Prosecution Service chooses the best possible people to prosecute.

Those are the arguments; those are the facts. They have not changed since the previous time we discussed the matter in the House. It is clear that the House has expressed its view, and that the other place has made its decisions on the basis of the vested interests involved. Opposition Members should not try to cover up who was behind the moves in the other place. It was a blatant case of those with vested interests attempting to overturn the views of the House. We will not permit that.

I know that the hon. Member for Beaconsfield is the son of a recorder and practising barrister, but he wanders in in the middle of the debate and starts to intervene—*[Interruption.]* Yes, he did. These are serious issues. He should have been here at the start of the debate if he felt so strongly about them.

What we propose is the best system. It is a good system and it will work.

Question put, That this House does not insist on Commons amendments Nos. 27 to 30:—

The House divided: Ayes 294, Noes 166.

Division No. 266] **[5.40 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blunkett, Rt Hon David
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Lock, David
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGrady, Eddie
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian

Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Robert Ainsworth and Mr. Jim Dowd.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Baker, Norman
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burnett, John
Burns, Simon
Burstow, Paul
Cable, Dr Vincent
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Ottaway, Richard
Page, Richard
Paice, James
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Roe, Mrs Marion *(Broxbourne)*
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Keith Simpson and Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.
Government amendments (a) to (e) agreed to.

Mr. Vaz: I beg to move, That this House does not insist on Commons amendment No. 31, to which the Lords have disagreed.

Lords Reason:

Because an individual who has been provided with advice or assistance funded by the Commission under section 14 should not be taken to have selected as his representative pursuant to that right the person who provided the advice or assistance.

Mr. Deputy Speaker: With this, we may take Government amendments (a) and (b) in lieu thereof.

Mr. Vaz: The amendments relate to clause 15, which establishes the duty of the commission to fund

[Mr. Vaz]

representation, sets out the means by which it may do so, and provides powers to limit the extent to which the defendant may choose his or her representative.

It is highly desirable that defendants should be able to choose their representative, not least to promote their confidence in the criminal justice system. Clause 15(7) enshrines that principle. However, a completely unrestricted choice would undermine the commission's ability to achieve value for money, so subsection (8) contains powers to limit that right of choice by regulations.

One of the fundamental weaknesses of the present criminal legal aid system is its fragmentation. That can lead to help being given under several different parts of the scheme in a single case—green form advice, advice and assistance at the police station, assistance from the duty solicitor at the magistrates court, and a full legal aid order for representation in court. That produces duplication, delay and unnecessary cost.

Amendment No. 31, now further clarified by the amendments proposed today, is central to our plans to eliminate these deficiencies in future by ensuring, wherever possible, continuity of representation throughout the case. It is a power to make regulations prescribing circumstances in which individuals who receive advice and assistance are deemed to have selected their adviser to represent them in the subsequent proceedings.

Once an individual has chosen an adviser, typically when being questioned by the police, the taxpayer should only have to pay for another lawyer to take over the case, necessarily repeating some work that has already been done, if there is a good reason for a change. An example would be a conflict of interest between clients.

Let me explain how we envisage the system working in practice. A person being questioned by the police will be able to select his or her adviser from any firm holding a contract with the Legal Services Commission, or he or she might select a salaried defender. Suspects would be shown a list of all firms based in the area, and informed of the implication of their choice. If the chosen adviser were not available, the individual would use the duty solicitor for the time being. But the duty solicitor will not be considered to have been selected, as a preference had been expressed for someone else. If an individual declines to express a preference, he or she will be advised by the duty solicitor and deemed to have selected the duty solicitor as their representative.

The power provided by amendment No. 31 applied to any provider of advice and assistance; it did not distinguish between those who had been chosen by the suspect and those providing advice only because the chosen adviser was not available. The intention was for the regulations to make it clear that a person advised by the duty solicitor would not be deemed to have chosen the duty solicitor as a representative if a different choice had been expressed.

Alternative amendment (a) in my name is a more limited power which applies to only chosen advisers. Amendment (b) provides power to define what constitutes a choice. That is necessary to deal with the situation of an individual who declines to express any preference. The regulations would provide that someone who remained silent, having been informed of their right to make a choice and the implications of not doing so, would be deemed to have chosen the duty solicitor who actually advised them. That is necessary to prevent people from playing the system by refusing to express a preference, accepting the advice of the duty solicitor, and then seeking to exercise their right to choose a different representative when the case reached court, probably causing the case to be adjourned.

We intend to consult on the details of all the regulations under clause 15, including regulations about continuity between advice and representation under these amendments, and regulations under clause 15(8)(e) about the circumstances when it is justified to change the originally chosen representative.

The Government have explained repeatedly during the Bill's passage that it will provide powers to ensure that the public receive quality-assured services. People requiring criminal defence services will benefit from the performance standards that will be incorporated in all contracts, and applied to salaried defenders. Those will include targets for the proportion of requests to attend at a police station, once a suspect has made a choice, which are met by the solicitors' firm or salaried defenders' office. All firms with criminal defence service contracts, and any salaried defenders, will take part in the duty solicitor rota. There is, therefore, no reason to suppose that advice and assistance from the duty solicitor in any sense constitutes a second-class service.

The noble Lord Thomas of Gresford tabled the motion in another place to disagree with Commons amendment No. 31. That followed immediately on his successful motions about salaried defenders. No doubt inadvertently, he also moved this motion, although he had not spoken to it, and it was erroneously allowed to pass before my noble Friend the Lord Chancellor could speak in favour of amendment No. 31. I do not know whether Lord Thomas would have been content with the Lord Chancellor's explanation, because he did not have an opportunity to give it, but he is probably as surprised as anyone that the issue remains to be settled.

6 pm

Mr. Garnier: My brevity should not be taken to reflect our opposition to the way in which the Government intend to amend the Bill. I have listened with care to the Minister. What he said broadly reflects what the Lord Chancellor said about Lord Gresford's amendment on 14 July:

"It will allow the defendant's choice to be limited to any lawyer with a current contract with the Legal Services Commission (or, had that provision prevailed, a salaried defender). Our intention is to ensure that suspects and defendants generally have a choice between several contracted firms and, were salaried defenders to be permitted, with them too."—[*Official Report, House of Lords*, 14 July 1999; Vol. 604, c. 424.]

I am reminded of Mr. Henry Ford, the car manufacturer, who said that people might have any colour, so long as it was black. In Committee, on 4 May, I described the Minister's predecessor's arguments in favour of the Government's proposal as follows:

"When I say that you have a choice, you have the choice that I decree you should have. It's not a free choice between any number of options—it's take it or leave it."—[*Official Report, Standing Committee E*, 4 May 1999; c. 227.]

The Government have been responsible for a huge number of remarkable utterances.

Mr. Humfrey Malins (Woking): Will my hon. and learned Friend accept from someone who has practised

criminal law for many years that countless practitioners up and down the country fear that we are seeing a complete reduction in choice for the accused person? That person simply will not have the freedom that he or she has always had to choose a lawyer. Because of financial constraints, choice will be severely limited. Does that not go against the interests of defendants and the criminal justice system?

Mr. Garnier: My hon. Friend speaks a truth evident to all—except the Government—who are prepared to apply their minds to it. I regret that a Government containing distinguished lawyers including the Lord Chancellor, Lord Falconer of Thoroton and even the Minister, who is muttering across the Table, should be so befuddled by their own arguments, but parliamentary arithmetic means that my argument may win the day and lose the vote. That is life in the House these days.

I wish to draw to the House's attention the gross unfairness and lack of justice of the Government's proposals. They will leave an absence of choice for the defendant. Imagine a defendant who enters a police station at 2 am, perhaps after being beaten up, perhaps drunk. That man will be required to submit himself to the choice provided by the Lord Chancellor, and to no other choice. The Government's proposal is appalling, and I urge my right hon. and hon. Friends to throw it out.

Mr. Burnett: For the record, in spite of the Minister's comments during the previous debate, my opposition to the state or salaried defender system is genuine. For the reasons I have often given, it is also absolute.

Why should an individual's choice be irrevocable? The Minister has made much of choice. Let me take him to a metaphorical police cell in a large city or a rural town. It is 3 am. An arrested person is brought into the station. His or her rights and options are read out. The defendant may be intoxicated—drunk, as they say, or high on drugs. How can he or she make a choice, let alone an irrevocable one? The defendant may find his or her lawyer's conduct unsatisfactory, or there may be a personality conflict. The defendant may wish to make a change, and should have an opportunity to make a reasonable choice. For that reason, I believe that the Bill should remain as the Lords left it.

Mr. Grieve: Nothing makes me more anxious about the matters dealt with by the previous amendments than the fact that, having established the principle of a criminal defence service, the Government have placed this proposal before us. As the hon. Member for Torridge and West Devon (Mr. Burnett) said, people brought into a police station should be provided with rapid advice on their rights in respect of police questioning. That is what the duty solicitor scheme was all about, but it will be distorted if irrevocable choices must be made so that people are prevented from going to the legal representative of their choice if they are later charged. The two areas are quite distinct, and the blurring is unnecessary.

The proposal seems to be driven by a desire to save quite a small amount of money. It offends every tenet of civil rights and civil liberties. It is incomprehensible, and I hope that the Government will think again. Those who pressed this matter to the vote in the other place knew exactly what they were doing. It is one of the most pernicious and noxious parts of the Bill.

Mr. Vaz: The arguments advanced are not new. We have heard them before, including the usual quotation of Henry Ford from the hon. and learned Member for Harborough (Mr. Garnier), which is a strange one from a man who drives a Range Rover.

I am sorry that I cannot provide an assurance about drunks on the face of the Bill, but I can assure the House that no one will have to make a choice when he or she is drunk. The choice will be made when people are fit to be questioned. They will choose from a list of franchised and contracted firms. They will choose on the basis of the excellent duty solicitor scheme.

I was surprised by what was said by the hon. Member for Torridge and West Devon (Mr. Burnett)—a distinguished stipendiary magistrate. He knows that the duty solicitor scheme works and that those who serve on it are people of quality. There is no question of people failing to receive legal advice and assistance of good quality.

Question put, That this House does not insist on Commons amendment No. 31:—

The House divided: Ayes 288, Noes 173.

Division No. 267] **[6.9 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Banks, Tony
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew

Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Eilman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hood, Jimmy
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Clelland and Mr. Kevin Hughes.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Baker, Norman
Baldry, Tony
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Cable, Dr Vincent
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick

Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Roe, Mrs Marion *(Broxbourne)*
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Jacqui Lait and
Mr. Keith Simpson.

Question accordingly agreed to.

Government amendments (a) and (b) agreed to.

Lords amendment to Commons amendment No. 56 considered.

Mr. Vaz: I beg to move, That this House disagrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this, it will be convenient to take Government amendment (a) in lieu thereof.

Mr. Vaz: The House will remember the speeches of the hon. Members for Surrey Heath (Mr. Hawkins) and for Torridge and West Devon (Mr. Burnett) and my hon. Friend the Member for Hendon (Mr. Dismore) during the Committee and Report stages of the Bill. The House heard how important bodies including the Law Society and Shelter considered the continuing availability of no win, no fee agreements to be in cases brought under section 82 of the Environmental Protection Act 1990.

I said at the time that I was sympathetic to the arguments, but needed to consider the fine balance between the deserving cases that had been outlined and the importance of keeping conditional fee agreements out of criminal cases. Since the Report stage, the Government have been considering further the arguments put to us by the House, in another place and by various campaigning organisations. As the House knows, ours is a listening Government. We have concluded that it is right that no win, no fee agreements should remain available, and that is why we have now tabled the amendment.

The Lords amendment, which was moved by Lord Goodhart, would broaden the effect of amendment No. 56 so that it excluded from the scope of the Bill not only non-contentious business agreements, but any form of fee agreement enforceable at common law, typically conditional fee agreements with no uplift, which are often known as Thai Trading agreements. However, it is the specific intention of clause 29 to bring Thai Trading agreements into the scope of the conditional fee legislation, both to secure the greater certainty that statute law provides and to ensure that they can be properly regulated, for example by requiring solicitors to give relevant information to potential clients.

It is obviously right that consumers who enter Thai Trading agreements should have the same protection as uplift cases that may be conferred by regulations under new section 58(3)(c) of the Courts and Legal Services Act 1990, which clause 29 would insert. By contrast, non-contentious business agreements, if they are excluded by amendment No. 56, can be regulated instead under the Solicitors Act 1974.

However, Lord Goodhart made it clear that all he was really trying to do was preserve the position of solicitors entering into Thai Trading agreements in respect of proceedings under section 82 of the Environmental Protection Act. Section 82 allows people aggrieved by a statutory nuisance—for example, inadequate housing—to seek an order for that nuisance to be put right. Those cases are heard in a magistrates court and are technically criminal cases, although they are in reality brought to enforce a civil right.

Conditional fees are not permitted in criminal cases under the existing legislation, and that position is maintained by the Bill. However, as a result, the effect of bringing Thai Trading agreements into the scope of the legislation so as to be able to regulate them in the consumer interest is to outlaw them in those section 82 proceedings.

The Government have considered with great care the options for resolving the problem. In particular, we have been reluctant to make an isolated exception to the principle that conditional fees are inappropriate in criminal cases. However, on balance, the Government are now persuaded that no win, no fee agreements where there is no uplift—for example, Thai Trading-type agreements—should remain available to individuals seeking to enforce their rights in that type of case. Housing disrepair is one of the Government's stated priority areas for the community legal service and we accept that it would be perverse to remove an effective route for gaining access to justice in that area.

As I have explained, the solution proposed by Lord Goodhart went too far. However, the only way open to the Government to achieve the desired result was to allow his amendment to pass last week and then to try to perfect it in this House. The issue is best dealt with by amendment to new section 58A(1)(a) of the Courts and

[Mr. Vaz]

Legal Services Act. That provision was not amended in the Commons and so could not be amended last week in the other place.

The Lord Chancellor accepted Lord Goodhart's amendment for the time being, on the basis that we would table an amendment here to deal squarely with the position in Environmental Protection Act cases. That is what Government amendment (a) would do, and I am sure that it will meet with the agreement of hon. Members on both sides of the House. I commend it to the House.

Mr. Hawkins: The Minister is absolutely right to say that we welcome the Government's belated acceptance that the Opposition were right all along to table in Committee and on Report amendments that were almost identical to the amendment that Government now propose.

I am delighted to welcome the Government's change of mind. In the debate on Report, the Minister said that, at that stage,

"The Government do not believe that such a careful consideration of the issues is possible in the time that the Bill will be considered by the House."

He went further, stating his belief that

"it would be most inappropriate, and possibly unjust, to make a single exception"

of the type that we were then proposing. He said that there was "nothing unique" about the provisions of section 82 of the Environmental Protection Act 1990, and that he was concerned that

"There well may be provisions elsewhere in the criminal law with similar effect so that conditional fees might be a possibility."

According to him, the Government's then position was that

"If we are to consider breaching the general principle, it is important that that is undertaken on a logical basis and is not piecemeal."

He added that "such a breach", as he called it,

"can be undertaken only after very careful thought about the impact of conditional fees—regardless of whether enhanced fees are being sought"—

in other words, Thai Trading-type uplift cases—

"in the criminal justice process."—[*Official Report*, 22 June 1999; Vol. 333, c. 1050.]

However, wiser counsels have clearly prevailed in the succeeding weeks.

The debate in another place was somewhat contorted. After the Lord Chancellor had spoken, Lord Mishcon asked:

"My Lords, has the noble and learned Lord set a precedent in this House so far as he knows for recommending the acceptance of an amendment which in fact he does not accept?"

To which the Lord Chancellor replied:

"My Lords, I rather think that it is a record, yes."—[*Official Report, House of Lords*, 14 July 1999; Vol. 604, c. 435.]

It was indeed an extraordinary position. Nevertheless, I am delighted that the Government have finally reached this conclusion. The Lord Chancellor said that the position is not free from complexity. The Government's contortions before they finally accepted that the Opposition were right all along—right in Committee and right on Report—have not been free from complexity either, as the debate in another place on 14 July made clear.

6.30 pm

I shall briefly set out the reasons why the Opposition and charitable organisations such as Shelter were so concerned about this matter. Now that we have finally persuaded the Government to accept our arguments, it is important to set out precisely what they are. Our arguments were also made by the Law Society and Shelter.

Mr. Vaz: It is uncharacteristic of the hon. Gentleman to be so grudging. The Lord Chancellor set out clearly his reasons for accepting the amendment and the Government have listened to the arguments that he and others have advanced. Why can the hon. Gentleman not just say thank you?

Mr. Hawkins: Perhaps the Minister misunderstands me. I do not wish to be grudging and I have said already that we are pleased that the Government have accepted our arguments. However, it is important to set out the strength of the case so that those who examine our proceedings may understand it clearly.

Shelter and the Law Society pointed out that the decision of the Court of Appeal in Thai Trading Co *v.* Taylor, which was reported in *The Times* of 6 March 1998, is now incorporated in full. The Court of Appeal's decision in that case overruled a previous decision of the divisional court in the case of British Waterways Board *v.* Norman, permitting legal representatives to act in housing disrepair cases in magistrates courts on behalf of tenants of low means.

Many hon. Members on both sides of the House have dealt with such cases in their legal practices and I am sure that almost all hon. Members have been approached at their surgeries or by letter about cases involving tenants of modest means. Legal aid has never been available to such tenants because proceedings under the Environmental Protection Act 1990 are technically criminal proceedings. Therefore, those tenants have relied on lawyers who were prepared to act on their behalf on a purely speculative basis. The exclusion of all criminal proceedings from Thai Trading-type conditional fees thus bars any such speculative arrangements.

The Government's amendment will remedy the situation. The Government have incorporated the European convention on human rights into British law and they must certify that every Act of Parliament will comply with it. In approaching hon. Members who were interested in the Bill in Committee, Shelter pointed out that, unless the amendment was made, the certification that the Bill complied with the European convention on human rights could not properly be given. An amendment advancing that case was moved initially by Lord Goodhart in another place, and it was withdrawn only after the Government said that they would consider the issue further and, if it was thought appropriate at some later stage, might table their own amendment. The Government have finally done so at this very late stage.

In Standing Committee, the Minister's predecessor, the present Minister of State, Foreign and Commonwealth Office, the hon. Member for Ashfield (Mr. Hoon), said that

he could not accept an amendment that would make taxpayers' money available for representation for summary complaints that are technically criminal proceedings because they require a complaint to a magistrates court to be issued. He went on to say:

"I believe that other methods of funding such as no-win, no-fee agreements of the type that we constantly discuss can be used and the non-availability of legal aid does not prevent a complainant from taking a reasonable case to court."—[*Official Report, Standing Committee E*, 4 May 1999; c. 160.]

Shelter was concerned that Parliament should give people the right to take action in respect of housing disrepair and certain other nuisances.

Sadly, in many towns and even some villages in this country there are tenants of houses in disrepair who have limited means. They have no opportunity to fund from their own resources the cost of taking enforcement action. Therefore, the proceedings taken under the Environmental Protection Act 1990 are the only effective means of securing a remedy for such tenants. The Law Society pointed out that, as part of their pro bono work, many solicitors take on those cases on a speculative basis. The Minister mentioned earlier that he used to work in a law centre and that those centres frequently take up such cases. There is a concern that people may be entitled to free legal advice in law centres under the green form scheme, but may not necessarily be able to take the proceedings any further.

By accepting the amendment at this late stage, the Government will give statutory force to the full effect of the Court of Appeal's decision in respect of Thai Trading. The Court of Appeal overruled the decision of the divisional court in the earlier case of British Waterways Board *v.* Norman—which was a housing disrepair case—which held that solicitors could not recover costs in successful cases when they had acted speculatively.

When Shelter briefed all Committee members, it pointed out that a range of legal services for people with housing problems was provided through its nationwide network of housing aid centres by a legal team with a wealth of experience in taking housing cases such as this through the legal system. Shelter is concerned to protect disadvantaged citizens who are in urgent housing need. It pointed out correctly that the section 82 prosecutions under the Environmental Protection Act 1990 provide a vital remedy for many of Shelter's clients who otherwise have no effective means of combating conditions that may jeopardise their health and that of their families.

Mr. Malins: My hon. Friend mentioned solicitors doing pro bono work. For many years, practitioners in criminal law found themselves in a difficult position. When clients presented with difficulties relating to the Environmental Protection Act, solicitors were not sure how far beyond the green form they could go and often had to act pro bono in order to assist their clients.

Mr. Hawkins: My hon. Friend has the benefit of extensive knowledge and practice in this area. He is right to draw attention to the social service provided by solicitors who took up such cases on a pro bono basis.

When Shelter originally made representations to Committee members about the Bill, it pointed out that, if the Government did not accept the amendment and neither made legal aid available nor allowed conditional fees to fund the cases, many of the clients whom Shelter was established to represent would be denied access to justice—which is the very title of the Bill—and therefore essential work to improve their living conditions would not be carried out. We welcome the fact that, at this late stage, the Government have accepted the force of our arguments both in Committee and on Report. I hope that many tenants of limited means will receive protection in future under the 1990 Act as a result of the Government's wise decision.

Mr. Burnett: I shall not detain the House for long. I welcome the Minister's speech and I welcome wholeheartedly this concession. I pay tribute to my noble and learned Friend Lord Goodhart, who has done so much work on this Bill—particularly this aspect of it. We are grateful to the Government and are entirely happy to support the amendment.

Mr. Malins: I declare an interest as a solicitor who has practised in the criminal field over many years. I qualified in 1971, just after a housing boom, and I spent many years helping people with difficult housing cases. I shall turn to that matter in a moment. I declare an interest also as a recorder of the Crown court and an acting metropolitan stipendiary magistrate, in which capacity I try matters judicially. That is relevant because the debate relates to the Environmental Protection Act 1990 and summonses thereunder, and, for many years, I have viewed the problem from both ends, as a practitioner and a sitting member of the judiciary.

With that background, I can say that most of us who practised criminal law—I mostly did so outside London—found conditional fee arrangements wholly irrelevant to our way of life as criminal practitioners. We practised under a legal aid system or a private system. Under the latter, we could charge a fair rate for the job, but if the client was entitled to legal aid, we applied for that aid and got it. Conditional fee arrangements were nothing to do with us. Whenever it is said, as it has been said by the Government, that conditional fee arrangements are not appropriate in criminal proceedings, that strikes a chord with me.

I was, however, struck by what my hon. Friend the Member for Surrey Heath (Mr. Hawkins) said a few moments ago about Shelter and its support for the proposal to allow proceedings under section 82 of the Environmental Protection Act to be funded by conditional fee agreements. Why was I struck by that? During my days in practice, when clients came to see me about an issue relating to their housing, it was difficult for me to know what to do.

As my hon. Friend, who practised the law for many years, would agree, a solicitor could help someone to a limited extent only on what was called the green form system, but, as far as I recall—I will be corrected if I am wrong—no legal aid was available to take a landlord to court under the Environmental Protection Act. That was regarded as a great gap in the system. What happened? Many of us decided to act on a pro bono basis, in the days when that was common practice—more of that in a moment.

Let me now refer to Shelter. When I was considering what I had to contribute to the debate, I was struck by the good work done by the Minister for London and

[Mr. Malins]

Construction over many years before he came into the House. As I recall, in his former capacity, the hon. Gentleman was heavily involved in Shelter. I believe that it was there that I first met him because he had a deep interest, as I did, in remedies for tenants in very poor housing.

The first seat that I fought was Liverpool, Toxteth, in both general elections in 1974. I subsequently fought the Lewisham, East seat in 1979 and then Croydon, North-West, which I was privileged to represent for many years. One of the common features of those constituencies was that they had poor housing and tenants who suffered as a result. They would often come to see me about housing at my surgeries—an experience that I am sure is shared by many hon. Members. My constituents came to me, described the problems of condensation or unsafe electricity in their home and invited me to come and see their home.

Many hon. Members will have been to such rented flats or houses in their constituency to find out what is going on. We find ourselves saying to tenants, "You must act. We shall do what we can as Members of Parliament, but you have to follow proceedings under section 82 of the Environmental Protection Act."

6.45 pm

When I first met the Minister for London and Construction, as he now is, he was heavily involved in Shelter, and I return to Shelter for my next few comments because it has been hugely influential in housing and has constantly offered its support for the proposition that proceedings under section 82 of the Environmental Protection Act should be funded by conditional fee agreements. Pressure from my hon. Friend the Member for Surrey Heath, who sits on the Front Bench, and a satisfactory approach by the Government have enabled us to reach a happy conclusion.

Mr. Hawkins: Does my hon. Friend agree that the Government's concession demonstrates, among other things, the value of Shelter's work with hon. Members on both sides of the House? My hon. Friend may be slightly shocked to hear that on a previous occasion, the Minister expressed surprise that any Conservative Member should quote Shelter in support of his or her arguments. However, one of Shelter's big advantages, as I am sure my hon. Friend will agree, is that it has always been prepared to work with all parties in making its case. In its current campaign, which involves football, it is working with the all-party House of Commons football team.

Mr. Malins: I am most grateful to my hon. Friend for pointing out what is self-evident: Shelter is, and has been for many years, interested in housing problems and, in my experience, it is without political affiliations. Hon. Members on both sides of the House support—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Gentleman is going wide of the amendment before us. He should address his remarks to the amendment.

Mr. Malins: I am most grateful for your guidance, Mr. Deputy Speaker. I was tempted by my hon. Friend. It is most unlike me to stray from the subject of the amendment. We are discussing the narrower issue of conditional fee agreements in so far as they relate to proceedings under the Environmental Protection Act. I should have gone no further than saying that Shelter supports the proposition, and I propose to go no further now.

The concept of the tenant being unable to receive legal help with complaints against a bad landlord is one with which no Member of the House should be happy. The ability for us to say that conditional fee agreements should apply to proceedings under section 82 of the Environmental Protection Act is a major step forward. It is more significant than many hon. Members appreciate, because it takes a huge step towards enabling tenants to obtain justice. As my hon. Friend the Member for Surrey Heath said, Shelter has supported that proposition throughout.

Mr. Tim Collins (Westmorland and Lonsdale): My hon. Friend is developing a powerful rationale for welcoming the Minister's concession on this point, but does he believe that the concession would have been necessary if the Government had, at an earlier stage, listened to Shelter's powerful advocacy? Does not the fact that the concession was made at such a late stage cause concern about the extent to which the Government listen to Shelter on matters across the board?

Mr. Malins: I am most grateful to my hon. Friend. There seems now to be consensus on this matter. I have attended many debates in this House in which I have witnessed sharp disagreements between Front-Bench Members, but I have been pleasantly surprised this afternoon to see this measure of agreement and the welcome that we are offering the Government on this point. My hon. Friend may well be right. It has taken concerted pressure not only from my hon. Friend the Member for Surrey Heath and other colleagues but from Shelter and other organisations to persuade the Government to permit the use of conditional fee agreements.

What will be the benefits of that proposal for tenants? First, let us consider its effect on the legal profession. It will make life much easier for the legal profession. Hitherto, lawyers could give very little help to a person who had a complaint against a landlord; now the position is different. Hitherto, they had to act pro bono or simply turn the person away and send them off to the citizens advice bureau.

How else will tenants in such a position benefit as a result of what we are deciding? Shelter will be able to become much more involved. It is not generally known that Shelter greatly helps many people who have housing problems. It has clients who have urgent needs, and it rightly says that such people should have access to justice and that their cases should be dealt with speedily and efficiently by the courts. It is terribly important that such tenants get justice.

Mr. Baldry: My hon. Friend is talking about benefit to the profession and citizens, but the concession can be of no benefit to anyone unless it is promulgated. As he says, for a very long time, those concerned by such landlord-tenant matters have not had access to legal aid and have not therefore tended to go to solicitors.

They have tended to have recourse to citizens advice bureaux or similar legal rights centres. Does my hon. Friend agree that if this and other reforms are to work, it is vital that the Government properly publicly promulgate them in a widespread publicity campaign?

Mr. Malins: My hon. Friend is absolutely right. The problem with our debates is that so many people outside the House do not hear the results of them. Following his suggestion, I strongly urge the Government to adopt the very sensible policy of ensuring that a summary of this debate, the point that has emerged from it and the decisions that we have reached is circulated to all bodies that need to know. That includes the Law Society, the Bar, firms of solicitors and every housing body that has anything to do with helping tenants.

Many of us in the House have regretted over many years the fact that tenants have been disadvantaged under the Environmental Protection Act through not being able to receive legal aid. It is all very well to get an hour's legal advice under the green form, but the ability to go to court to enforce one's remedy, often against a landlord who is a nasty piece of work, is very important. I therefore join those who have welcomed the progress.

Labour Members will say that I have spoken for too long, and they may be right. However, I must conclude with the observation that, as a practising solicitor, I found it very sad that so many people with a remedy could not have it enforced. Following the pressure from my hon. Friend the Member for Surrey Heath and Shelter, the Government have reached a view on the Lords amendment that is in accordance with very good sense. I very much hope that they will lose no opportunity in ensuring that news of what we have all decided is spread widely throughout the legal world and the world of practitioners.

Lords amendment to Commons amendment No. 56 disagreed to.

Government amendment (a) in lieu thereof agreed to.

Employment Relations Bill

Lords amendments considered.

Lords amendments Nos. 1, 2 to 6, 7, 21, 23, 28 to 31, 319 and 330 agreed to.

Clause 10

RIGHT TO BE ACCOMPANIED

Lords amendment: No. 8, in page 5, line 5, leave out ("the worker")

Motion made, and Question proposed, That this House agrees with the Lords in the said amendment.—*[Mr. Battle.]*

Mr. Deputy Speaker: With this, it will be convenient to discuss Lords amendments Nos. 9 to 14.

Mrs. Angela Browning (Tiverton and Honiton): I rise to probe the Government. The Bill, as amended in another place, clearly defines that the person who will accompany a worker when he or she is in dispute and invited to attend a disciplinary or grievance hearing must be an official of a trade union whom the union has reasonably certified in writing to have experience of, or received training in, acting as a worker's companion in such hearings.

The fact that someone has a right to be accompanied and may wish to be so accompanied is not in dispute. However, it would be helpful to know exactly what the Government mean by "reasonably certified". Who will be the arbiter of that certification or the qualification of the person accompanying the worker as having received training?

As the Minister will know, concern has been expressed in both this House and another place specifically on the right of a worker to choose. Will the Minister clarify whether the trade union official will be from the worker's trade union or from a trade union from the worker's workplace or company? It is important that the worker should have confidence in the official who accompanies him or her, not only because the official may give technical or even legal advice, but because the official must be in a position to give the worker the moral support that is clearly desired. The worker must therefore have confidence in the relationship.

Mr. Tim Collins (Westmorland and Lonsdale): Does my hon. Friend agree that it would be helpful if the Minister clarified in what, if any, circumstances the provision of a certificate from a trade union stating that an official had met the required standards could be withdrawn? It would be very damaging if, having once been certified, someone was decertified for such purposes because the trade union felt that that person was not the right official to represent someone. As she rightly says, the individual should have as wide a choice of officials as possible. We need to know whether a certificate may be withdrawn. Preferably, that should not be possible.

Mrs. Browning: My hon. Friend makes an extremely good point.

I have a further question to ask of the Minister. Let us put ourselves in the position of an employer of a trade union official who is certified to carry out this work, and is called upon several times to accompany workers

[Mrs. Browning]

to disciplinary or grievance hearings. What sort of arrangement will there be if that individual is required to travel to companies and locations well away from their workplace? What requirement, if any, might an employer reasonably make of that individual if they become a specialist and intend to fulfil that role, perhaps outside their workplace? It would help if the Minister would clarify some of the matters on which we have asked questions tonight.

7 pm

Mr. Collins: I am grateful to my hon. Friend for asking many of the questions that I would otherwise have asked the Minister. I have one more question to ask in addition to that which I posed in my earlier intervention.

If the amendment is accepted and if the Bill is enacted, how will a trade union be defined? Hon. Members will be aware—and you will be aware, Mr. Deputy Speaker—of the circumstances in which unions can, from time to time, fragment. We remember the Union of Democratic Mineworkers coming out of the National Union of Mineworkers 10 or 15 years ago. How is a union to be defined for these purposes? Who are the officials defined to be acting on behalf of that union? How is the process of change, as one union merges into another or splits away from a union, to be managed for the purposes of ensuring that courts can easily interpret this legislation, should it reach the statute book? I should be grateful if the Minister would address those points in his reply.

The Minister for Energy and Industry (Mr. John Battle): I understand that the hon. Member for Tiverton and Honiton (Mrs. Browning) intends to probe, not resist, the amendments that the Government have made. That is welcome.

Amendment No. 8 is a straightforward grammatical amendment, avoiding unnecessary repetition. Similarly, amendments Nos. 12 and 13 correct a minor inconsistency.

The substance of amendments Nos. 9 and 10, to which the hon. Member for Tiverton and Honiton addresses herself, concerns the list of persons who may be an accompanying person. Hon. Members will be aware that the subject was much discussed in the House and in the other place, and I think that it is fair to say, and widely known, that the Government resisted attempts to minimise the scope for people who are not fellow workers to act as that accompanying person. As the hon. Lady says, it is important that the individual has confidence in the person who stands with them, as it were. The Government resisted attempts to minimise the scope for two reasons. First, if we had not done so, the right would have been cast too narrowly and, secondly, it might well have excluded some of the most appropriate and effective individuals—experienced trade unionists who are highly qualified, skilled and trained—from performing a standard function of a trade union. I am grateful for the support given to the Government in the other place on this point during consideration of this part of the right.

I know that that consensus was evolving around our position and I pay tribute to the supportive remarks that were made in the other place about the wealth of expertise and experience that full-time and lay officials of trade unions can bring to bear during disciplinary and grievance proceedings. I believe that there is a good degree of consensus of support for that expertise.

However, we noted the concerns of those who believe that it might prove unhelpful or disruptive to allow inexperienced outsiders to participate in internal procedures. As a result, we redrew the list of people who may act as an accompanying person, with a view to ensuring that only those who are suitably qualified for the task will be entitled to act as the accompanying person. I should point out that the right for a fellow worker to act as a companion remains as it is. Indeed, in many cases, the fellow worker will also be the local union representative, so the changes really relate to the outsiders who can attend the hearing.

Mr. David Chidgey (Eastleigh): I wish to clarify a point. The answer may be in another part of the Bill, which I have missed. Amendment No. 9 specifically says that the official is "employed" by a trade union. A few moments ago, the Minister said that the official could be employed part-time or full-time. But is there meant to be, or is there, a distinction between an official who is a paid employee and an official who is merely appointed as a representative?

Mr. Battle: The traditional definition of the difference between a lay representative and a trade union official is written into trade union law. The condition is that lay officials must be reasonably certified, in writing, by their union as having had experience of acting as an accompanying person or as having received training in performing that role.

The amendment does allow for certification to be withdrawn. Just as certification must be given in the first instance, to ensure that we get the right person into position and that people may have confidence—as the hon. Member for Tiverton and Honiton said—in that person, similarly, if it were proved that the person was ineffective, that could be raised with the tribunal by the person who objected to that representative, and they could ask for that certification to be withdrawn at the appropriate time.

I therefore hope that the amendments will give benefits to all parties to grievance and disciplinary hearings, because workers and employers need to be reassured and to rest easy that the accompanying person is an appropriate and competent person to do the job.

Mr. Collins: The Minister said that it was important that the accompanying person should be effective in the representations that they make on behalf of others, and he spoke about the possibility of withdrawing certification if someone proved to be ineffective. The words of amendment No. 10 simply talk about certification as

"having experience of, or . . . having received training".

If one has experience or has received training, those things do not disappear with the passage of time. Might the Minister be saying that the courts, in interpreting the legislation, should have regard to something that is not in the terms of the amendment—effectiveness?

Mr. Battle: Let us test how the provision would work. I believe that it is up to trade unions to decide how they operate the accreditation process. By that I mean that they have a strong interest in ensuring that they field suitable lay representatives. Otherwise, full-time officials might have to be called in to sort out a problem caused by an

inappropriate person who had been sent in. I am tempted to add that, if that happened, a trade union's reputation might be damaged. It might lose the confidence not only of employers but of its members, because its service to its members would be seen to be second rate. Therefore, it is in unions' interests to get the process right.

As I believe that the hon. Member for Westmorland and Lonsdale (Mr. Collins) acknowledges, most trade unions already provide training for their lay representatives, often via courses, educational services and the Trades Union Congress. It is in a trade union's interests to satisfy itself that officials who can perform such work are competent to do it. Probably, unions will not consider issuing a certificate to new lay officials until they have completed a basic shop steward's course, for example, or have been in post for a certain length of time. I believe that that is appropriate because the condition is that lay officials must be "reasonably certified"—in writing, as I emphasised—by their union

"as having experience of . . . acting as"

an accompanying person or

"as having received training in"

performing that role.

I was asked how a union was to be defined. As the hon. Member for Westmorland and Lonsdale mentioned it, I remind him that the Trade Union and Labour Relations (Consolidation) Act 1992 provides a clear definition of a union. An organisation would have to meet that definition in order for its officials to qualify as an accompanying person. I hope that I can reassure the hon. Member for Tiverton and Honiton that the purpose and intent of the amendments are to sharpen up the clause and give people rights to which they are entitled.

Mrs. Browning: I am grateful to the Minister. Before he concludes, will he address the point about the employers of people who act as the accompanying official to people appearing before tribunals? As I outlined, an employee might find that, as a consequence of being certified, he or she was spending such a lot of time on this specialised work that it was having an impact on the employment that he or she was expected to carry out. Will the Minister say a few words about how he envisages that situation?

Mr. Battle: The hon. Lady makes a fair point, but the whole purpose and tenor of the Bill is to develop a partnership at work. This is an absolute backstop case. The aim is not to be in a situation where an accompanying person is needed. Such a situation implies a failure by employers in the first instance to deal with grievances or disciplinary issues in an appropriate procedural manner. Tribunal proceedings detract from the focus of the employer and employee getting together and getting on with the job in a positive spirit. I accept the hon. Lady's point, but the purpose is to enable employees to have rights at work and to have people appropriately certified to stand by them if absolutely necessary and needed. Our intention is to reduce the number of occasions on which we need to be driven into those circumstances.

Lords amendment agreed to.

Lords amendments Nos. 9 to 14 agreed to.

New clause

Lords amendment: No. 15, after clause 13, to insert the following new clause—*National security employees*—

". Sections 10 to 13 of this Act shall not apply in relation to a person employed for the purposes of—

(a) the Security Service,

(b) the Secret Intelligence Service, or

(c) the Government Communications Headquarters."

The Secretary of State for Trade and Industry (Mr. Stephen Byers): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this, it will be convenient to take Lords amendments Nos. 27, 297, 305 and 323, Lords amendment No. 323, amendments (a), (b), (c), (d) and (e) thereto and Lords amendment No. 331.

Mr. Byers: I shall deal briefly with the amendment and then spend slightly longer on the amendments tabled by the right hon. Member for Bridgwater (Mr. King) and his colleagues on the Intelligence and Security Committee, which raise some important points of principle. It is only right that the House should have the opportunity of discussing the way in which we want to treat these sensitive issues.

The amendments that were agreed to in the other place reflect a correct understanding in addressing the sensitive issue of national security. As drafted, clause 13(1) applies the right to be accompanied in grievance and disciplinary hearings to persons in Crown employment. It therefore applies to employment within the Security Service, the Secret Intelligence Service and the Government communications headquarters.

I am sure that the House will agree that the staff of the security and intelligence agencies rightly have a unique status. The sensitive nature of their employment sets them apart from other workers. We have therefore given further consideration to how their inclusion in this part of the Bill can reflect that particular position. We believe that there are amendments before the House that do precisely that. I hope that when Members have considered the amendments that were agreed in another place, they will agree with that approach.

This evening, the House will want to concentrate on amendments Nos. 323(a), (b), (d) and (e) in the name of the right hon. Member for Bridgwater. I hope that Government amendment No. 323(c) will go some way towards resolving the difficulties that can be identified in the right hon. Gentleman's amendments.

First, I shall address amendments Nos. 323(a) and (b). I shall then outline why we feel that amendment No. 323(c) is the appropriate way forward in dealing with these matters.

The Bill provides that a Minister may direct that an applicant and his representative be excluded from all or part of proceedings where the interests of national security require it. We anticipate that the power to exclude from all future proceedings will be used extremely rarely and only in the most extreme circumstances where national security interests could not be adequately protected otherwise.

When the applicant or his representative is excluded the Attorney-General or, in Scotland, the Advocate- General, may appoint someone to represent the applicant's

[Mr. Byers]

interests. However, we believe that the applicant, or his or her representative on their behalf, should always be entitled to make a statement of his or her case. We undertook in the House of Lords to ensure that this right could be provided. If right hon. and hon. Members address the detail in amendment No. 323(c), they will understand that we have tried to discharge the commitment that we gave in the House of Lords in the way that amendment No. 323 outlines.

7.15 pm

Amendment No. 323(c) ensures that the tribunal regulations that will be made with regard to proceedings involving national security matters will be able to provide the right to make a statement in accordance with our policy. Lest there be any doubt, the Government undertake that the regulations will provide that an applicant or his representative will always be able to make such a statement.

I hope that the amendment will be recognised as one that discharges the obligation and the commitment that we recognised and gave in the House of Lords. It will be underpinned by the regulations that, we shall wish to introduce. I give a commitment that, in drawing up those regulations, we shall need to consult members of the Intelligence and Security Committee of which the right hon. Member for Bridgwater is the Chairman. That is wholly appropriate because they have drawn a particular issue to our attention. I believe that we shall benefit from the advice that we might receive from the right hon. Gentleman and his Committee. I would certainly wish to do that.

Amendments Nos. 323(d) and (e) would enable the commissioners to review the exercise of a Minister's power of direction. I have considered the matter carefully and I am grateful to the right hon. Member for Bridgwater for the opportunity of discussing the matter with him yesterday and having time to reflect and to discuss with officials whether we could agree to the proposal. I shall be asking the House to resist the amendments, which contain technical flaws. I know that the right hon. Gentleman will consider that to be the last resort of a Minister who is struggling. I found myself in his position when in opposition.

There are three particular issues. First, the amendments would go beyond the agencies about which the right hon. Gentleman is concerned and extend the provision to all other Crown employees. That would go far wider than the group that we wish to address.

Mr. A. J. Beith (Berwick-upon-Tweed): The Secretary of State must recognise that the circumstances would arise only in the case of a Crown employee whose ability to attend a tribunal or to be represented at it was removed because the Minister judged that it was a matter of national security. That would normally be only an employee of one of the agencies, or perhaps someone working in the Cabinet Office, for example, who had a similar national security involvement. It is because the Government have drafted this section of the Bill in terms of Crown servants rather than of agencies that it has such a wide theoretical application, but, in practice, a narrow one.

Mr. Byers: I understand that argument entirely. However, as I have said, the amendments would go beyond the agencies with which the right hon. Gentleman is concerned. It may be that civil servants working in particularly sensitive areas would be affected. I accept that. However, I am not sure that they should be regarded in exactly the same way as the particular groups that I think the right hon. Member for Bridgwater and his colleagues are concerned about.

There is a safeguard. If the individual feels that he has been treated in an inappropriate way, he will be able to seek judicial review at the time that the direction is made. The direction will be made publicly and the individual will know that that is the case. On the other hand, the commissioners must apply the principles of judicial review retrospectively. Parliament has decided that that is appropriate where the act under review was carried out secretly for obvious reasons. That is not so in the case of a power of direction. For those reasons, amendments Nos. 323(d) and (e) do not achieve the objective of the right hon. Member for Bridgwater and his colleagues. It goes beyond that and changes fundamentally the powers that commissioners would have to review the exercise of the power of direction being operated by a Minister. Therefore we feel that it is an inappropriate step to take, and I shall be asking the House to resist it.

I believe that the opportunity of seeking a judicial review is the appropriate way forward. Legal aid is available in particular circumstances for judicial review. People who felt that they had been adversely treated as a result of a power of direction being exercised by the Minister would have recourse to that course of action. I believe that to be appropriate. There would be great difficulties if we accepted these two amendments.

To conclude, I hope that the House will agree with the amendments starting with amendment No. 50. In relation to amendments (a) and (b), I give the House an assurance that, in drawing up the regulations, we would want to consult the Intelligence and Security Committee about the detail of the regulations. I hope that in supporting amendment (c), the House will recognise that we are putting in place a mechanism which we hope will overcome some of the reservations.

Mr. Allan Rogers (Rhondda): Would it not be far better to have tabled amendments that would resolve all the issues now, rather than saying that the Government will do that in the future, through regulations and by other means? It would have been easy enough, if the Government had followed the recommendations made by the Intelligence and Security Committee in our annual report.

Mr. Byers: I hope that, by drawing up the regulations in consultation with members of the Committee, on which my hon. Friend the Member for Rhondda (Mr. Rogers) serves, we will be able to accommodate the concerns that have been expressed, which I accept. Let the House be clear about that.

An important point has been raised in amendments (a) and (b). Since the conversation that I had with the right hon. Member for Bridgwater yesterday, I have been looking for a way of facilitating matters. I believe that, by giving the assurance about how we will draw up the regulations, we might be able to meet the honestly expressed concerns of the Committee.

I must ask the House to resist amendments (d) and (e). They would go beyond the powers that we give to commissioners at present. There is the opportunity for the individual to seek judicial review. In the circumstances, that is the appropriate course of action to take.

Mr. Tom King (Bridgwater): I am grateful to the Secretary of State for his initial response to the amendments. I am pleased that he has done us the courtesy of coming and responding to them himself. I am encouraged by that. I would otherwise be enormously disappointed by the response that we have so far received from the Government. I am encouraged because I believe that the Secretary of State is capable of listening to an argument and that if, on reflection, he considers it valid, he has the standing and the independence to accept the amendments. I proceed on that optimistic basis.

The Secretary of State will allow me, I hope, to point out that this is a remarkable occasion. We are not a Select Committee, although I understand why he slipped into that terminology. That is a tendentious area into which I shall not venture on this occasion. The composition of our Committee is remarkable. We are all parliamentarians. We probably have a majority in the Chamber at present—I warn the Secretary of State of the situation that he faces. He will note that we have considered the issues at great length and on an all-party basis.

I apologise to the Secretary of State for the fact that originally there was no concept of including such a provision in his Bill. He is being asked to include a recommendation that we made to the Prime Minister in our last annual report. After some impatience that a recommendation accepted by the Prime Minister had failed to make further progress, it was included as an amendment to the Bill at a very late stage in the Lords.

It is unfortunate for the Secretary of State that not only are we all parliamentarians with the capacity to move amendments to his Bill and his Lords amendments, but we then report the outcome—his response—to the Prime Minister. We are anxious to preserve his prospects and to comment favourably in our report, which we are currently drafting.

The House has never debated these issues. It has never heard anything about these matters. They were never part of the Bill. The Government have responded to calls for a necessary and sensible improvement to the law. I make no secret of the fact that that arises out of one particular case of a gentleman who has since taken his grievance beyond any reasonable length, to the extent of betraying a considerable number of people who worked in the intelligence services. His claims are full of errors because it is some time since he was in the Secret Intelligence Service.

However, the fact remains that that gentleman had a grievance. As a Committee, we sought to address what we considered a genuine grievance. He was denied what he thought were legitimate rights that would imply to other people other forms of employment.

I shall quote the paragraph that is the fons et origo of the proposal. It states:

"The Committee also believes that everything possible should be done to ensure that employees of the Agencies have the same rights as employees elsewhere. One of these is access to industrial tribunals. Under current procedures, industrial tribunals may hear cases involving national security, in camera and possibly with the Tribunal President sitting alone. However, if this is deemed not to be sufficient protection where vital national security matters may be involved, the Secretary of State can issue a certificate preventing an individual from having access to a tribunal."

That is what happened in that particular case. The Committee report continued:

"The Tribunals established under the Security Service Act 1989 and the Intelligence Services Act 1994 were not set up to handle complaints involving staff of the Agencies, and have made clear their view that they are not adequately equipped to do so."

Our recommendation was this:

"We believe that it ought to be possible to constitute a tribunal of members and staff qualified to serve a normal industrial tribunal, but of the necessary integrity and security clearance to handle such potentially sensitive material, and we so recommend."

The Prime Minister accepted that recommendation and eventually, after much discussion, the Employment Relations Bill was identified as the vehicle to which the amendment should be attached. Last week, rather late in the day, without the Committee having been consulted about the final form, which might have avoided some of the problems facing us, the amendments were tabled in the House of Lords.

That was done in some rush. Lords amendment No. 323 provides that section 4(7) of the Employment Tribunals Act 1996 shall cease to have effect. I hesitate to point out to the Secretary of State that, as far as I can see, it should cease to have effect, because the Act does not exist. The reference could be to the Employment Rights Act 1996 or the Industrial Tribunals Act 1996, but I have not been able to identify the Employment Tribunals Act 1996 which the amendment claims will cease to have effect. The Vote Office searched high and low for such an Act, but the reference throughout the clauses seems to be to a non-existent Act.

I do not know what mechanism exists within the procedures of the House to deal with that. This is the last stage of the Bill, which now goes for Royal Assent, subject to any amendments that may go back to another place if the Lords amendments are disagreed to. We want amendments to be made.

7.30 pm

The purpose of our exercise was to ensure that the rights enjoyed by a person in such a situation were as near to being equivalent to those enjoyed by any other employee involved in any other activity as was reasonably possible, having paid due regard to national security. After the amendments on which we were not consulted had been made, we were extremely concerned to find that a provision had been included that enabled a Minister of the Crown to make a regulation to direct a tribunal to exclude an applicant from all or part of his own employment tribunal proceedings. I doubt whether anything could more obviously negate the purpose of making the improvement that we have suggested and which we thought the Government had accepted. That is why we have tabled amendment (a) to Lords amendment No. 323, which applies to the applicant, and amendment (b), which applies to his representative.

[Mr. Tom King]

The Secretary of State rightly said that it was immediately acknowledged in the other place that that provision was unacceptable. Although I accept that Government amendment (c), which has been tabled today, fulfils the undertaking that was given in the other place, we believe that it does not entirely meet our concerns. The right hon. Member for Berwick-upon-Tweed (Mr. Beith) may have something to add on that point.

Mr. Rogers: I am sure that the right hon. Gentleman accepts that the provision was obviously included by mistake. The Government, Labour Members and the party which I represent are all in favour of trade union rights, and the very idea of preventing a person and his representative from putting his case in front of a tribunal would be complete anathema to every Labour Member. A drafting mistake has obviously been made.

Mr. King: That is what we believe. Our inquiries suggest that the provision has been lifted straight from immigration tribunals legislation and transferred across, in toto and perhaps at some speed, to the Bill. I am grateful that, as soon as the matter was raised, it was recognised that that position could not be sustained, that a drafting error had been made and that further consideration was required. I hope that we can take the Government a step further so that they recognise that they should go all the way and accept our amendment.

In view of the Government's public statements and what I believe to be their genuine philosophy in respect of this matter, I should be amazed if they resisted our amendments. They deal with circumstances in which a Minister decides on national security grounds that he has to take quite exceptional steps that would normally be quite unacceptable, such as excluding somebody from part of his own industrial tribunal hearing without any review being undertaken by anybody thereafter.

The Secretary of State has said that such a person could have a judicial review—at his own expense, I imagine—but a chap who has lost his job and is complaining about unfair dismissal would find that he has been excluded from his own hearing or a major part of it. He would not hear any of the evidence against him and he would be able to challenge what he considers to be an unreasonable act only at his own expense. For those reasons, I said at the beginning of my remarks that I hope and believe that the right hon. Gentleman is the sort of Minister who will listen to arguments. I appreciate that this issue has been bounced on him and that it is not germane to the main purposes of the Bill, but he has to take responsibility for it.

The other problem—for which I do not apologise, because we did not create it—is that it is so late in the day that this is the last chance that anyone has to put things right. The Secretary of State may feel that he could be exposed to criticism, and the first person who might criticise him may be the Security Service Commissioner, Lord Justice Stuart-Smith. I am not sure whether it has been drawn to his attention that Lord Justice Stuart-Smith's most recent report said that something should be done about this matter. On the tribunal, he said:

"In my earlier reports I drew attention to the unsatisfactory position regarding the Tribunal and their statutory position in relation to complaints from employees of the agencies who seek redress in relation to those matters which, but for security considerations, might have been dealt with by an Industrial Tribunal. I am disappointed that it has taken so long to find an effective remedy to this important problem but I am advised that the DTI, having consulted Ministers, are now working on a detailed proposal."

That was said by the very commissioner to whom we are seeking to entrust responsibility for review.

We consulted Lord Justice Stuart-Smith yesterday about the amendment that we have suggested. He has responded and I have been authorised by him to say that, if the amendment is acceptable to Parliament, he is content to undertake the proposed review in addition to his existing duties under the Security Service Act 1989 and the Intelligence Services Act 1994. He makes a further point, which was also made by the Secretary of State. He understands that the proposed amendment relates to all Crown servants. If so that is so, he would feel unable to express any view on whether he would be able to deal with the volume of work or whether he would be qualified to do so.

The point about Crown servants has already been well made by the right hon. Member for Berwick-upon-Tweed in an intervention. As currently drafted, the proposals on the tribunal apply to the Secret Intelligence Service, the Security Service and Government communications headquarters, Cheltenham, but this problem could arise in respect of someone who was sacked from a position of Crown employment. People who work for the joint intelligence staff, on the assessment side and in the Cabinet Office dealing with national security matters are affected by national security considerations. This is the only opportunity that we have to help them and the Bill is the only relevant legislation before the House.

If such people feel that they have been unfairly sacked—the Secretary of State would be the first to defend them in such a situation—they are entitled to their rights and they are entitled to go to a tribunal. If they find that they are excluded from their own hearing on grounds of national security, is not it right that there should be some review of the Minister's authority? That is all we are asking. I shall answer Lord Justice Stuart-Smith's question: we know of only one such case. Does the Secretary of State know of any more?

The case of which I am aware has provided the substance for the amendment that we have tabled. I do not know of any others. If a huge number of people are being excluded from their normal rights on grounds of national security, a commissioner had better look at this issue and we need a full and proper safeguard. The Committee certainly wants the procedure regulations, to which the Secretary of State referred, to cover such eventualities and the way in which such matters should be handled. As a free man, if I may use that expression, the Secretary of State would be the first to fight for that and the first to say that Parliament should put such safeguards in place. That is what Parliament should be doing. It should be protecting the rights of people in such situations.

It would be wrong to leave this significant power with no question of being reviewed. Lord Justice Stuart-Smith asks whether our proposal is meant to be some sort of remedy. We have not taken it that far, but have said that one should at least provide the protection that exists: the commissioners are charged with reviewing how Ministers—the Home Secretary and the Foreign Secretary,

in the main—use the exceptional powers that override the normal law, which they are entitled to use to protect the national security. That protection is independent and distinguished. The commissioners review the exercise periodically and report to the Prime Minister on how those exceptional powers have been used.

Is not this proposal just such an exceptional power? If the amendments are rejected, the Secretary of State will leave Ministers with an exceptional power that will be subject to no review, except at the expense of the applicant by judicial review. In spelling that out, I do not seek to make a party political point. In a sense, I am embarrassed because I appreciate that this matter has been wished on the Minister—he did not ask to deal with it. However, the Intelligence and Security Committee debated it at considerable length and concluded that the objective was right and proper. We originally identified it some three years ago.

What we are debating tonight, late in this Session, and for the first time on the Floor of the House, are the arrangements to put a proper protection in place. I understand that it is a particularly difficult and awkward challenge for the Secretary of State, but I believe that he will able to rise to it and say that, in the current circumstances, he will not leave the matter unsettled and that the Government are prepared to put in place the necessary protections. The arguments that I have sought to make, and which other hon. Members may seek to make, are acceptable not just to me but to every member of my committee of all parties—senior Members of each party were represented on it—and to Lord Justice Stuart-Smith, so I fail to see why they should not be acceptable to the Secretary of State. The Committee would appreciate it if he could accept our proposals.

Mr. Chidgey: In his opening remarks, the Secretary of State said that he intended to consult on the amendments. Having heard the speech by the right hon. Member for Bridgwater (Mr. King), who made an eloquent and powerful case for the amendments, the Secretary of State has an opportunity to consult and reflect on the foot, so to speak.

May I ask the Secretary of State to reflect on one further point? Not long ago, before the last general election, there was a cri de coeur from the Labour party that those employed at GCHQ would have the right to rejoin a trade union. There is not a great deal of difference between denying the right to free association and denying the right to free representation in a criminal sense. It does not sit well for the Government, who rightly made such a campaign out of the right to free association in a security setting at GCHQ, not to recognise the rights of those individuals now to have free representation and presence at their own examination.

I hope that the Secretary of State can see the synergy between those two points of principle, and the way in which the Government will be regarded if they do not see that those points are compatible.

7.45 pm

Mr. Beith: The Committee chairman described extremely comprehensively why we tabled the amendments. If there are deficiencies in the drafting of amendments (a), (b), (d) and (e), they are entirely my fault because I was given the job of drafting them. However, they are better drafted than the clause to which they were attached, which produced an unimaginable situation in which the object of this entire exercise—an employee of one of the agencies who has hitherto been denied an industrial tribunal when dismissed—would be refused admission to that very tribunal when it is granted.

The Committee, which has a fair amount of experience of security and intelligence matters, could not envisage circumstances in which it would be appropriate or necessary to exclude the applicant from every part of the proceedings. We scratched our heads, but could not think of any. We asked the agencies, and they could think of no circumstances either. Such a provision has not even been sought by the agencies in question; it was simply bad drafting in the first place.

The Minister has responded to that. When my noble Friend Lord Razzall moved an amendment in the other place, the Minister gave the undertaking that he is fulfilling in his amendment (c). Although that amendment is welcome because it goes 50 or 60 per cent. of the way towards what we want, much remains to be done. All that that amendment guarantees is that the applicant will be able to state his case before being thrown out. He will not be able to hear or challenge any of the evidence on which his dismissal is based, or even to know what that evidence is.

I can envisage circumstances in which it will be necessary for the applicant and his representative to be excluded from part of the proceedings. I am sure that other Committee members can envisage them, too. For example, an applicant might then gain access to further information, which he might subsequently misuse as a result of his grievance against the agency. A case might require the presentation of some evidence of that kind. However, excluding an applicant simply from making his case is such a restriction on his rights that there should be a very high threshold to be crossed before that power can be used. A strong protection should be built in, as well as a review of how the power has been used.

We tabled our original amendment because regulations could not have provided those protections so long as the statute made it clear that the Secretary of State was entitled to exclude the person from the entire proceedings. It was necessary to change the basic clause for the regulations to be manageable at all.

I think that we can make some progress on this point tonight. The regulations could build in thresholds and protections. I thank the Minister for his assurance that the Committee will be consulted on the detail of the regulations. The remainder of our argument—some 40 per cent.—could be met now if the regulations set a high threshold, which would have to be met before the power could be invoked. We all remain concerned, however, that the power is not capable of satisfactory review, other than by taking a case to court on judicial review at the applicant's expense. That is why we tabled the other two amendments.

The arguments that the Minister has made simply hold no water. He did not invent them—they have been provided for him. There is no flood of cases; there have hardly been any cases of this kind—none whatever in the category that he thinks represents an inconvenient addition to the total, which is people not in the agencies but in respect of whom a similar power might be used in the future. A commissioner review is appropriate because

[Mr. Beith]

the applicant cannot know why the power has been used. The Minister rested his case on the argument that the commissioners review matters that are otherwise secret. The reasons for using the power are secret. The applicant cannot know the nature of the evidence that requires him to be thrown out of the tribunal.

Somebody else must look at the matter. It is not sufficient to leave it to the tribunal, which does not have the power to bring the applicant back in—that is in the hands of the Minister. Somebody must have the power to report to the public that the power is being abused, and the commissioner is ideal for that purpose. That discipline would largely ensure that the power was not abused. I therefore strongly support what the right hon. Member for Bridgwater (Mr. King) said and ask the Minister to think again, even at this late stage.

At the beginning of the Bill, there is a certificate of compliance with the European convention on human rights. After this clause was drafted and introduced in the other place, was it checked to establish whether the Bill still complies with the convention, given the restriction on the rights of the applicant that will result unless we carry some of the amendments?

Yvette Cooper (Pontefract and Castleford): I shall be brief, as I had not intended to speak. I want to respond to my right hon. Friend the Secretary of State's objections to the amendments tabled on behalf of the Intelligence and Security Committee. He argues that there should be access to judicial review rather than to the commissioner, and that amendments (d) and (e) would significantly extend the powers of the commissioner.

Judicial review is not sufficient in the absence of the commissioner. Our argument is that all these cases should be reviewed by the commissioner, not only those in which the applicant has the confidence or the resources to take the case to judicial review. Given that the applicant will be excluded from the proceedings, he will be in a difficult position to know whether he has a case to take to judicial review, whereas the commissioner could examine all these matters without putting the applicant's resources at stake.

The second objection is that the amendments would significantly extend the powers of the commissioner. I do not see that as a problem. The only way in which they would extend the commissioner's powers would be in parallel with the extension of the Minister's powers under the Lords amendment, which gives the Minister the power to make a decision to exclude someone from the industrial tribunal in the first place. Under our amendments, the commissioner would be used in parallel with the additional powers given to the Minister on grounds of national security.

Mr. Byers: I am pleased that our approach on amendments (a) and (b) and our amendment (c) go 60 per cent. of the way towards meeting the concerns expressed by members of the Intelligence and Security Committee. I hope that, when we consult on the details of the regulation, we can get 100 per cent. satisfaction. That is almost impossible to achieve, but we shall try. We all want to achieve the principle that was articulated so well by the right hon. Member for Bridgwater (Mr. King). Even though we are dealing with unique circumstances, the individuals involved should, whenever possible, have the protection of the usual procedures that we give to other citizens, and we should try to secure that.

However, a balance needs to be struck between the rights of the individual and the need to protect national security. We are clawing our way through consideration of how to achieve that balance. As I have discovered in the past 24 hours, these are complex areas, and we should take a careful approach.

I should like to discuss the regulations with members of the Committee, and I hope that that will go some way towards satisfying their concerns in amendments (a) and (b). The right hon. Member for Berwick-upon-Tweed (Mr. Beith) had difficulty finding the relevant Act in relation to the amendments that have been tabled. The Industrial Tribunals Act 1996 had its name changed by the Employment Rights (Dispute Resolution) Act 1998. I am sure that he was fully aware of that, and of course I knew that all the time. I do not know why these difficulties are put in our way, but parliamentary counsel enjoy the little tricks that they play on us from time to time.

As to amendments (d) and (e), the key point is that I have not been able to meet the concerns expressed by members of the committee on both sides of the House. In the end, it will be a matter of judgment. My view is that we have a well-established procedure by way of judicial review to challenge a decision taken by a Minister of the Crown. It is now a fairly common occurrence to have a judicial review of decisions taken by Secretaries of State and by Ministers.

Legal aid is available for judicial review. I checked on that point yesterday, because I had a conversation with the right hon. Member for Bridgwater, and I was sympathetic to the point that if no finance is available, it will act as a deterrent to someone challenging a decision. Because of their unique nature, these may be exactly the circumstances in which the Legal Aid Board will look at a case sympathetically, so there may be some financial support.

The balancing judgment to make is between the remedies available by way of judicial review, and the remedies and powers that the commissioner will have. One of the weaknesses of amendments (d) and (e) is that, by relying on the commissioner, they do not give him the power to act effectively in these matters. The commissioner does not have a remedy at his disposal. He has no power to overrule the direction that may be given by the Secretary of State or another Minister. He cannot intervene or overturn the decision that is ultimately taken by the employment tribunal. It is a fiction of a solution to the problem. I believe that the real remedy is the judicial review. The individual who has a complaint and is concerned about the direction being used will be able to seek a judicial review, which is a well-established procedure.

Mr. Tom King: The Secretary of State bravely makes his case, but he should reflect on what he has just said, because it is an extraordinary argument. It is an argument against having commissioners in all these areas. The Intelligence Services Act 1994 states:

"The Commissioner shall make an annual report on the discharge of his functions to the Prime Minister and may at any time report to him on any matter relating to his discharge of those functions."

The Secretary of State has said that no remedy is available to the commissioner. We have argued that the Bill will leave the plaintiff with no remedy, except to go on his own to the courts. If he is reasonably well paid—as he may well be—and has a little capital, he will not get legal aid.

Mr. Deputy Speaker: Order. The right hon. Gentleman puts me at a disadvantage. I know that these are important matters, but he is making an intervention. It would help me if he would wind up.

Mr. King: I apologise, Mr. Deputy Speaker, but this is an exceptional situation. The Committee set up by the Prime Minister to advise on these matters is having to deal with an issue that has been incorporated in an inappropriate Bill on which we were not consulted. This measure has been introduced at the last minute. It was brought up in the other place, and this is the first time that it has been discussed in this House. I crave your indulgence, Mr. Deputy Speaker.

I think that the Secretary of State would accept from me that his argument will not wash. He is not prepared, in this legislation, to give people in the position that we have discussed a remedy. Our amendment would provide the most limited protection, but it would mean that, if he became Home Secretary or Foreign Secretary, before his officials put a proposal to him that someone should not be allowed to attend part of his own industrial tribunal hearing, they would know that his decision would be reviewed. They could not plead national security and total secrecy so that the matter could not be sustained.

If the Secretary of State were on the Opposition Benches, he would make a much better argument than I have, and he would murder the idea that the commissioner has no remedy. I beg him to reconsider, even at this late hour—that was not of our making. This is the last hour, because this legislation will soon become an Act. At the last gasp, the legislation will lack this vital ingredient. Our proposal would do the Government great credit.

8 pm

Mr. Byers: I understand the power of the arguments that are being put. In the end, the House will have to make a judgment. I believe that the procedure that is available to challenge a direction by judicial review is the appropriate remedy in the circumstances.

I know that members of the Committee would like the commissioner to have the power to intervene directly, but I feel that they should reflect on the role that the commissioner will play. That role will not involve the reviewing of individual cases; the commissioner will not operate in the way in which employment tribunals operate. It will involve the reviewing, in a more strategic way, of the workings of specific sectors. That is the right role for the commissioner, and that is why the House has not given the commissioner the power to intervene directly.

This was never seen as being the appropriate role for a commissioner. The commissioner has a distinct role: he is to report to and, no doubt, to put pressure on Parliament by means of the avenues open to him. I believe that that role, and the commissioner's responsibilities, will be subject to confusion if he is told that he should be involved in individual cases that are before an employment tribunal.

Mr. Beith: I realise that the right hon. Gentleman's Department does not normally deal with these matters, but he must recognise that the commissioner's remit is to examine the way in which powers have been exercised in individual cases, and thereby to judge whether those powers have been abused. That relates directly to what the Committee seeks. It wants the commissioner to examine the way in which the Minister is using his power—not the substance of the issue before the tribunal—given that he possesses information that no one else has. That is what gives the function its value.

Mr. Byers: I think that I understand the position. The commissioner has not the power to intervene in relation to an individual's case, and he has no such power in relation to an employment tribunal. That is precisely the issue that is addressed in the amendment. The commissioner has the power to challenge decisions made by Ministers, and to review those decisions, but he has no such powers in relation to individuals before employment tribunals.

Opposition Members may disagree, but I believe that we have provided a suitable method for decisions to be made by Ministers of the Crown, by way of judicial review. It is well established, and I consider it wholly appropriate. I do not think that amendments (d) and (e), which would extend the commissioner's responsibility, will provide an effective remedy for the individual. I hear what the right hon. Member for Bridgwater says, but, in the circumstances that we are discussing, the individual will clearly want a way of remedying what he or she sees as a wrong.

Yvette Cooper: Amendments (d) and (e) would not prevent an individual from using the judicial review system as a remedy. Moreover, the proposed extension of the commissioner's powers would allow for an additional review of the Minister's decisions. That could take place in exactly the same way as the commissioner's review of other ministerial decisions on grounds of national security that infringe individual rights.

Mr. Byers: A range of opportunities can be provided, if that is what the House wants. My point is that a remedy is clearly available to an individual who feels aggrieved, in the form of a judicial review. I consider that to be an appropriate remedy, in that it provides the opportunities that the individual may seek. I feel that the opportunities offered by recourse to a commissioner are rather fictional in terms of the support that they can give the individual.

Mr. Tom King: I much appreciate the Secretary of State's courtesy in giving way again.

I fear that we are getting into a bit of a muddle. The right hon. Gentleman's concept of the commissioner's role does not conform to the way in which he will work: it is not a question of a chap having a right to go to the commissioner, as was suggested.

If the Committee that is appointed by the Prime Minister to report to him and advise him makes such recommendations, if the commissioner agrees that action is needed and is content to go along with it and if, as we understand to be the case, the agencies have no objection to the programme, why are the Government not willing to accept the amendments?

Mr. Byers: For the simple reason that we believe that the individual already has recourse to an appropriate

[Mr. Byers]

remedy. I know that the Committee feels strongly, has made representations and has reported to the Prime Minister; no doubt it will continue to do so, under procedures established by the House. However, I consider the existing procedures to be appropriate, and I do not think that they need to be added to it in the way suggested by amendments (d) and (e). I ask the House to resist the amendments if they are put to a vote.

I hope that I have been able to reassure the House in relation to Lords amendment No. 323, and amendments (a) and (b). I ask the House to support amendment (c), which discharges the undertakings that we gave in the House of Lords. I am sorry that I cannot accommodate members of the Intelligence and Security Committee in regard to amendments (d) and (e), but I believe that existing procedures in relation to judicial review are appropriate, and I do not think that the individual would be helped by the additional powers that those amendments appear to confer. For those reasons, if they are put to a vote, I shall invite the House to oppose amendments (d) and (e).

Mr. Deputy Speaker: Before I put the Question, let me remind the House that amendments to Lords amendment No. 323 must be dealt with later. What we are now considering is Lords amendment No. 15.

Lords amendment agreed to.

Clause 15

COLLECTIVE AGREEMENTS: DETRIMENT AND DISMISSAL

Lords amendment: No. 16, in page 8, line 8, leave out ("subject") and insert ("subjected")

Mr. Byers: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this, it will be convenient to discuss Lords amendment No. 17 and the Government motion to disagree thereto, and Lords amendments Nos. 18 and 19, 26, 327 and 328.

Mr. Byers: I intend to concentrate on Lords amendment No. 17, which I shall ask the House to resist.

Lords amendment No. 16 is a relatively minor technical amendment. It proposes that the word "subject" should be changed to "subjected", simply to ensure consistency with wording elsewhere in the legislation. I hope that it will not detain the House for too long.

As I have said, I shall ask the House to disagree with Lords amendment No. 17. We believe that employers and employees should continue to have the opportunity that they have now to conclude individual contracts which differ from collective agreements that would otherwise apply to individual employees. Nothing in the Bill will affect that. However, we also believe that individuals in the workplace who refuse such contracts and choose to remain covered by collective agreements should be protected against being subjected to dismissal or detriment as a result of the refusal. There should be no obligation, and there should be no incentive, for individuals to break out of collective agreements. We do not think that someone who wishes to remain within a collective agreement should suffer detriment as a result.

We therefore propose to draft regulations to achieve that policy objective. We will, of course, consult on the regulations in draft before presenting them to the House for approval under the affirmative procedure.

We cannot accept the amendments tabled by the Opposition in the House of Lords. We have two main problems with Lords amendment No. 17. First, it contains a fundamental weakness, in that it confuses two separate issues: the bargaining arrangements, and action to prevent or deter trade union membership. Those are clearly two distinct issues.

The amendment seeks to require section 146 of the Trade Union and Labour Relations (Consolidation) Act 1992—the section that guarantees the right to join or not to join a trade union, and to take part in trade union activities—to be interpreted in accordance with the amendment, which has nothing to do with such matters. That is the confusion at the heart of amendment No. 17. It is concerned only with individual contracts and collective agreements. Therefore, that attempt to affect section 146 is dangerously imprecise and illogical.

Although we may understand the basic thrust of the amendment, it is unhelpful in that it is extremely detailed and restrictive, and will create difficulties when we introduce our regulations. For our regulations to be effective, they need to be drawn up in a way that is not constrained by the provisions that would be introduced as a result of amendment No. 17.

Therefore, I invite the House to disagree with amendment No. 17. We will introduce our own regulations. The House will have an opportunity to debate and to vote on them after we introduce them. We believe that that is an appropriate way in which to deal with the matter.

We feel that amendment No. 17 creates difficulties. It does not allow the individual to have freedom. The danger is that individuals will feel, effectively, that there is a deterrent to remaining within a collective agreement. We feel that there should be freedom to make a decision, not a method by which an individual may be punished.

That will be the principle of the regulations that we intend to introduce. For these to be effective, we will need the House to disagree with amendment No. 17, which was carried in the House of Lords.

Mrs. Browning: I will be happy to allow speedy progress on some amendments, but not amendment No. 17. What has happened as a result of the amendment bears full examination.

As the Secretary of State said, the amendment was introduced in Committee in another place by the Opposition. I go back to the beginning. Amendment No. 17 concerned continuation of the right of employees voluntarily to agree with their employer contracts that differ from those of a collective agreement that applies to them, as long as the different terms were agreed through a revised contract of employment, the employee had voluntarily accepted the new terms, and the employer's purpose in offering such terms was to further a change in his relationship with all, or any class of, his employees, as set out in section 148(3) of the Trade Union and Labour Relations (Consolidation) Act 1992.

It was thought in another place that the Government supported the amendment in principle. Indeed, we were led to believe that it was Government policy, not least

because we had looked carefully at the Government's White Paper "Fairness at Work", particularly paragraph 4.20, which is reinforced by annexe 1, paragraph 8. I am sure that it is engraved on the Secretary of State's heart, but let me remind him of what annexe 1 says:

"The terms of agreements resulting from collective bargaining are normally incorporated into individual employees' contracts either explicitly or by custom and practice and thus set the minimum terms and conditions for all employees in the bargaining unit".

The annexe goes on:

"Under the existing law an employee and an employer can agree different terms if they wish. Since the current law works well, the Government sees no reason to change it".

When the amendment was introduced in another place by my hon. Friend Baroness Miller of Hendon, there was quite a lot of discussion. It was Conservative peers who, in the absence of a Government amendment, sought to honour what they thought was a Government pledge—not least because of what is contained in the White Paper, and an indication in Committee from the Minister for Small Firms, Trade and Industry that the Government would look at the matter. Therefore, there was an expectation that, before the Bill had proceeded too far through another place, the Government would table something similar to the amendment that is now part of the Bill.

8.15 pm

It is interesting to note what the Minister, as quoted in the Lords, said in respect of an employee who had refused to sign a personal contract:

"The employee may . . . think that it is unreasonable of the employer to . . . give the employee a pay rise, but that is the employer's right".—[*Official Report, House of Lords*, 16 June 1999; Vol. 602, c. 356.]

We think that an employer and employee should always be free to make their own bargain, notwithstanding union recognition in the workplace. There is a need for flexibility in respect of an employer rewarding people in the workplace, based on agreements—even individual agreements—with the work force. That was what we believed the Government felt was the state of play as well, but it was not the Government who introduced the amendment; it was Baroness Miller of Hendon.

After Baroness Miller of Hendon moved the amendment successfully in the Lords, a debate took place with Lord McIntosh of Haringey. He stated:

"I sincerely congratulate the noble Baroness both on the care which she has clearly taken in drafting the amendment and on the evident passion with which she has moved it."

That seems to contradict the Secretary of State's words a moment ago, when he identified what he regarded as flaws in the drafting of the amendment. I should like him to comment specifically on why a Minister in another place congratulated Baroness Miller on the drafting of the amendment, but only a little while later, in the House of Commons, the Secretary of State said that he believed it to be flawed.

I continue with the words of the Lord McIntosh:

"I think that I can assure her"—

Baroness Miller—

"that we can achieve substantially the objectives which she wishes to achieve. As my noble friend Lord Simon explained in his letter of 10th May, in response to the Select Committee on Delegated Powers and Deregulation, the Government hoped to replace the power in Clause 15 with a substantive provision and we hoped to bring forward an amendment in Committee."

It is thus clearly on the record that the Government, as we had anticipated, hoped to introduce such a measure, but we have received no explanation of why it was left to the Opposition—in the absence of that measure—to table successfully the amendment that we are discussing.

Lord McIntosh went on:

"I am sorry that we have not been able to do so, but I am confident that we shall be able to produce an amendment on Report which will, in a sense, go further than that of the noble Baroness because, instead of adding to the regulatory power, which is what her amendment does, it will produce a substantive content in clause 15 instead of a purely regulatory power."

So clearly, at the close of the Committee stage, although the Government had been expected to table an amendment themselves in Committee, there was a firm commitment by the Minister to bring back a substantive amendment on Report as the Bill proceeded through another place.

Later, Lord McIntosh continued:

"I repeat our apologies that we have not been able to produce the substantive amendment which we wished to introduce in Committee."

He concluded:

"I hope that with the assurances and details I have given about the substantive amendment which we propose to introduce on Report, the noble Baroness will realise that we intend to introduce something which is along the lines of what the noble Baroness wants".

In other words, a firm ministerial commitment was given at the end of the deliberations in another place to bring the matter back on Report. Ministers acknowledged that the content of the amendment that we are discussing was not, apart from a few details, a matter of dispute. However, the Secretary of State seems now to have changed to his mind about that.

It was on the basis that there was little dispute about the amendment that my noble Friend Baroness Miller was asked to withdraw the amendment. Wisely, she did not do so, but put it to a vote instead. In the same debate, Lord McCarthy, in response to what Lord McIntosh said in support of the Opposition amendment, said:

"Before the noble Lord sits down, I wonder whether he realises how much he is worrying some of us?"—[*Official Report, House of Lords*, 16 June 1999; Vol. 602, c. 359-62.]

That was the first indication that not all Labour peers were happy with the Government's line. Perhaps the Secretary of State's neglect of the amendment tonight shows that the Government are responding to the concerns that have been expressed. If not, his approach is a mystery, given previous ministerial commitments about the amendment in another place. Perhaps that is why the Secretary of State has not tabled a substantive amendment for debate tonight.

I believe that the Secretary of State has abused his position—and the ministerial commitments that are on record. Instead of allowing a proper and full debate this evening, he has promised that the matter will be subject to regulation at a later date. That has become a hallmark of the Government's approach.

In another existence just over a year ago, I was a member of the Committee considering the School Standards and Framework Bill. The Secretary of State was then Minister of State with responsibility for school standards. It was typical of his approach then that he did not want matters to be debated in detail and pressed for a vote. He preferred to push them into the long grass, in the hope that regulation,

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when it was introduced, would not be given the necessary scrutiny. This important amendment certainly warrants detailed scrutiny and debate.

Will the Secretary of State explain why the word of Ministers in another place can no longer be taken as a matter of honour? It is an insult to both Houses that commitments made on the record are not honoured.

There is considerable interest in the matter outside the House. Business has questions to which answers must be given in this debate. For example, what is meant by the phrase "detriment by his employer"? I should be grateful if the Minister would give the House a definition. What are the Government seeking to achieve with the power that the clause gives the Secretary of State? Will the Secretary of State make a clear and unambiguous statement about the right of employees voluntarily to agree with employers contracts that differ from those under the collective agreement that applies to them?

The White Paper and the Government's words both here and in another place appear to indicate that their policy was that employees had that right, but now they have performed a complete U-turn. As was said in connection with the previous group of amendments, this is the House's last chance to discuss these important matters in detail.

If the comments of Lord McCarthy in another place were indicative of concern among the Labour ranks, I hope that the Secretary of State is not involved in a cynical exploitation of the democratic process. With the trade union and party conference season just a few weeks away, is the Minister hoping to avoid putting in the Bill something that the unions will not like? Employees and employers want clarification of a matter that the Minister appears to want to kick into the long grass by saying that it will be dealt with in regulation rather than in the Bill.

The Secretary of State risks incurring contempt for the ministerial statements that have been made on the matter, and he will put in jeopardy the process by which hon. Members can debate amendments tabled in another place. I hope that he will explain why he has not tabled a substantive amendment to tidy up what he might perceive as flaws in the original wording. Amendment No. 17 states only that

"this House disagrees with the Lords in their Amendment."

That is a contempt of the democratic process.

Mr. Tony Baldry (Banbury): In general, the Bill has not received much publicity, but this group of amendments—entitled "Detriment and dismissal; discrimination against part-time workers"—may soon attract a lot. The amendments go to the heart of the relationship between employers and employees.

The White Paper is very clear. It states:

"As under existing law, individual employees will continue to have the right, should they wish, to agree terms with their employer."

The Bill contains only a limited definition of small firms, as we shall discuss later, but many people will continue to negotiate their own contract terms. The White Paper also states:

"Under the existing law an employee and an employer can agree different terms if they wish. Since the current law works well, the Government see no need to change it."

The Secretary of State should explain what the Government are trying to achieve with these amendments, which contradict the White Paper.

I could understand the Government's approach if they considered that the amendments tabled in another place would enable employers to include discriminatory provisions in contracts to discourage trade union membership. I could understand it if the Government's aim was to ensure that people should not be pressurised not to join a union. However, why should not people be allowed to enter into contracts that they consider to be better than what they could negotiate by means of a collective agreement through a trade union?

Many companies and businesses in this country offer such good terms of employment that trade union representation has never been necessary. I am fortunate in having a Quaker mother and a Quaker background. Many companies of Quaker origin, such as Cadbury, have offered such good terms that their employees have not felt it necessary to seek trade union recognition, but have made other arrangements for representation. Do the amendments mean that such arrangements will now be otiose? The amendments seem to suggest that, where there is a work force of more than 21 people, some form of collective agreement will be necessary. If so, that will lead to considerable confusion.

As my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) said, what has been said in the other place and here will confuse many about the Government's policy objective. If the Government are simply trying to ensure that people should not be discriminated against because they want to be members of a trade union, that is fine. We would all understand that. But we do not understand the concept that individuals should not be free to negotiate better terms with their employer if they think that that is achievable. That seems to be a fundamental breach of an individual's opportunity freely to contract with his employer, and it is fundamentally against what the Government seem to have set out in their White Paper.

8.30 pm

Mr. Collins: Conservative Members have already established that the amendments are a classic example of a typical new Labour fiasco. Initially, the Government said one thing in one place and another thing in another. They usually ensure that the places concerned are a couple of hundred miles apart. They will say one thing in a constituency by-election and an entirely different thing in London. In this instance, however, the Government have managed to say one thing at the other end of the Corridor and something entirely different at this end. Even for this Government, it is stretching the credulity of their audience a little to believe that what is said in the other place might not be compared in *Hansard* with what is said in this place.

The Government have been caught out in a technique which I suspect they imported from their coalition partners, the Liberal Democrats, of saying different things to different audiences, but I am afraid that, in this instance, they have been caught out, and we look for a little more consistency from them.

Another thing that I fear is becoming all too typical of the Government is that they find themselves in a drafting shambles, advancing arguments that clearly do not stand

up. My hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) pointed out that the Secretary of State's argument that the amendments are somehow defective simply does not stand up. That is not consistent with what the noble Lord McIntosh said in the other place, and it is not consistent with any straightforward reading of the amendments.

Once again, as we saw when we debated the previous group of amendments, I fear that the Government find themselves unable to accept perfectly valid and clear amendments because they seem to be determined to plough ahead regardless, no matter what the quality or source of the arguments put to them. That, again, we must regret.

Then we come to what is perhaps the Government's greatest characteristic, and that is that they break their pledges. It is not simply that there has been confusion and inconsistency. As my hon. Friend the Member for Tiverton and Honiton said, what amounted to a pledge was given by a Minister in the other place—not a pledge given, in that famous phrase of a few years ago, on a wet weekend in Dudley, but a pledge given by a Minister of the Crown to one of the Chambers of this Parliament that certain amendments would be brought forward. That has not occurred. I regard that as very serious, albeit that it has become part of a characteristic pattern of this Administration.

Finally we come to a modus operandi employed by the Government which I suspect they will come to regret—kicking something into the long grass in the hope that it will never come rolling out again. The Government say that all will be dealt with in regulations, that there is nothing to worry about and that employer organisations, trade unions and so on can be entirely content that all circles will be squared, that everyone will be bought off and that everyone will be happy in the end. There is the belief that if one keeps postponing the provision of detail for a sufficient number of months, no problem will ultimately arise.

This is the point at which the whistle has been blown. The package has been passed around for a little while and the ticking time bomb is about to go off. The Minister has clearly not succeeded in kicking it into the long grass. My hon. Friend the Member for Tiverton and Honiton has rightly performed her duty in holding the Minister to account for the pledges made by his junior ministerial team.

There may be a subtext to all this. My hon. Friend the Member for Tiverton and Honiton touched on one possible subtext, which relates to the buying off of trade union friends, and that is a point to which I may return later. But there may be another subtext, and that is that the Secretary of State may not much mind what his juniors say in another place because he knows that either they or he will move next week. In either event, he may not care too much about ministerial consistency because the present happy band of brothers and sisters at the Department of Trade and Industry may be about to be broken up and dispersed. The Government Whip on the Front Bench, who is a most distinguished and admirable member of that team, and—I hope that I do not damage his prospects—someone who thoroughly deserves promotion, may also find himself part of a different ministerial team. That may be why the Minister does not care whether he is being consistent or not.

I hope that such a short-term view has not entered the Secretary of State's calculations, but one must bear in mind that this particular piece of unhappy legislation has already borne the fingerprints of no fewer than three Secretaries of State in its transition from the initial White Paper, through the wonderful spinning regime of the right hon. Member for Hartlepool (Mr. Mandelson), who tried to pretend that it was something entirely different from what it was, to the present chair of decisions at the Department of Trade and Industry, who has found it in his in-tray and fiddled around with it.

We do know one thing from the press reports relating to the Government reshuffle, which may explain the Secretary of State's reaction. Whatever the fate of his junior Ministers in the other place, and whatever the fate of his Whip, it is widely expected that his junior Minister of State is likely to become the equivalent of party chairman. The party chairman must ensure that all the members of the Labour party, including the trade union funding partners, are happy. That is why the Government are resisting the amendment. I can see, Mr. Deputy Speaker, that you are following closely the way in which I am referring closely to the Government's resistance to the amendment.

As my hon. Friend the Member for Tiverton and Honiton rightly pointed out, the amendment provoked unhappiness in the other place, not from any old member of the Labour Benches, but from a senior person with connections to the trade union movement. It is distinctly possible that any chairman-elect of the Labour party—as we may refer to the Minister of State—would be concerned if the trade union movement, which is instrumental in keeping the Labour party going, funding it and providing key workers in key seats, was in any way displeased.

As we turn to the detail of the amendments, we should bear in mind the fact that the Secretary of State has a range of reasons, not all of them entirely above board or noble, for resisting the text before us. That text is clear. The Secretary of State claimed earlier that it was an attempt to spatchcock two different concepts together and that the Bill was the wrong place for it. In fact, it defines, at least in part, the "detriment" identified in clause 15(1). It is an important clarificatory measure. We must be clear what is and is not "detriment".

I hear a nasty echo of some famous—indeed notorious—remarks made a few years ago by Roy Hattersley, then the Labour party's deputy leader. In *The Guardian*, he wrote that the Labour Party was not the party of equality of opportunity. That, he wrote, was the Tory party, while the Labour party was the party of equality of outcome. If that is the attitude of the Labour party, and one must assume that a former deputy leader knows something about his party's instincts, one can see why Labour Members do not like the amendment. It would permit someone who was not a member of a trade union to earn more than someone who was.

Labour wants a wonderful world—wonderful in Labour's terms, though not in anyone else's—in which everyone who works for a specific employer is paid exactly the same. No matter how hard they work, how successful they are, how many bonuses they earn or how much they contribute to the company, they will receive no more money. That chimes with the Secretary of State's recent attack on so-called fat cats, another indication of the Government's egalitarian instincts. They are opposed

[Mr. Collins]

to the idea of having different pay for different skills, aptitude or effort. Serious concern exists that they are seeking to impose a model on our industrial relations that clearly would not work.

Socialism in all its forms has failed, particularly the state socialism of eastern Europe. The incentive principle, which lies at the heart of the amendment, is the reason why socialism will never work. Socialism prescribes equality, even where it does not exist. We stand for equality of opportunity—the then Mr. Hattersley was entirely right about that. Sadly, Labour stands for equality of outcome, and that is a very different proposition.

The powerful case made by my hon. Friend the Member for Tiverton and Honiton has not been properly addressed by the Government. We want to know their answers to her points. In particular, why does the Secretary of State say something different in the House of Commons from what another Minister said in the House of Lords barely five weeks ago? I wait with bated breath for his reply.

Mr. Syms: I support what the noble Lords have done. Baroness Miller's remarks concluded:

"By compelling an employee to accept a collective bargain against his will and in that way increase the power of the union over him, the Government are attempting to reintroduce the closed shop by the back door. I repeat that this would reintroduce the closed shop by the back door. That is something which the Labour Party promised it would not do. This amendment simply ensures that workers enjoy one of the most fundamental of employment rights; namely, to negotiate their own individual pay if they can strike a better bargain with their employer, possibly by being more flexible than an entrenched egalitarian position of a trade union."—[*Official Report, House of Lords*, 16 June 1999; Vol. 602, c. 357.]

The key point is the meaning of "detriment". The Lords amendment broadens the definition, allowing people a much clearer idea of whether it means "difference". Workers have to be flexible today, and although the amendment does not undermine anyone's right to be a member of a trade union and accept the benefits that flow from membership, some workers, perhaps because of the hours they work or the skills they have, are in a good position to negotiate their own terms and conditions.

The amendment allows our economy to be flexible, and allows individual workers with particular skills to take the best advantage of that. My concern is with the meaning of "detriment", and whether it means difference or allows trade unions to level down rather than up. Will individuals with particular skills be able to bargain through the market to achieve the maximum benefits?

8.45 pm

Mr. Byers: This has been an interesting debate; I shall try to reply to the points made by Opposition Members. For the benefit of the House, I point out that the Government voted against amendment No. 17 in the House of Lords—a good demonstration that we did not accept its content. That is why we opposed it, and gave the clearest possible expression of our reservations about it.

However, the reason for the views expressed by my noble Friends lies in the principle that we all share; it underpins the comments made by Baroness Miller and I restated it at the beginning of the debate. The principle is simply that employers should remain free to offer more pay or to improve benefits to individual employees; even though there may be a collective agreement, employers will have that freedom. That is what I believe in, and it will be ensured by the regulations that we shall introduce in the House—which can be debated and voted on.

There is no disagreement about the principle that underpins our consideration of these matters. However, we do not accept the previous Conservative Government's view that individuals should be penalised because they choose to belong to a trade union, and to be part of a collective agreement. The previous Government endorsed and supported that view; the regulations that we shall introduce will allow individuals freedom of contract, but will ensure that people will not be penalised or suffer detriment because they belong to a trade union.

Mrs. Browning: If those were Secretary of State's concerns, why was the amendment not brought back to this place in a modified form on Report? Later, on Third Reading, the Government made a slight alteration on the grounds that the amendment needed a grammatical change. Why was it not substantively changed—as was promised by Lord McIntosh? We share the Secretary of State's concern about the rights of trade union members, but there was nothing to stop him from tabling on Report the substantive amendment that was promised in another place.

Mr. Byers: We are talking to interested parties about the detail of the regulations. I would rather do that in order to get the regulations right. Those regulations will be supported by business. People will realise that they carry the debate forward appropriately. I realise that Opposition Members find that hard to understand; they do not understand the concept of consultation—of discussing with business what might be suitable or appropriate. We believe in consultation and that, as a result of it, the regulations that we shall introduce will be all the better. *[Interruption.]* I know that it is difficult for Opposition Members to understand that, but that is what will happen.

We heard a great deal about what is meant by detriment. I knew it was a mistake to use the same approach as that adopted by the previous Government in their Employment Rights Act 1996. Detriment was referred to, but no precise definition was given. We have adopted exactly the same approach.

We are talking about introducing regulations that will do away with one of the great injustices promoted by the previous Government: that because people chose to belong to a trade union, their employer should be able to discriminate against them. We do not accept that approach. We believe that amendment No. 17, supported by the Conservatives in the House of Lords, will make it difficult to ensure that we can remove that discrimination. We believe that individuals should have the freedom to be paid more by their employer if the employer agrees, but that should not be based on penalising trade union members. We know that that is the Opposition's motive because, during their years in government, they did nothing to change matters; they did nothing to oppose discrimination against trade union members.

I invite the House to disagree with amendment No. 17 carried in the House of Lords. We believe in fairness, not favours; we believe that the Government are for all the

people, not just for a few. That is why we shall resist the amendment. We shall ensure that there will not be discrimination against trade union members.

Mr. Deputy Speaker (Mr. Michael Lord): I remind the House that we are dealing first with Lords amendment No. 16.

Lords amendment agreed to.

Lords amendment: No. 17, in page 8, line 20, at end insert—

("(4) The payment of higher wages or higher rates of pay or overtime or the payment of any signing on or other bonuses or the provision of other benefits having a monetary value to other workers employed by the same employer shall not constitute a detriment to any worker not receiving the same or similar payments or benefits within the meaning of subsection (1)(a) of this section so long as—

(a) there is no inhibition in the contract of employment of the worker receiving the same from being the member of any trade union, and

(b) the said payments of higher wages or rates of pay or overtime or bonuses or the provision of other benefits are in accordance with the terms of a contract of employment and reasonably relate to services provided by the worker under that contract,

and paragraph 4 of Schedule 2 to this Act and sections 146 and 148(3) of the Trade Union and Labour Relations (Consolidation) Act 1992 shall be construed accordingly.")

Motion made, and Question put, That this House disagrees with the Lords in the said amendment.—*[Mr. Byers.]*

The House divided: Ayes 312, Noes 109.

Division No. 268] **[8.49 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Blackman, Liz
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Heppell, John
Hewitt, Ms Patricia
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kilfoyle, Peter
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Malaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill

Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Roy, Frank
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Spellar, John
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Keith Hill.

NOES

Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Spelman, Mrs Caroline
Spring, Richard
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Geoffrey Clifton-Brown and
Mr. Keith Simpson.

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendments Nos. 18 and 19 agreed to.

New Clause

Lords amendment: No. 20, after clause 19, to insert the following new clause—*National minimum wage: communities—*

". The following shall be inserted after section 44 of the National Minimum Wage Act 1998 (exclusions: voluntary workers)—

"Religious and other communities: resident workers.

44A.—(1) A residential member of a community to which this section applies does not qualify for the national minimum wage in respect of employment by the community.

(2) Subject to subsection (3), this section applies to a community if—

(a) it is a charity or is established by a charity,

(b) a purpose of the community is to practise or advance a belief of a religious or similar nature, and

(c) all or some of its members live together for that purpose.

(3) This section does not apply to a community which—

(a) is an independent school, or

(b) provides a course of further or higher education.

(4) The residential members of a community are those who live together as mentioned in subsection (2)(c).

(5) In this section—

(a) "charity" has the same meaning as in section 44, and

(b) "independent school" has the same meaning as in section 463 of the Education Act 1996 (in England and Wales), section 135 of the Education (Scotland) Act 1980 (in Scotland) and Article 2 of the Education and Libraries (Northern Ireland) Order 1986 (in Northern Ireland).

(6) In this section "course of further or higher education" means—

(a) in England and Wales, a course of a description referred to in Schedule 6 to the Education Reform Act 1988 or Schedule 2 to the Further and Higher Education Act 1992;

(b) in Scotland, a course or programme of a description mentioned in or falling within section 6(1) or 38 of the Further and Higher Education (Scotland) Act 1992;

(c) in Northern Ireland, a course of a description referred to in Schedule 1 to the Further Education (Northern Ireland) Order 1997 or a course providing further education within the meaning of Article 3 of that Order." "

Mr. Byers: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this, it will be convenient to take Lords amendment No. 25.

Mr. Byers: I hope that the House will support the amendments, which reflect marked common sense on the part of the Government in dealing with these important matters. Amendment No. 20 deals with what are known as intentional communities, which are communities in which people effectively volunteer. They are often religious-based and have shared living accommodation. The people concerned have a common religious or spiritual aim. They are in a unique position.

We received a number of representations from such groups when they saw the details of our provisions in relation to the national minimum wage. We have used the opportunity to consider those representations, and as a result have come to the conclusion, with which I hope this House will agree, that we should exclude intentional communities from the provisions of the National Minimum Wage Act 1998.

The communities, religious orders and individuals concerned have welcomed the measure. They recognise that the commitment and devotion that goes with such a life style was not intended to be affected by the National Minimum Wage Act. Only about 1,000 people are affected and, in the circumstances, we think that the provision is wholly appropriate.

Lords amendment No. 25 would allow information to be given to Inland Revenue enforcement officers to ensure effective enforcement of the National Minimum Wage Act, but in a way that does not create an undue burden on business. I hope that that will commend it to Opposition Members.

Mr. John Healey (Wentworth): My right hon. Friend will be aware that one of the successful aspects of the implementation of the minimum wage is the use of the hotline by employers to report other employers who may be paying below the minimum wage. Understandably, and rightly, they are keen not to be undercut by cowboys who misuse the law. Will he confirm whether the new clause that Lords amendment No. 25 would introduce would allow Inland Revenue officers who are alerted to such malpractice by an employer to pass on that information to enforcement officers, reinforcing the application and implementation of the minimum wage?

Mr. Byers: The areas covered by Lords amendment No. 25 would allow the Inland Revenue to pass to enforcement officers information that it received during the course of discharging its responsibilities. So, provided that they were the circumstances in which the information was received, it would be passed on. I should explain the practicalities of the operation of the present system. We would expect that the sort of information that we are receiving from employers through the hotline would go to the dedicated enforcement team and not to the normal Inland Revenue personnel. Therefore, the situation that my hon. Friend described is unlikely to arise.

It is worth noting that there have been something like 1,900 references to the telephone hotline because of people who, allegedly, were not paying the national minimum wage, and we have been able to deal with many of them. The number of employers who have been ringing up to inform the enforcement authorities about other employers who are not paying the national minimum wage has surprised many of us. As we said when we took the Bill through the House, there is much resentment among employers who are paying a reasonable wage when they know that they are being undercut by the actions of other employers.

Lords amendment No. 25 is sensible, it would cut bureaucracy for business and would be provide a very effective way of enforcing the national minimum wage legislation. I hope that it will commend itself to the House.

Mrs. Browning: I do not oppose Lords amendment No. 20 in principle. However, I have recognised an anomaly in its wording, which could lead to the proposed clause affecting a group of people which the Secretary of State had not intended to affect. I shall talk him through such a situation in order to gain his reassurance that such an organisational group of people should not, for reasons that I shall explain, come within the scope of the clause.

Paragraph 2(b) of Lords amendment No. 20 says:

"a purpose of the community is to practise or advance a belief of a religious or similar nature".

It is the words "similar nature" that worry me. The community is either of a religious background or it is not. If it is not, but the wording "similar nature" is to apply in law—bearing in mind the fact that the other condition in the subsection requires the organisation to be an established charity or established by a charity—there is a group of people who might meet the definition in the clause who would give me cause for concern.

Some environmental charities fund groups of people, sometimes over quite a sustained period, so that the group may become a formalised protest group in a specific location. A group of road protesters might be funded by a charitable organisation, so they would meet the definition in paragraph 2(a) of the new clause, and might be regarded as being of a "religious or similar nature" under paragraph 2(b). They would not necessarily be drawing benefits, but their day-to-day living expenses would be funded by the charity.

[Mrs. Browning]

I can think of a situation that occurred in my constituency, where such a group of people—

Mr. Battle: Swampy.

Mrs. Browning: I did indeed have the great pleasure of Swampy on my roof when some people set up their community—or a group of a "similar nature"—near my home some years ago.

The general public often think—sometimes rightly—that such groupings of people are simply drawing benefit. That is not always the case. Some do, but not all. Those who do not sustain their day-to-day living expenses by benefit are obviously being funded, sometimes by bona fide charity moneys that reach them. None the less they would, in effect, be being paid for their living expenses, and could well be below the minimum wage.

I do not want to give the Secretary of State false hope tonight because I do not want him to think that I am making a case for the minimum wage. I am not. I am simply suggesting to him a scenario in which a group of people might well come within the terms of the new clause simply because of the way that it is worded. The charitable condition would be met, and who is to distinguish between different groups of people who opt to live together in a community? If the full stop is not to be placed after the words

"practise or advance a belief of a religious nature",

the words "similar nature" could be interpreted as applying to people who share a common belief, regardless of whether that is of a religious nature.

I am trying to help the Secretary of State here. I caution him to look very carefully at how the wording of paragraph (2)(b) might be interpreted in law, and might give sustenance to a group of people of whom he may or may not approve—I do not know—who could pray in aid this part of his legislation to use it for a purpose other than that for which it was intended. I should have thought that clarification of "or similar nature" and the difference between a belief of a religious nature and a belief of a similar nature turns on the head of a pin, but I should be very interested to know how the Secretary of State and his officials interpret those words.

Mr. Peter Luff (Mid-Worcestershire): I am genuinely intrigued to know the reasons that have driven the Government to allow this exemption from what is, for them, a very important piece of legislation. The Secretary of State said that only about 1,000 people would be affected by the provision; it would very much help the House to know exactly what type of people they are. I have suggested to the Government several times that other exemptions should be made from the national minimum wage legislation. It would be intriguing to know—and it is very important that the House should know before it passes this exemption—what has driven the Secretary of State to accept the logic for this group.

In the past, I have advanced a proposition entirely commensurate with the spirit that underlies what I think is a commendable amendment. It is that quasi volunteers who involve themselves in pre-school playgroups think that they should be exempted from minimum wage legislation. These are people who share a common belief about the value of education. They do not live together but they are often people who do not want the money that comes from their work. They have the reward of enjoying the fulfilment that comes from helping young people to develop their skills. Yet the Government have robustly rejected the view that these quasi volunteers should be excluded from the minimum wage legislation.

9.15 pm

I have a high regard for religious communities. In the past, I have been on retreat on many occasions to religious communities, mainly in France. I do not recall having done so in this country. That being so, I do not want to undermine the importance of the exemption. I want to know why the Government have been moved to accept the amendment, which excludes religious communities from minimum wage legislation when there are so many other groups that could argue with equal legitimacy that the cause they espouse and the views and beliefs that they hold about the value of education—for example, pre-school playgroups—are as valid as the religious beliefs held by communities.

The first question that the Secretary of State must answer is why a particular group has been singled out for what seems to be a reasonable exclusion. I would like to know also from the Secretary of State exactly what type of person is affected. He talked of about 1,000 people. These are presumably not the nuns and monks of religious communities and their opposite numbers. They are the— *[Interruption.]* The Minister said something from a sedentary position and I could not hear what he said. If he genuinely wants to intervene, I shall find it helpful to have clarification.

I am wondering about gardeners, cooks and groundsmen at communities, for example. If they are included, that is fine. Who is the employee? I do not know how the law operates in this respect. We are not dealing with limited liability companies, particularly when talking about religious communities. Apparently, communities will have to have charitable status. Employment by the community is clearly important.

I would be interested to know whether the Secretary of State has received any representations from communities that think that they should be caught by the exemption but that do not qualify for charitable status.

I am particularly worried about clause 2(b), which states:

"a purpose of the community is to practise or advance a belief of a religious or similar nature".

I take up what my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) said from the Opposition Front Bench about environmental groups. If the amendment were genuinely providing an exemption for religious communities, "the principal purpose" and not "a purpose" should be in the Bill. I share all the reservations that have already been expressed about "or similar nature", which flows after religious beliefs. This opens a Pandora's box for not only legitimate religious groups from the Roman Catholic and the Anglican monastic traditions, which I assume will be the principal beneficiaries of the exemption, but for all sorts of dubious religious cults, whose practices I do not think we would want to condone. Often such cults have a community for the practising or the advancing of

"a belief of a religious or similar nature".

The phrase "or similar nature" takes a particular salience because the rather dubious religious cults, on which I am sure the Government have a wary eye, as did the previous Conservative Government, often have much more money than the Anglican and Roman Catholic communities and other religious communities that are entirely properly being exempted under the Bill.

It would seem that cults may be capable of abusing the spirit of the national minimum wage legislation. They have much more resources at their disposal than the Anglican and Roman Catholic communities and many more employees. I am concerned that the amendment may be opening the door not to 1,000 exemptions but many more from the national minimum wage legislation.

Mr. Collins: I understand what my hon. Friend is saying about the potential danger of including cults. Is not that danger reinforced by the fact that many cults try to tell those who fall within their embrace that they are entering a completely different world from the outside world and that they must cut off all contact with it? Exemption from important statutory provisions will only reinforce that sense of being apart from the rest of the world.

Mr. Luff: My hon. Friend makes a powerful point. I appreciate that, by definition, volunteers cannot be caught by national minimum wage legislation—at least, I hope they cannot—but those who are at the penumbra of such cults, who are employed in some sense by that bigger community, may indeed fall victim to the situation that my hon. Friend describes.

We need to know much more from the Secretary of State about those 1,000 people who he says will be exempted by the measure, welcome though it is in principle.

Subsection (2)(c) states that

"all or some of its members live together for that purpose."

That is exceptionally loose drafting. What, in law, does "some" constitute? Is it a half, a quarter, a third, a fifth, two or three? How many does "some" constitute for this purpose? There is huge scope for creative abuse of the exemption.

I say again that I am not a huge fan of the national minimum wage legislation. Good employers should pay a decent wage, and I condemn those who do not. The Government have no business meddling. I oppose such legislation, and I resent being told when I oppose it that I am not part of the new one-nation strain of new Labourism. However, if we are to have legislation, it must be good legislation. It must not be open to abuse.

There is nothing hypocritical in the Opposition saying that we oppose legislation, but, if it is to be introduced, it must work. I worry that the loose definitions that feature in amendment No. 20 could open the Government's legislation to considerable abuse.

I imagine that the exemption in subsection (3)(a)—

"This section does not apply to a community which—

(a) is an independent school"—

is intended to exempt communities such as Ampleforth. Clearly, where there is large-scale employment of teachers, it is reasonable for the Government to make such an exemption, but I would welcome clarification of that.

I go back to my opening remarks. If we are exempting independent schools, I want to know why we are not exempting other categories, particularly the pre-school play groups, which have a common belief and value education. The people who work for them do so not primarily for the money, but for the joy of bringing up children. If the Government are prepared to make an exemption for religious communities—which may be right, subject to the caveats that I have entered—why are they not prepared to consider exemptions for other communities which may not be residential, but have a shared belief and are essentially voluntary in nature?

Mr. Chidgey: I return to the Secretary of State's opening remarks, which seem to have been made quite a long while ago. He mentioned that he had listened carefully to the arguments advanced by a number of groups. He is right. In Committee, there was a great deal of discussion and debate about the exemptions for particular groups which, because of their religious principles, could not continue to organise themselves and the way in which they worked if the law was passed and affected them.

Much of that discussion took place during the debate on employment relations and trade union recognition. Can the Minister tell me—I may have missed it in my reading of the Lords amendments—what has happened to the plea from those groups that they should be exempted from trade union recognition? As I recall, that was one of their principal problems. With their fundamental belief in the Old Testament, which they quoted to many of us, they could not operate their workshops if they had to allow trade union recognition ballots to take place. They could not do that and hold true to their beliefs.

If I recall correctly, the Minister of State said at the time that there would be further discussion and clarification, and that regulations would be produced in due course to address the issue.

I am a little surprised to see a Lords amendment dealing with the national minimum wage, but no mention of the problem of trade union recognition. I should be grateful if the Secretary of State could advise me of the progress that has been made in the negotiations and when we can expect regulations or legislation to satisfy the genuine concerns of those groups.

Mr. Robert Syms (Poole): I shall echo a few of the comments of my hon. Friend the Member for Mid-Worcestershire (Mr. Luff), who made a persuasive case. Conservative Members do not support the minimum wage, but we support good employment practices and, because other groups are not being exempted, we believe that exempting particular groups in such a way is fiddling. I believe that most of us have concerns about that matter. In the summer, I visited a pre-school playgroup in Newtown in my constituency that had made two helpers redundant. The employers felt very sad about doing that because, although those helpers were not paid a great deal, they did not qualify for the minimum wage. Why should people who work in pre-school playgroups be considered to be less worthy than members of some of those other groups? I am not sure.

The Secretary of State said that the amendment will affect 1,000 people, but I think that we need to hear a little more about how the Government arrived at that figure and who those people are. The drafting is a little wide and proposed subsection (2)(a) refers to a community that

"is a charity or is established by a charity".

[Mr. Robert Syms]

I am not worried about the charity aspect, because the Charity Commissioners apply pretty stringent standards, but the term "established by a charity" is rather unclear and I have concerns about it. Proposed subsection (2)(b) states:

"a purpose of the community is to practise or advance a belief of a religious or similar nature".

There is a problem with the term "a purpose". If the term "the purpose" had been used, the drafting would have been better and the provision would have been rather more specific. I am also concerned about the term "similar nature", which is ill defined. Religion covers a pretty broad area, but most of us would agree about what is and is not a religion. The term "similar nature" is rather more nebulous, however, and I am not sure that we would all agree about what it means.

We in Poole have had experience of cults. Some of them profess to be religions and to have particular spiritual values, but I am not sure that most of my constituents would want them to be treated in the same way as reputable religious orders, particularly because some cults have bad reputations in communities such as Poole. Proposed subsection (2)(c) refers to

"all or some of its members"

living "together for that purpose." Again, the drafting has been widely drawn and the measure should be rather more specific. Does that term mean a household or a very small proportion of the membership of a particular organisation? We need a little more specific information from those on the Treasury Bench about whom the measure will help.

We are discussing religious communities and we know that people have deeply held beliefs. One would welcome the measure in principle, but it has been widely drafted and one is concerned that, although its objective is worthy, organisations that are not worthy of that objective will make use of it. As my hon. Friend the Member for Mid–Worcestershire said, why should some groups be able to use the "similar aspects" provision in order to be considered more worthy than pre-school playgroups or other bodies that contribute to communities in my constituency and in many others? Those bodies do a very good job, but, although they do a great deal for young children, they are not exempt from the legislation. They will suffer under it and I want clarification from Ministers.

Mr. Robert Key (Salisbury): I have been wondering whether I should declare any interests before contributing to the debate and I think that I should declare two, neither of which is pecuniary: the first is that I am the Member of Parliament for Stonehenge; the second is that I am an adviser to the Almshouse Association.

Thousands of people in this country live in almshouses of ancient foundations. Many of those foundations are religious—notably Christian—and such people live in communities to which a number of special exemptions apply—in respect of television licences for particular categories of people, for example. That is a bona fide reason why the association should benefit from certain legislative proposals that come before the House from time to time.

Nevertheless, I have great trouble when discussing things "of a . . . similar nature" to almshouses. It is astonishing that the House should be asked even to consider that wording without a proper explanation of what is meant. I am seriously wondering whether to support the amendment.

9.30 pm

The Almshouse Association represents more than 1,000 almshouses, which have been established down the years. It cares for thousands of people, thus saving the taxpayer and the state enormous cost. We should be grateful for that. In recent years, there have been a number of cases in which the almshouses have not been sure whether they should be regarded as religious or non-religious, communities or not communities. This wording would allow another confusion to creep in. The almshouses employ carers, cleaners and cooks. My hon. Friend the Member for Macclesfield (Mr. Winterton) is particularly knowledgeable about this subject and would have wished to take part in this debate if only I had managed to contact him in time. Were he here, he would agree with every word that I have said.

When it comes to these exemptions, the question whether a community advances

"a belief of a religious or similar nature"

is extremely important. Therefore, the Almshouse Association has a legitimate interest in knowing exactly what is meant by that wording. I doubt whether it could tell from the provision before us.

Mrs. Browning: Is not this problem caused by the fact that a flaw in the drafting of the Government's minimum wage legislation calls into question a range of payments that we would normally have regarded as honorariums? People for whom some reward is given, but for whom no exceptional circumstances are provided, suddenly fall foul of the legislation.

Mr. Key: My hon. Friend is right, and countless examples could back up her case. That is just part of my concern about the amendment.

I shall now deal with Stonehenge. Some may feel that this is not a serious issue; I assure them, that for my constituents, it is extremely serious. We have seen what happened there recently. A large number of people, who regard themselves as a community and who practise a belief of a religious nature, were denied access to the summer solstice at the stones by others who thought that they had what might be called "a similar nature" approach to the problem. There was a battle in which, unfortunately, the police had to hold both groups apart and maintain public order in the process.

Although we may not think that the druids have a serious religion, they think so, and we live in a tolerant society that should acknowledge that they have the right to that belief. Only yesterday, I was with the arch druid of Stonehenge, with the Secretary of State for Culture, Media and Sport and the chairman of English Heritage, discussing the future of Stonehenge and the appropriateness of the Stonehenge landscape for events to celebrate the millennium.

Mr. Deputy Speaker: Order. Would the hon. Gentleman care to address his remarks to the national minimum wage?

Mr. Key: The national minimum wage is of fundamental importance to the issue because, at the height

of the troubles at Stonehenge 15 years ago, there was a great deal of employment, which was based on the occupation of land owned by the National Trust or managed by English Heritage on behalf of the Government and the nation. There is concern that, at the millennium solstice, as you will see, Mr. Deputy Speaker, next time you push the right buttons on your personal computer, the biggest rave ever is to take place at Stonehenge. Tens of thousands of people across the country may want to come to Stonehenge. The last time that happened, hundreds of people were involved in trading at Stonehenge, in association with a number of cults that thought they were religions. They were concerned that there should be a proper market price for their products. I saw what was on sale. The hell's angels were in control of the sale of alcohol.

Mr. Deputy Speaker: Order. I am having great difficulty understanding how the hon. Member's remarks relate to the amendment. He should make his remarks specifically about the amendment.

Mr. Key: I shall do so, Mr. Deputy Speaker.

In those days, there was no national minimum wage, but now there is. Will the people gathering at Stonehenge for the millennium or on the ninth day of the ninth month of the 99th year, for the winter solstice or the spring equinox, let alone for next year's summer solstice, be subject to the minimum wage when they trade in alcohol or food on the site at Stonehenge? This is of great importance.

The amendment is unclear. What does it mean by "of a religious or similar nature"? Not only do the druids think that they are a religion, but so do other people who regularly descend on my constituents, such as the hell's angels, Swampy and friends or whoever. If they are law-abiding members of the community, that is fine by us. However, we have enough trouble with the Wiltshire constabulary having to enforce the laws on public order. What is the chief constable of Wiltshire to do when it comes to enforcing the national minimum wage at the stones?

Mr. Deputy Speaker: Order. If the hon. Gentleman is not able to address the amendment more directly, he should consider drawing his remarks to a close.

Mr. Key: I should be delighted to draw my remarks to a close, Mr. Deputy Speaker.

I question the purpose of the amendment. I ask Ministers seriously to address this issue. My predecessor, Sir Michael Hamilton, regularly stood up in the House and was gently chided, perhaps mocked, for drawing attention to the problems each year at Stonehenge, which always made the national headlines during the summer solstice. Eventually, someone saw what was going on down there—people were being killed and murdered—and the House came to its senses and passed the required legislation.

I am grateful to you, Mr. Deputy Speaker, for your forbearance in hearing me out. The amendment will do no good for real people in real communities. We may think that we are legislating for completely rational, legally minded people, but lawyers and courts will have to interpret the legislation, and the police will have to decide how to enforce it on the ground in the height of summer, among serried ranks of people with conflicting religious beliefs. That is not fair. We must get answers to the questions that I have raised.

Mr. Collins: I shall be brief, but I should like to make some important points. I join my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) in welcoming the fact that the Government have introduced the proposals for exemptions. However, it is not that long since the National Minimum Wage Act 1998 was passed. At the time of its passage, Conservative Members warned the then Secretary of State that the Government would need a general power to exempt some categories of persons and activities from the national minimum wage. That idea was pooh-poohed by Labour Members. This is the second time in barely a year that the Government have had the chance to introduce special legislation to exempt categories of people from the national minimum wage. First it was au pairs, and now it is workers in residence in religious communities.

The hon. Member for Eastleigh (Mr. Chidgey) asked about religious communities, and the position of those who have sought exemption from the requirement for trade union recognition. The hon. Gentleman and I served on the Standing Committee that considered the relevant parts of the Bill, which related in particular to those who describe themselves as members of the Plymouth Brethren. I suspect that the Secretary of State will say that they would not fall into the categories specified by the amendment, because most of those who work for the Plymouth Brethren are not residential members of the community. Nevertheless, I feel that the hon. Member for Eastleigh has identified an important issue of principle.

Mr. Chidgey: The amendment says that "some" can be residents. Does that not cover such people?

Mr. Collins: The hon. Gentleman is right, but I really want to deal with what I consider to be the heart of the point that he was making. We are dealing with an issue of principle. In Committee, the Minister of State was quite generous, expressing a strong commitment to people's right to follow their religious beliefs. However, he said that it was wrong for those religious beliefs to remove the rights of employees. It was on that basis that the Government rejected the amendments relating to the Plymouth Brethren, tabled by my hon. Friends the Members for Buckingham (Mr. Bercow) and for North Shropshire (Mr. Paterson).

If that principle applies across the board—not least in other parts of the Bill—surely it ought to apply in this case. What is sauce for the goose is sauce for the gander. If the Government recognise that there are religious grounds on which exemptions should be made—and I welcome any such recognition—why, as the hon. Member for Eastleigh has said, should that not apply to trade union recognition? If the Government now believe that religious considerations provide legitimate grounds for the changing of employment rights, why does that not apply throughout the Bill?

The Government may say that the issue involves not just religious issues, but the residential members of the community who are mentioned in new section 44A(1). The residential principle is at heart here. I agree with what my hon. Friend the Member for Mid-Worcestershire said

[Mr. Collins]

about certain groups—including, perhaps, the Pre-School Learning Alliance—but I think particularly of people in my constituency. I think of the secretary of the national training centre of the YMCA at Lakeside in my constituency, on the shores of Lake Windermere, who wants residential training courses there to be exempted from the national minimum wage provisions. I also think of Mr. Michael Berry, proprietor and managing director of the excellent English Lakes hotel chain in my constituency, who says that the provisions do not take enough account of the fact that most employees in the tourist industry are provided with residential accommodation. That ought to be considered in the assessment of their eligibility for the national minimum wage, and the amount that they receive.

I want the Secretary of State to explain the principles that apply. If there are to be religious exemptions, why do they not apply elsewhere? If there are to be residential exemptions, why do they not apply elsewhere? If the Government are simply acting in response to popular pressure, will the Secretary of State please listen to some of the points made by the Pre-School Learning Alliance, and by others who feel that the Government's actions, although doubtless embarked on with the best of motives, will have damaging consequences?

Mr. Byers: Although a number of the points that have been made touched on the amendment, a much larger number did not. I shall confine my remarks to those that are relevant to it.

I know that the question of the Plymouth Brethren concerns hon. Members. We have engaged in continuing discussions with the Brethren about their circumstances. My noble Friend Lord Simon met members of the organisation last week, and they are now writing to him about their concerns. We will continue that dialogue, but it will not dilute the general principle that we have pursued. We believe that individuals should have a right to trade union membership if they feel that it is appropriate, and that there should be a right to trade union recognition and representation when that is appropriate. Nevertheless, there may be opportunities for us to meet the legitimate concerns of the Brethren, and we are discussing with them how that might be achieved.

9.45 pm

For the benefit of hon. Members, I make the position clear. The minimum wage does not apply to volunteers, to nuns or to monks; they are exempt from the National Minimum Wage Act 1998. When the issue was debated in both Houses in the context of the national minimum wage, most people felt that intentional communities would not be considered as workers within the definition of the Act. What people were unaware of at the time was that individuals in intentional communities are often given employment contracts as best practice. Although, in the classic definition, they are not employees, they are given contracts of employment because that is regarded as best practice, so they fall within the definition of the Act.

Lords amendment No. 20 focuses particularly on those with a religious ethos who are resident. To qualify for exemption, the community must be a charity, or founded by a charity and—as hon. Members have said—all or some of the members must reside together for the purpose of practising or advancing a belief of "a religious or similar nature". I will talk about "religious or similar nature" because it has been dwelt on by several Members.

Examples of the type of communities that will be covered by amendment No. 20 are the Iona Community, the Society of Mary and Martha, the Community for Reconciliation and the Quiet Waters Christian retreat house. The amendment has been drawn up in consultation with those bodies. There is, effectively, a network of intentional communities in the United Kingdom. We were conscious that it was an identifiable group. We took the view that it could be exempt from the National Minimum Wage Act.

I reassure hon. Members: the protesters whom we have heard about would not come within the definition. The reason is that, when a court considers the interpretation of "religious or similar nature", it will apply a rule of statutory interpretation which is known as the ejusdem generis rule, which means that the general comment about "similar" will be restricted to the specific, which is religious. I am sure that the hon. Member for Salisbury (Mr. Key) was aware of that rule of statutory interpretation. Therefore, the reference to "similar nature" will be constrained by the use of the word "religious". In the context of those assurances, I hope that we can make progress.

A number of issues have been raised by hon. Members. The hon. Member for Mid-Worcestershire (Mr. Luff) had concerns about the wording:

"all or some of its members live together".

In that context, "some" means more than one. Although we talk about all living together, there will be circumstances in which 50 people may be engaged, but only 35 are living together, so that definition of "some" has been used. In that context, those 35 will be the ones who come within the provisions of the exemption to which I have referred and which is being dealt with by amendment No. 20.

I enjoyed what the hon. Member for Westmorland and Lonsdale (Mr. Collins) said. I have visited many of the places that he mentioned on many weekends. I thought of the shores of Lake Windermere with great affection. It is a wonderful place to go on holiday. I commend it to many Members; it is something that I am sure we could all enjoy.

Mr. Battle: We could form an intentional community.

Mr. Byers: I am not sure that we would be able to form an intentional community within the context of the amendment, but the opportunity and the chance of doing so may be interesting.

The specific point raised by the hon. Member for Westmorland and Lonsdale was in relation to living-in costs. They often arise in the hospitality and hotel industry, where people work as chamber maids or porters, but have their accommodation provided. The National Minimum Wage Act considered that aspect and agreed an effective disregard; I think that it was for living-in costs of £19.50. However, it is capped at that level. Concerns have been expressed that that is artificially low for people in the hotel and catering industry, and for people in London, where £19.50 is considered to be a relatively small amount.

One of the reasons for the Government's retention of the Low Pay Commission was so that it could examine the detail of issues such as that. As part of its on-going work, the commission is looking at the costs of living-in accommodation, to see whether the amount is pitched at the correct level.

The commission intends to report to me just before December on a range of matters, and I am sure that the question of living-in accommodation will be one of the issues to which it will return. Indeed, it has already made it clear that it is taking evidence on the matter. A number of groups have made strong representations about the matter, and I am sure that it will feature in the Low Pay Commission's report.

I said that a number of groups, such as volunteers, nuns and monks, are exempt. The hon. Member for Tiverton and Honiton (Mrs. Browning) was worried about protesters benefiting from the provision. I hope that I have been able to explain that they would not be covered by the details of the amendment. All that would happen is that they would not receive the benefits of the national minimum wage. I am not sure that Swampy could have been regarded as an employee when he was on the hon. Lady's roof. I doubt that he would have qualified for the national minimum wage, and I do not think that the hon. Lady was keen for him to be entitled to it.

Mrs. Browning: Certainly not.

Mr. Byers: I followed with interest the hon. Lady's argument, but I could not identify the problem that she was trying to tackle in her example. I do not believe that protesters are covered by the provisions of the amendment. If they were, however, the amendment would mean simply that Swampy and his friends would not be entitled to the national minimum wage.

Mrs. Browning: My concern was that not all protesters who are unemployed claim benefit, but instead receive some remuneration, sometimes from charitable donations. Under the amendment, they could be regarded as a community with a common cause and, because the amendment is so loosely worded, such a community need not be religious.

Mr. Byers: I understand that concern, but I do not think that it need trouble the hon. Lady. The important thing to remember is that such people have to be residents of intentional communities, sharing living accommodation and tasks with the purpose of advancing a common religious or spiritual aim.

Mr. Alan Duncan (Rutland and Melton): The Secretary of State is talking about us.

Mr. Byers: I am very tempted to go down that road, but I shall resist doing so, because the hon. Gentleman was referring to a very selective sect.

The basic requirement for classification as an intentional community is that the community provides meals and accommodation. Residential members of such communities often also receive small sums. Some communities treat their residential members as workers, issuing them with contracts of employment.

That is the key difference from the example given by the hon. Member for Tiverton and Honiton. As part of best practice, intentional communities consider it appropriate to issue members with contracts of employment, even though there is no legal obligation to do so.

The hon. Member for Salisbury spoke about Stonehenge so eloquently that I am sure that many hon. Members will want to visit. I was trying to recall whether the monument could be regarded as residential accommodation.

Mr. Key *indicated assent.*

Mr. Byers: The hon. Gentleman clearly knows the area far better than I do.

Mr. Peter Brooke (Cities of London and Westminster): In the light of the Secretary of State's residential observation, is he aware of the Frank Muir spoof, which one used to be able to listen to on British Airways flights to the United States? Frank Muir was conducting an interview between the editor of *The Architectural Review* and a cave man about the architectural development of the henge, in which the cave man said that he did not think that henges would catch on because they were much too draughty.

Mr. Byers: That may explain a lot about our history. I thought that the right hon. Gentleman was about to give an example from "The Goon Show"—

Mr. Deputy Speaker: Order. Perhaps the Secretary of State could return to the amendment.

Mr. Byers: I was thinking of the episode involving the Spitfire test pilot where there was banging on the cockpit. I had better not go any further.

I wanted to address the serious points about Stonehenge and residential accommodation, and I know that the House is waiting for my response on behalf of the Government on the important point concerning the druids. Before I come to that, I note that the hon. Member for Salisbury asked about almshouses and their staff. Staff, such as cooks and cleaners, who work in almshouses are working for the Almshouse Association and, as such, are not required to share a common religious belief or to live together in shared accommodation. Therefore, they would not be covered by amendment No. 20 which has been agreed by the other place, so they would not be exempt from the National Minimum Wage Act.

Druids, as I understand it, are not a registered charity. Therefore, for the reasons that have been referred to, they do not come within the definition to which amendment No. 20 relates. If they did become a charity and moved into shared accommodation for the purpose of advancing the druid movement, they might be exempt from the national minimum wage, but—this is the important point—anyone who worked for them would be entitled to receive the national minimum wage and would not be covered by amendment No. 20.

Both amendments are significant. We have discussed amendment No. 20 at some length and I hope that I have answered the concerns of all hon. Members. Amendment No. 25 is particularly important because it is an effective way of enforcing the national minimum wage legislation. For those reasons, I invite the House to agree to amendment No. 20.

Question put, That this House agrees with the Lords in the said amendment:—

The House divided: Ayes 319, Noes 0.

Division No. 269] **[9.58 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beggs, Roy
Bell, Martin *(Tatton)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Blackman, Liz
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Heppell, John
Hewitt, Ms Patricia
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheffld Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Roy, Frank
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela

Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Keith Hill.

NOES

Tellers for the Noes:
Mr. Bill Rammell and
Mr. Martin Caton.

Question accordingly agreed to.

Lords amendment agreed to.

Business of the House

10.10 pm

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): In view of the lack of progress on business this week, the business for tomorrow will now be: consideration of an allocation of time motion on the Employment Relations Bill and on the Food Standards Bill—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael Lord): Order. The House must listen to the Leader of the House.

Mrs. Beckett: That will be followed by conclusion of the remaining stages of the Food Standards Bill. I shall announce in my business statement tomorrow the arrangements for the completion of Lords amendments to the Employment Relations Bill.

Sir George Young (North-West Hampshire): That is an extraordinary over-reaction to what has been happening this evening. In the debate that has just concluded, the Secretary of State spoke for longer than any of my hon. Friends: he spoke for 15 minutes and included references to "The Goon Show" and to Spitfire pilots. If anybody has been wasting time, it has been the Secretary of State for Trade and Industry. As for the Employment Relations Bill, nearly all the remaining amendments are Government amendments and there are only two brief issues which my hon. Friends want to debate, so there is no reason at all to conclude the discussion on that Bill. Finally, what has happened between last Thursday's business statement and tonight's to justify guillotining the Food Standards Bill?

Mrs. Beckett: What has happened between last week's business statement and tonight's is clear to most hon. Members. We have had a substantial amount of time wasted—[HON. MEMBERS: "What?"]—yes, wasted, although I accept not necessarily by the official Opposition as such. Time has been taken up in the House. The Opposition—*[Interruption.]* It is no good hon. Members asking questions if they do not want to listen to the answer. The Opposition have every right to use time in the House—that is their legitimate right and duty. It is also the right and duty of the Government to protect their business and to protect private Members' time.

The course of events over this week led the Government to have some anxiety about the progress of the Food Standards Bill. The official Opposition were offered a programme motion on the Bill, which is an uncontentious Bill that has had pre-legislative scrutiny. That offer was rejected. The Government are anxious to make sure that private Members' time on Friday is not jeopardised by individual Members dealing with the business tomorrow. That is what has happened between last week's business statement and tonight's.

Mr. Paul Tyler (North Cornwall): This is surely an extraordinary situation. One of my colleagues has just said to me, "Try to rearrange these words: piss-up, brewery, organise". *[Interruption.]* This is an extraordinary and

[Mr. Paul Tyler]

unnecessary announcement made at very short notice. Without any warning or consultation, the Government have suddenly changed their whole programme of business.

Mr. Deputy Speaker (Mr. Michael Lord): Order. I do not think that that kind of language does the House any credit or helps the situation.

Mr. Tyler: Mr. Deputy Speaker, when the House is treated in the way it has been treated by the Government in the past few minutes, you can understand why there are angry people in the Chamber tonight. There has been no consultation and no opportunity for the opposition parties to put their points of view. I believe that the handling of the Food Standards Bill, in particular, is a disgrace. There is no evidence whatsoever that the House would not treat with great care the proposals that were to be put before it tomorrow. Yet the Government have announced a guillotine motion.

We on these Benches have always been prepared to discuss programme motions, but we have not had an opportunity to have those discussions about this Bill or the Food Standards Bill. We find it quite extraordinary that the Leader of the House should come to the House at short notice—as though the business could not be handled on several days next week.

We are prepared to be flexible. I hope that the Leader of the House will reconsider her attitude, particularly regarding tomorrow's business, and will be prepared to speak to the Opposition parties through the usual channels to see whether we can reach agreement. That is surely the best way for the House to consider the business of the House and to afford proper scrutiny to this important legislation.

Mrs. Beckett: In one sense, the hon. Gentleman made a perfectly sensible and legitimate point at the end of his remarks. He said that it ought to be possible to reach agreement about tomorrow's business, which is uncontentious and has pre-legislative scrutiny.

Mr. Alan Duncan (Rutland and Melton): You did not even try.

Mrs. Beckett: That is rubbish. If such an agreement were possible, the Government would give it favourable consideration. However, because it has not been possible to reach such an agreement and because the Government are not prepared to risk either the Food Standards Bill tomorrow or the private Members' business that follows it, we have made this proposal.

If, in the aftermath of this statement, cast-iron assurances can be given and delivered, the Government will consider the matter properly. However, the hon. Gentleman has been a Member of Parliament for some time and he was here all this week and last week. What confidence does he have that those assurances will be delivered?

Mr. Nigel Evans (Ribble Valley): Will the Leader of the House explain to the House of Commons and to the country why she wishes to curtail discussion and debate on this legislation and the Food Standards Bill when we are about to enter one of the longest parliamentary recesses that this country has ever seen? Surely we can cut down the time of the recess and enlarge the opportunities for hon. Members to discuss important legislation.

Mrs. Beckett: That is a brilliant example of exactly what I am talking about. I do not suppose that the hon. Gentleman thought for a second about checking his facts. If he had, he would know that there were far longer parliamentary recesses under the Government that he supported. Indeed, the recess that we have proposed is only slightly longer than the recess during the same stage in the previous Parliament. So that is absolute rubbish.

As for the hon. Gentleman's point about curtailing discussion, the Government do not intend to curtail discussion either on this legislation or on the Food Standards Bill. We intend to have that discussion in proper time and to come to a proper conclusion. That is what people such as the hon. Gentleman do not like.

Mr. James Paice (South-East Cambridgeshire): Although the principle of the Food Standards Bill may not be contentious, a number of items within it are, and that is the reason for several of the amendments that have been tabled by Conservative and other Members who want a serious debate. The right hon. Lady said that the Bill had had pre-legislative scrutiny, but the relevant Committee did not go through the Bill line by line in the way a Bill should be examined in Standing Committee and on Report.

On one occasion, the Government rejected the views of the right hon. Lady's own Labour-dominated Committee which conducted the pre-legislative scrutiny. The House has every reason to question the Government again and to challenge them to say why they rejected the views of the Labour-dominated Committee that considered the Bill.

Mrs. Beckett: The hon. Gentleman has, no doubt mistakenly, made the case for the proposal that I have just made, as he appears to be saying—he may not mean it—that he will demand not proper debate, which the Government have no intention of denying, but the kind of line-by-line scrutiny and detailed debate for which there has been no call at any business statement when I have announced the timetable for the consideration of the Bill. The hon. Gentleman has not even attended any business questions in recent weeks. There has been a repeated pattern of Conservative Members not even showing up when we announce the business of the House, and they have not raised the issue of there not being enough time. Now they turn up at the last minute and say, "We need another five days." I say: no.

Mr. Nicholas Winterton (Macclesfield): The right hon. Lady will know that I am of a very passive disposition. We share membership of the Modernisation Committee, and at many of its meetings she has said that she looks to avoid using timetable motions. She will be aware that, as Chairman of the Procedure Committee, I am also concerned, as I am sure she is, that the House should have procedures whereby legislation that the Government bring before the House for the benefit of the nation is adequately scrutinised.

Will the right hon. Lady read her Government's White Paper, "Our Healthier Nation", which gives 10 tips for better health? Tip No. 4 states:

"Manage stress by, for example, talking things through and making time to relax."

I wish the right hon. Lady a happy recess, but will she please assure me that she will allow the House to do as the White Paper advises?

Mrs. Beckett: I am not sure that the House would recognise "passive" as an accurate description of the hon. Gentleman. As a matter of fact, he is one of the most active Members of the House. He is absolutely right to say that in the Modernisation Committee and elsewhere, the Government have made it plain, as I have done as Leader of the House, that we seek to avoid the use of guillotines if possible, and seek programme motions instead. He will recall that I mentioned earlier that we sought a programme motion on the Food Standards Bill, which the House will debate tomorrow.

I entirely share the hon. Gentleman's view that there must be proper, adequate scrutiny. I know that he has experience of programme motions facilitating such scrutiny. There is common ground between most hon. Members in that we want sensible timetabling of business, and proper, adequate debate and scrutiny. Most of us do not want to waste time.

Mr. Peter Brooke (Cities of London and Westminster): Will the Leader of the House accept that, having come downstairs from a Select Committee, I have sat in the Chamber for almost all the time since then in a way that has not been matched by the majority of the hon. Members behind her who are shouting? Will she further accept that in the debate on amendment No. 15 which was in my view one of the most serious debates that has ever taken place in the House during my time here, the Secretary of State, quite properly, spoke for almost as long as all the Opposition Members who contributed? If such debates are to be curtailed in this way, that will be to the Government's discredit.

Mrs. Beckett: I understand the right hon. Genteman's point and, of course, I respect his experience in this matter, but I am sure that he will have noticed that I was careful to say that it was the progress and the general climate of the handling of business over the week as a whole that led to the Government's concern. There is nothing that the Government would have liked beter than measured progress on tonight's business and the assurance that progress on tomorrow's business will also be measured and sensible and that it will reach the conclusion that we all want by the House's coming to a decision. Anxieties were raised not only that tonight's business might to some degree be in jeopardy but that tomorrow's business and private Members' time night be in jeopardy. The Government did not feel that we ought to run that risk.

Mr. Peter Luff (Mid-Worcestershire): I agree with the Leader of the House when she says that the conduct of this week's business has prompted this decision, because the Government wasted a whole day of the House's time on Monday with the Second Reading of a Bill which will have to be reintroduced in the next Session. Does she understand that the unfortunate victim of the Government's mishandling of their own business, which was designed simply to save the Deputy Prime Minister's face, is the Food Standards Bill, which the Government have scandalously mishandled? Pre-legislative scrutiny was unacceptably rushed, as I pointed out to her in detail when the Bill was referred to the Special Select Committee. It has been rushed through Standing Committee, and now we are told, extraordinarily, that it is to be programmed, yet we have no hint of how the House will deal with it.

The Food Standards Bill is important, and if the Government took it seriously, as I am sure they do—I know that the Minister of State, Ministry of Agriculture, Fisheries and Food certainly does—they would have provided Monday or a day next week to debate it. Such a programme motion as is proposed is completely unacceptable. I urge the Leader of the House in all sincerity to reconsider her statement.

Mrs. Beckett: As I hope that I have already made plain, it is the Government's intention that the Food Standards Bill will be properly scrutinised tomorrow and that proceedings can be brought to a proper conclusion. I know that the hon. Gentleman and many of his hon. Friends have sympathy with and support for some of the issues behind the Bill; we share their concern in that respect. It is because we are determined not to jeopardise that that we have chosen to take precautionary steps.

As for the hon. Gentleman's remarks about Monday's business, I simply draw to his attention the fact that, to my recollection, a minimum of two hours was taken up outside the discussion of business. Indeed, that would have gone on much longer had not the Deputy Speaker allowed a closure motion to be moved. It is the Government's lack of certainty about proper progress of business—not just as a result of the official Opposition, although I remind the hon. Gentleman that they did not agree to a programme motion on the Bill—that has led us reluctantly to take this step.

Mr. Douglas Hogg (Sleaford and North Hykeham) *rose—*

Hon. Members: Hear, hear.

Mr. Hogg: The right hon. Lady speaks of a lack of certainty, but I suggest that she consult the Board, because she will find that during the previous debate the Government Front Bencher spoke for 69 minutes and the Opposition Front Bencher for 26 minutes. On that basis, may I ask what possible reason there is for calling an end to tonight's debate and imposing a guillotine?

Mrs. Beckett: You will have observed, Mr. Deputy Speaker—the right hon. and learned Gentleman might have observed it if he had been listening—that I have been referring not solely to the progress of tonight's business but to the cumulative effect of this week. If we are talking about taking up time frivolously, the right hon. and learned Gentleman has an honourable place in the canons of this House.

Mr. Peter Snape (West Bromwich, East): Are you aware, Mr. Deputy Speaker, that what we are listening to is the usual public school end-of-term froth from the Conservative party? Some of the more stupid

[Mr. Peter Snape]

Conservative Members have been behaving in this infantile way all week. As for the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), who has just asked a question, what does he know about the conduct of tonight's business? He has, after all, been sitting at a table in the restaurant next to me.

Mr. Crispin Blunt (Reigate): Will the right hon. Lady explain why the programme over the last week or so has gone to hell in a handbag in such a fashion that the Government have had to come to the House at short notice to make this statement at 10 o'clock tonight, when, according to my count, there are 298 Government amendments to be considered and only two Opposition amendments to be considered on the business for tonight? Also, given the references that have been made to time that has been taken in the debate, and especially as the Secretary of State for Trade and Industry plainly had no answer to the cogent case that my right hon. Friend the Member for Bridgwater (Mr. King) and the right hon. Member for Berwick-upon-Tweed (Mr. Beith) were making for the amendments that they had tabled—he was unable to adduce a sensible reason not to accept them—is not the whole conduct of this business and this late statement tonight a disgrace and an arrogant treatment of Members of the House?

Mrs. Beckett: Usual complaint—as usual, unfounded.

Mr. John Greenway (Ryedale): The right hon. Lady has been extremely frank with the House. She has said that she wishes to timetable the Food Standards Bill to protect Friday's business. Am I not right in thinking that Friday's business in the other place is also to consider the Food Standards Bill? However, be that as it may, although she may be right in concluding that a timetable guillotine motion is appropriate for the Employment Relations Bill, which the House has been considering tonight, many people in rural communities the length and breadth of this country who are gravely concerned about the measures in the Food Standards Bill will regard the guillotine motion as another slap in the face from the Government for people who live in rural areas.

Mrs. Beckett: I am not quite sure what point the hon. Gentleman is making. He will appreciate that I have said that I shall address the timetable for the Employment Relations Bill in tomorrow's business statement. I have made it plain that the Government do intend to provide proper time tomorrow for debate of the Food Standards Bill. If the hon. Gentleman is saying that he would have required more time than business would have allowed tomorrow for the Food Standards Bill—*[Interruption.]* I see the hon. Gentleman nodding. He is actually making the Government's case. If there are Members in the House who believe, whether as representatives of the official Opposition or as Back Benchers, that inadequate time was allowed for the Food Standards Bill, it was their job as Members of the House to raise the matter at business questions. It was also their job to raise the matter with their Front-Bench team if they thought that inadequate time had been allowed. We have had repeated examples of Members who could not be bothered to raise such issues in advance and who then come along at the last minute and say, "We need another day", or "We need another half a day. The hon. Gentleman is making the case for the guillotine.

Mr. Ian Bruce (South Dorset): The House will know that the Department of Trade and Industry has been trying to bring forward Second Reading of the electronic communications Bill, and it has been trying to blame the Conservative party for not allowing it to do so. It seems extraordinarily strange that the right hon. Lady is telling us that she was worried about getting the three Bills through this evening—[HON. MEMBERS: "Four."] I have four—any advance on five? She was telling us that and complaining that there was not enough time. She wanted to get a completely new Bill into the House before the end of the Session. Surely it is the mismanagement of the right hon. Lady, who should think about her own position before the Prime Minister sacks her, that has got the House into the position in which it finds itself tonight.

Mrs. Beckett: I am extremely grateful to the hon. Gentleman, because he has reminded me of a further and important point, which is that when the Government scheduled the business for today's debates, including the three Bills, no Opposition Member said that there would be inadequate time to consider them. Now, at 10.35 pm, we are told that the time was never adequate: too late.

Sir Robert Smith (West Aberdeenshire and Kincardine): I want to clarify one of the right hon. Lady's answers, when she said that tomorrow's debate on the Food Standards Bill will be the same length as that announced in the business statement last week. Does that mean that any time taken up by the programme motion will not eat into time that would have been available to the Food Standards Bill?

Mrs. Beckett: No. I said that there would be adequate time for the debate. The issue was the length of time, which is something that we shall announce tomorrow.

CONTRACTS (RIGHTS OF THIRD PARTIES) BILL *[LORDS]*

Order for consideration read.

To be considered tomorrow.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

CINEMAS AND FILMS

That the draft Films (Modification of the Definition of 'British Film') Order 1999, which was laid before this House on 8th July, be approved.—*[Mr. Dowd.]*

The House divided: Ayes 314, Noes 36.

Division No. 270] **[10.36 pm**

AYES

Adams, Mrs Irene *(Paisley N)*	Anderson, Janet *(Rossendale)*
Ainger, Nick	Armstrong, Rt Hon Ms Hilary
Alexander, Douglas	Ashton, Joe
Allan, Richard	Atkins, Charlotte

Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Body, Sir Richard
Borrow, David
Boswell, Tim
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Collins, Tim
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George
(Hamilton S)
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Roy, Frank
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine
(Morecambe & Lunesdale)
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann
(Dewsbury)
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Willis, Phil

Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Robert Ainsworth and Mr. Graham Allen.

NOES

Beggs, Roy
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Brazier, Julian
Brooke, Rt Hon Peter
Bruce, Ian *(S Dorset)*
Chapman, Sir Sydney *(Chipping Barnet)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Dorrell, Rt Hon Stephen
Fallon, Michael
Forth, Rt Hon Eric
Gill, Christopher
Hamilton, Rt Hon Sir Archie
Jackson, Robert *(Wantage)*
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Leigh, Edward
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
Maclean, Rt Hon David
Randall, John
St Aubyn, Nick
Swayne, Desmond
Townend, John
Tyrie, Andrew
Viggers, Peter
Wardle, Charles
Wells, Bowen
Whitney, Sir Raymond
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*

Tellers for the Noes:
Mr. Douglas Hogg and Mrs. Teresa Gorman.

Question accordingly agreed to.

Thames Gateway

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

10.50 pm

Mr. Nigel Beard (Bexleyheath and Crayford): The Thames riverside to the east of London, beyond docklands, includes parts of Barking, Dagenham, Havering and Thurrock on the north bank, and Greenwich, Bexley and Dartford on the south bank. That is the London Thames gateway.

The area provides one third of all London's jobs—some 900,000—and includes the largest concentration of manufacturing firms in London. A high proportion of local residents—about 60 per cent.—work locally. Major areas of land, amounting to 2,000 hectares, are available for industrial, commercial and residential development. Potentially, it is the greatest area of opportunity within Greater London today.

At each end of the area, major investments are being made in projects of regional and national significance. To the west is the London docklands, including the millennium exhibition site, the dome, which will be served by the Jubilee line extension and an extended docklands light railway. To the east, the first phase of the channel tunnel rail link will end at Ebbsfleet, linking the area quickly and easily with the continent. In addition, two major retail centres have opened—at Lakeside on the north bank and at Bluewater on the south bank—which serve both London and the south-east region generally.

When I look at the potential opportunity, I have a sense of having been here before. In the 1970s, I was privileged to be the first head of the London Docklands development corporation, and was responsible for establishing the organisation, for drawing up the development strategy and for initiating some of the earlier infrastructure. It was the largest area of urban development in the world at that time.

Today, I have the great privilege to represent in Parliament a constituency that is central to a similar major opportunity of national significance in the Thames gateway. The comparison between the London docklands development and the potential of London's Thames gateway is both exhilarating and sobering. It is sobering because many of the obstacles that stand in the way of realising the potential of the Thames gateway are the same as have bedevilled progress in docklands. The political climate of the 1970s made progress in development dependent on huge public sector investments. The economic austerity of the time prevented the Government from making those necessary investments to any great extent, and private investors were then reluctant to make parallel commitments.

The political climate then swung to the other extreme with the change of Government, so that the development was seen as being promoted almost entirely by market forces. However, the transport infrastructure of the area was totally inadequate. An early extension of the Jubilee line through the area was regarded as a prerequisite of private investment throughout the area. The Jubilee line, however, could not be financed through private investment.

The result was that private investors cherry-picked the areas around Wapping and the Surrey docks, while the potential of huge areas downstream was not realised.

Canary Wharf progressed only when the Government became committed to putting in the docklands light railway, and now the Jubilee line. The Greenwich peninsula remained derelict until the millennium dome came along, and the Jubilee line will arrive, there 20 years late, to accompany it.

The point of that analysis is not recrimination. It is to learn lessons, so that we do not repeat earlier mistakes downstream. A major lesson to be learned is that progress does not have to depend on comprehensive public investment in the style of the new towns. Equally, market forces alone will not progress development. There genuinely is a third way, which depends on a firm commitment to public funding to improve transport infrastructure, accessibility and the environment. That will, in turn, provide a favourable basis for essential private investment.

That strategy depends utterly on a firm commitment to spending on infrastructure, either through direct investment, PFI schemes or guarantees to limit the risk of the private investor. A fragmented, haphazard approach to public investment dependent on the state of finance in individual local authorities or public bodies will not generate confidence.

The problems of transport, accessibility and the environment for the Thames gateway area of London are similar to those in the docklands. The river and the relative absence of river crossings in that area, as compared with the equivalent area upstream of Tower bridge, are a major inhibition to the economic development of the area. A recent study by the Government office for London stressed that point, as has every study over the past 20 years, going back to the docklands strategy in the 1970s.

The effect of the river barrier has been to limit the scope of companies to recruit over a wide area, or to move their goods and services to other parts of London. Residents of the riverside wards in Greenwich and Bexley cannot travel easily to job opportunities elsewhere in London, so unemployment there is well above the London average: it is 10.5 per cent. compared with 6.3 per cent.

Environmental objections must not become a veto on enhanced river crossing capacity, or these problems will deepen as the environmental benefit for some blights the economic welfare of many others. A balance between environmental and economic interests must be achieved.

On the south bank of the river in Greenwich and Bexley, the scope for moving goods westward towards the Blackwall tunnel or eastwards towards the M25 and Dover is limited by constrictions and consequential congestion on the road network. Likewise, the limitations of east-west public transport add to road congestion, as employees coming into the area or travelling to jobs elsewhere in the Thames gateway have no alternative but to use their cars.

The recently published study of new crossings sponsored by the Government office for London has made proposals to tackle the deficiency of river crossing capacity in east London. The solution, for which the economic benefit is assessed as double the cost, is to provide a third crossing at the Blackwall tunnel, a bridge over the Thames at Galleons reach for local traffic and a busway, and a rail tunnel at Woolwich capable of taking six trains an hour in each direction between Ebbsfleet, the channel tunnel rail link phase one terminus, and Stratford on the north bank of the river, passing through Bexley and Greenwich and called the Thames gateway metro.

This transport concept also involves introducing and harmonising toll charges between the Blackwall tunnel, the new Thames bridge and the Dartford river crossing. Taken together, this package of three measures could contribute to the regeneration of Greenwich-Bexley Thameside, and deflect passengers to public transport instead of their travelling by car.

Any two elements of the package could be privately financed without public sector support. The third element, which is vital to realising the full impact, would require public funding of about £25 million. That package would not only alleviate the present lack of river crossings, but provide east-west public transport through Greenwich and Bexley by way of the Thames gateway metro between Ebbsfleet and Stratford north of the river, and by way of the bus link over the Thames bridge and along the south Thames development route.

The south Thames development route consists of a combination of the roads A206 and A2016, which are dual carriageway most of the way between Woolwich and the M25, and then goes on to Gillingham. According to the answer to a recent parliamentary question, the Government have invested some £40 million in the route between Woolwich and the M25 in the last 10 years. That reflects the importance of the route for commercial transport into and out of the industrial areas on the south bank of the Thames.

There is just one snag in this grand design—the 1.7 km of the south Thames development route that passes through Crayford, in my constituency. It is still single carriageway, and a major source of congestion. My hon. Friend the Member for Erith and Thamesmead (Mr. Austin) and I are regularly lobbied by employers and residents about the slow-moving queues that are adding to their costs. A local conference produced many stories from industrial development agents who had abandoned the idea of locating in the area for that reason alone. I have a list of 50 major employers who have said that they are adversely affected by congestion on this stretch of road.

When my right hon. Friend the Member for Hamilton, North and Bellshill (Dr. Reid), then Minister of Transport, presented his road review to the House in July last year, he agreed that high priority should go to schemes under which an unimproved stretch of road prevents full realisation of the true value of earlier road investment. I doubt whether the Minister could find a better exemplification of that principle than Thames road, Crayford, the 1.7 km stretch of the south Thames development route to which I have referred.

Although the London borough of Bexley put the project at the top of its priority list, the present understanding is that it may be seven to 10 years before the problem is resolved. What is the point of so much earlier investment, if the true benefit is to be delayed for such a protracted period?

I am grateful to the Minister for letting me know of the river crossing proposals to which I have referred. I welcome the intention to safeguard a third Blackwall crossing, and to provide an alignment of the Thames gateway bridge with the Woolwich rail tunnel; but I am

[Mr. Nigel Beard]

dismayed by indications that the Government will now delay progress until the mayor of London and the Greater London Authority are in place.

In a letter written last July, the Minister said that she firmly believed that the whole issue should be left until the Greater London Authority could form a view on it, but there is always some such reason why the time is not ripe. No doubt the Greater London Authority will demand a year or two, or more, to settle in, which probably puts a decision three or more years away.

Timing is important in matters such as this. It is bad government that causes people to await the convenience of the governors. All public and private-sector partners in both the Thames gateway London partnership and the Bexley Thameside partnership have written to the Minister to confirm their need for work on the proposals now.

There have been two undesirable features of this country's planning and urban development arrangements. The first is a mañana mentality, leading to institutionalised procrastination. The second—despite the good intentions of planners—is a piecemeal approach to opportunities when success demands concurrent action on several fronts.

The Thames gateway in London offers an opportunity for urban regeneration, which depends on public action on transport, public services and the environment, and on commercial action to provide jobs, housing and many other features of life in the 21st century. At present, general good intentions are expressed by public authorities and there are outline plans for a river crossing and east-west public transport. We have no idea when any of that will come about. All the signs are that the Blackwall tunnel's third crossing, the rail tunnel at Woolwich, the metro line, the bridge at Galleons reach and work on Thames road, Crayford will be handled by different public authorities, piecemeal and without any concerted timetable.

It may be that, for financial reasons, the timetable for infrastructure projects will be longer than many people would like, but any timetable that expressed a commitment that investors could believe in would be better than a "this year, next year, some time, never" approach. I ask the Minister to recognise that a piecemeal, project-by-project approach to regenerate the Thames gateway in London, with no commitment to a target date for completion, will fail. It will not give private investors sufficient confidence in the future of the area for them to make commitments.

Conversely, my appeal is for a concerted programme of infrastructure projects such as I have outlined to be drawn up with firm commitments to finance and timing. Work on the programme could be started now and presented to the mayor and Greater London Authority for ratification, or amendment on completion. There is no reason why the mayor and the authority should be an excuse for delay. Nor are the amounts of public money that are needed large.

Above all, let those projects be looked at as a package contributing to the economic regeneration of the area. Let them not be seen narrowly as isolated road, rail or tunnelling schemes. Success in realising the true potential of the Thames gateway in London depends on joined-up government delivering joined-up action on time.

11.7 pm

The Minister for Transport in London (Ms Glenda Jackson): I congratulate my hon. Friend the Member for Bexleyheath and Crayford (Mr. Beard) on obtaining the Adjournment debate and on affording the House the opportunity to consider the issue. The House has been particularly fortunate because he has such direct experience of both the area and the issues inherent within Thames gateway.

As I am sure my hon. Friend is aware, the Government actively support Thames gateway as a priority regeneration corridor. The sub-region's potential for growth and investment is widely recognised.

Thames gateway can boast a number of particularly important development schemes, where much needed investment on brown-field sites is delivering key London facilities and much needed new resources. At the royal docks, a new exhibition and conference centre is under construction. A new university campus is to open in September.

As my hon. Friend pointed out, Greenwich peninsula is the home not only of the dome, but of the millennium village. It is the site of a major public transport interchange, including North Greenwich station, which is part of the Jubilee line extension, and a major bus interchange. The pier at the dome will enable river buses to serve what was formerly the site of a gas works.

Greenwich peninsula is now a site of national importance, representing significant Government commitment to the sub-region. As I am sure my hon. Friend is aware, the Jubilee line extension is already serving the peninsula.

There are many other examples of real activity in Thames gateway. Together, they are creating momentum to bring about lasting change, but we acknowledge that more is yet to be done. Barriers to development still exist. Contamination on sites, weak infrastructure and excluded communities remain. However, the Government are committed to ensuring continued change, both in physical and social terms, for the benefit of London, local communities and the wider sub-region.

On 15 July, there were two important announcements for Thames gateway. The single regeneration budget, SRB5, has brought significant new funding to the region. At least £33 million has been allocated for SRB5 projects within the primary Thames gateway regeneration areas—a real injection of funding to ensure that the benefits of new investment are realised in both the short and long terms.

The proposed assisted area map provided further good news, retaining Thames gateway wards within the eligible areas to apply for regional selective assistance. That will create and safeguard jobs, attract inward investment and contribute to regional competitiveness.

As my hon. Friend pointed out, transport improvements play a key role in the regeneration of Thames gateway. An extensive programme of improvements is under way to enable strategic accessibility to the area and to sites of potential major development. That will make Thames gateway a source of employment and a more effective competitor for business.

Phase 1 of the channel tunnel rail link is now under way. I am sure that hon. Members will recall that the positive regeneration impact of the link was a fundamental consideration in securing the project. It will

consolidate the area's role as the gateway to Europe for London and the United Kingdom, and it will provide a new economic role for the area on which to build future development growth.

The first phase of the Jubilee line extension is already open, as I have said. Phases 2 and 3 will follow in the summer and in the autumn. The new docklands light railway extension to Lewisham is due to be in service shortly, and planned further extensions to the DLR will include access to City airport. An extensive bus network, providing high-quality public transport north and south of the river, is being explored by London Transport, in conjunction with local boroughs. As I have said, under this Government the River Thames is being brought into play as part of the capital's transport network.

The new stretch of the A13 has been opened, linking Dagenham to the M25. Also, the go-ahead has been given to the design, build, finance and operate plans for the A13, as part of the trunk roads programme. Collectively, these projects represent a major investment by the Government in providing Thames gateway with the integrated transport system that it requires to achieve its economic and regeneration goals.

Mr. Bob Russell (Colchester): When does the Minister expect that the Stratford interchange of the channel tunnel rail link will be ready? The link will benefit not only the Thames gateway, but the whole of Essex and East Anglia.

Ms Glenda Jackson: I am sure that the hon. Gentleman will be aware that the first phase of the channel tunnel rail link is on time and on budget. The requirement is that for the whole line to be built, so I cannot give a specific date for the completion of the Stratford interchange. However, I assure the hon. Gentleman that there is no doubt that it will be completed.

The Government have also taken the lead in exploring the scope for developing additional crossings across the River Thames, east of the Blackwall tunnel, to assist still further with the regeneration objective. We are aware of the strong interest among local communities in securing additional crossings, and of the importance of accessibility in opening up new business, employment and leisure markets in the area. That is why we made reference to the potential value of an integrated package of new crossings in our integrated transport White Paper, published last year.

A package of crossings has been developed, based on the appraisal of a number of different options against a specially commissioned appraisal framework. The Government have decided that the responsibility for determining the form of a crossings package should lie with the new mayor of London.

The mayor has regeneration, transport and planning responsibilities for London and will be in the ideal position to assess the most suitable integrated outcome. My hon. Friend the Member for Bexleyheath and Crayford stressed the importance of adopting a comprehensive approach to the programme and of avoiding a fragmented approach, with different crossings subject to separate and piecemeal proposals. It was precisely to facilitate an integrated approach, both to the planning and funding of the final strategy, that the decision was taken.

To enable the mayor to reach a decision on the future of the crossings as quickly as possible, further development work is being co-ordinated. The Government have safeguarded the most promising alignment for each crossing. London First is exploring, with private sector partners, the scope for its participation in the programme. London Transport, together with docklands light railway and Railtrack, is examining the feasibility of a DLR-based crossing to Woolwich. English Partnerships has undertaken a study of the regeneration implications and benefits of the crossings package. It is now considering the appointment of a project manager to orchestrate the work appropriate to this interim period.

I trust that it is clear, therefore, that the project continues to be taken forward in a sensible and practical way, which matches current circumstances. I am sorry that our decision has caused my hon. Friend dismay, but it is important that decisions taken now do not pre-empt the mayor's choice, either in the final form of the crossings or the financial structures put in place to secure them. I am certain that the approach adopted by the Government will achieve the most satisfactory and secure outcome to this important but complex issue.

My hon. Friend focused on a short section of Thames road, which he has highlighted as the only single carriageway section of the south Thames development route in Bexley. He also referred to the findings of a recently published study sponsored by the Government office for London. The south Thames development route could play an important role in any strategy which arises from this study. Certainly that could lead to improved public transport links on this section of Thames gateway.

I understand that the London borough of Bexley is keen to develop the case for this road scheme in its interim transport plan. In the event, it would certainly wish to focus on the regeneration benefits for Thames gateway and any potential contribution to improved transport integration. However, my hon. Friend will appreciate that it would be wrong of me to go further than that in prejudging the merits, or otherwise, of the Bexley interim transport plan.

As I said in my opening remarks, the House has been privileged to hear the wealth of detail, stemming from direct experience, which my hon. Friend brought to this evening's debate. He detailed the overwhelming importance of the development of the Thames gateway, not only economically and environmentally, but socially. I reassure him that the Government share his appreciation of the importance of Thames gateway.

Question put and agreed to.

Adjourned accordingly at seventeen minutes past Eleven o'clock.

House of Commons

Thursday 22 July 1999

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

Gold

1. **Mr. Simon Burns** (West Chelmsford): What the difference was between the money the Treasury received from the recent sale of gold and the purchase price of that gold. [91091]

2. **Mr. Michael Fabricant** (Lichfield): How much gold from the National Reserves he will sell next month. [91092]

The Chancellor of the Exchequer (Mr. Gordon Brown): Continuing the policy of the previous Government, this Government have accepted the principle of gold sales and have therefore continued to support the sale of International Monetary Fund gold to fund debt relief for the poorest countries.

In order to achieve a balanced portfolio of our national reserves, we will sell 125 tonnes of gold this year by the preannouncement and phasing of sales. There will be no sales of gold in August.

In answer to the first part of the question asked by the hon. Member for West Chelmsford (Mr. Burns), most of the gold held in our reserves was acquired before 1950 at a purchase price of $35 an ounce or less. Therefore, in answer to the hon. Gentleman's detailed question, the 25 tonnes of gold sold on 6 July would have been purchased for a notional $30 million or less. The gold was sold for $209 million, which makes a cash profit of more than $170 million.

Mr. Burns: I am slightly surprised that the Chancellor did not give the figures in updated terms. Does the Chancellor accept that, between 7 May and the present, the price of gold per ounce has fallen from $287 to $254? That means that, as a result of the sale, every man, woman and child in this country has paid £10. Does the Chancellor think that the gold sale on 6 July helped or hindered the national interest? Given the fall in the gold price and the uncertainty in the gold market as a result of his announcement, will he postpone or put on hold future sales?

Mr. Brown: The answer to the latter part of the hon. Gentleman's question is no. The mistake was made by the previous Government. When the price of gold was valued at anything between $300 and $800 per ounce, they took no action while other countries around the world were rebalancing their assets portfolios. Although the hon. Gentleman complains about the British sale, over the past few years, Australia, Austria, Canada, the Netherlands, Belgium and Switzerland have been selling their gold portfolios. Canada has sold 500 tonnes, the Netherlands has sold 700, Belgium has sold 707 and Switzerland plans to sell 1,300. We plan to sell 125 tonnes this year.

If the hon. Gentleman wants to take up the case of South Africa, I must inform him that it has halved its gold assets in the past 20 years and it sold more gold last year than we will sell this year. Those are the facts of the position. It is about time the Conservative party looked at the facts instead of being opportunistic in this matter.

Mr. Fabricant: Have not the Government achieved a double whammy not only by trumpeting the sales of gold as the price has fallen, but by saying that 40 per cent. of the sale proceeds will be used to purchase euros? Although the euro rallied slightly this morning and, as the Chancellor will know, is currently valued at $1.0535, is he not aware that the value may fall again in three or four months? What is his estimate of the value of the euro in three, four or six months or a year?

Mr. Brown: There is no change in the balance of our portfolio between euros, dollars and yen. The hon. Gentleman, who was a Parliamentary Private Secretary at the Treasury, should know that the Chancellor whom he served supported the principle of gold sales in relation to the IMF. We will take no lectures about the use of the national reserves from the party that, when in power, lost £4 billion in a day on Black Wednesday 1992.

Mr. Fabricant: On a point of order, Madam Speaker. As the Chancellor refused to answer my question about the value of the euro, I shall seek to raise the matter on the Adjournment.

Madam Speaker: In that case, I must move to the next question.

Windfall Tax

3. **Mr. Michael Clapham** (Barnsley, West and Penistone): What evaluation he has undertaken of the use made of the windfall tax on the privatised utilities. [91093]

The Chancellor of the Exchequer (Mr. Gordon Brown): Madam Speaker—*[Interruption.]*

Madam Speaker: Order. Let me explain to the House what has happened. When an hon. Member says that he intends to raise a question on the Adjournment, I must end the exchanges and move on.

Mr. Brown: The windfall tax, which raised £5.2 billion, has enabled the Government to embark upon the new deal—the biggest ever programme to get the unemployed into work. More than 284,000 people have now entered the new deal through the young person's scheme and almost 100,000 long-term unemployed have

entered the scheme. The windfall tax has also enabled the Government to inject much-needed capital investment into more than 10,000 schools. We will launch the new deal for the over-50s in the autumn. Therefore, we will continue to expand the new deal over the next few months.

Mr. Clapham: I am grateful to my right hon. Friend for that reply, which shows clearly that the windfall tax has been used to create hope and opportunity for tens of thousands of young people. Does my right hon. Friend agree that, if we are to reach the Government's objective of eliminating child poverty within the next 20 years, we must complement what has been done at regional and local levels in areas such as Barnsley where the average income per household on council estates is between £5,000 and £6,000 and 34 per cent. of children come from families that are in receipt of family credit or income support? Does he agree that we need more opportunity, greater equality and further redistribution of wealth if we are to eliminate child poverty and remedy the neglect that the Tory party inflicted on older industrial areas?

Mr. Brown: My hon. Friend is absolutely right—when we came into power in 1997, a third of our children were in low-income families and 40 per cent. of children were being born into low-income families. That is why the first thing that we had to do was to create new job opportunities for the unemployed. That is why, with nearly 600,000 more people in work and nearly 300,000 young people involved in the new deal, we are creating working opportunities for families in this country.

As my hon. Friend rightly says, the second challenge is to make work pay, and it is very surprising that the Conservative party still opposes the new deal, the minimum wage and the working families tax credit. On every issue, it is on the wrong side for the needs of working families, and I hope that at some point the shadow Chancellor will withdraw his remark that the new deal is

"a waste of public money and a fraud perpetrated upon a great many people."—[*Official Report*, 4 November 1998; Vol. 318, c. 881.]

The fraud is what the Conservatives perpetrated on the unemployed.

Mr. Geoffrey Clifton-Brown (Cotswold): How can the Chancellor have the gall to stand there and say that the windfall tax and the new deal have been a success? How many genuine jobs at full pay have been created? How much do those jobs cost? What will the Chancellor do in two years, when the windfall tax revenue will have run out?

Mr. Brown: There are 100,000 young people now in jobs. If only one young person had got a job, that would be satisfactory, but 100,000 young people are now in work. I should have thought that despite party politics, the hon. Gentleman would welcome the fact that there are more people in jobs.

On the use of the windfall fund, we have a new deal not only for young people, but for the long-term unemployed and single parents, and in October we shall introduce a new deal for the over-50s. If anybody considers the cost of unemployment under the Conservative Government, they will realise that the introduction of a windfall tax to get people back to work is the best use of public money.

The Conservatives' problem is not only that they opposed the new deal, but that they opposed the windfall tax, which was the right measure to take revenue from companies that had made excess profits as a result of the unfair privatisations and to use it to get people back to work.

Financial Services

4. **Mr. James Plaskitt** (Warwick and Leamington): What steps he is taking to ensure that people in poorer communities have access to financial services. [91094]

The Economic Secretary to the Treasury (Ms Patricia Hewitt): Following the publication of the report of the social exclusion unit, "Bringing Britain Together", we established two policy action teams, led by the Treasury to consider the problem of financial exclusion. We have involved community groups, credit unions, banks and buildings societies in their work and we expect to publish their reports and action plans in the autumn.

Mr. Plaskitt: Does my hon. Friend welcome the new duty imposed on the Financial Services Authority to perform an educational role? Does she agree that it should seek to concentrate its efforts on people with lower incomes, who have not previously had access to financial services? Does she further agree that the impact of the national minimum wage and the forthcoming working families tax credit will give lower-income families far greater opportunities to draw on financial services? Do not all those measures extend financial opportunity to the many, as opposed to the few?

Ms Hewitt: My hon. Friend is right on both points. First, the Financial Services Authority has an important role to play in spreading information among all sections of consumers, particularly those on low incomes. Secondly, the Conservative party is opposed to the minimum wage, the working families tax credit and the new deal for the unemployed. In other words, the Conservatives would make the poor even poorer while a Labour Government are delivering opportunities and social inclusion for all.

Sir Peter Tapsell (Louth and Horncastle): While we are on the subject of poor communities, does the hon. Lady think that the Chancellor understands that his decision to sell our gold has plunged South Africa into crisis, and only today 2,500 Ghanaian miners have been laid off, and they and their many dependants have been plunged into abject poverty? Is that a good way to help poor communities throughout the Commonwealth?

Ms Hewitt: I quite understand that the hon. Gentleman's question and the question that the shadow Chancellor was planning to ask about gold sales were destroyed by friendly fire. I do not really think that the hon. Gentleman can get them out of that hole.

My right hon. Friend the Chancellor has made the position on gold sales absolutely clear. We are continuing the policy of the previous Government, to support gold sales by the International Monetary Fund in order to help to relieve the debt burden of the poorest people in the poorest communities—because, unlike the Conservative

party, we are determined to deliver opportunity and security, and to help the poorest people, whether in our own country or in the poorest countries of the world.

Mr. Gerry Sutcliffe (Bradford, South): I thank my hon. Friend for meeting a delegation of community-based credit unions the other week. She knows the concerns that they raised about the balance between community-based credit unions and other credit unions. Will she give us an undertaking to ensure that the balance is redressed and that community-based credit unions are supported?

Ms Hewitt: My hon. Friend has taken a long-standing interest in this matter. I entirely agree that credit unions have a very important role to play, especially in the most disadvantaged communities. We have some very successful credit unions in this country, such as the one that I recently visited at Speke in Liverpool, but they could obviously play a much larger role in helping to combat financial exclusion.

We shall shortly publish the report of the task force chaired by Fred Goodwin of the Royal Bank of Scotland, on how banks and building societies can help promote credit unions throughout the country, but especially in the poorest areas.

Dr. Vincent Cable (Twickenham): Following the Chancellor's eloquent comments in the *Daily Mail* earlier this week about the abuses in the mortgage market, is the hon. Lady aware of the disappointment at the fact that the Government continue to disregard the advice of the Treasury Committee and the Treasury Joint Committee on the Financial Services and Markets Bill that mortgages should be brought within statutory regulation and not allowed to remain within the self-regulating framework of the very institutions that are abusing the market?

Ms Hewitt: I know that the hon. Gentleman was not always able to attend meetings of the Joint Committee, but I think that he will be aware that, earlier this week, we published a consultation document on whether the sale of all mortgage products and advice on those products should be brought within the scope of the new Financial Services Authority. As we said then, we shall decide on the scope of the Financial Services and Markets Bill, and in particular the issue of mortgage regulation, before the end of the year, but we shall do so following proper consultation, and following a proper cost-benefit analysis, so that we can ensure that we get the best possible deal for every consumer and home buyer.

Dr. Brian Iddon (Bolton, South-East): I am pleased by the focus that we have had this morning on credit unions, but will my hon. Friend admit that credit unions in this country have tighter restrictions than those in Australia and other countries? Are the Government considering relaxing those restrictions so that credit unions may expand, as they have in several countries?

On a different subject, do the Government look favourably on the expansion or development of local exchange trading schemes?

Ms Hewitt: I am very grateful to my hon. Friend for raising both those points. We have already issued proposals for a deregulation order that would improve the capacity and the ability of credit unions to offer wider services, for instance by enabling them to bring into membership people who work in a specific area as well as those who live in it. We are currently considering the responses to that consultation.

We are also considering in the social exclusion policy action teams the role that LETS can play, especially in helping unemployed people to develop skills that may be useful to them on returning to work.

Mr. David Heathcoat-Amory (Wells): Does the Economic Secretary agree that one way of making financial services less accessible to people would be to put VAT on them? Will she therefore comment on the fact that, with the Treasury's knowledge and consent, Customs and Excise is engaged in discussions organised by the European Commission about extending VAT to financial services? To prevent the Government getting into the same muddle on this as they have on the withholding tax, where they are led along into damaging negotiations, will she make it clear now, in advance, that the Government will veto any attempt to extend VAT to things such as credit cards, bank charges or mortgages, and will she give that categorical assurance now, in advance of the negotiations, which are already under way?

Ms Hewitt: I am astonished by the right hon. Gentleman's ability to see European conspiracies even in a question about financial exclusion and credit unions. I remind him that it was the Conservative Government who imposed value added tax on fuel and who would have increased it to 17½ per cent. had we not stopped them and brought the rate down. It is a disgrace for the right hon. Gentleman to try to divert attention from what we are doing to promote competition in financial services and to ensure that the poorest people have access to mainstream financial services.

Mr. Dale Campbell-Savours (Workington): Will the consultation paper to which my hon. Friend referred include any reference to rates of interest paid on building society deposits, which many low-income families are very much dependent upon?

Ms Hewitt: The consultation document to which I referred deals with many of the problems that consumers have raised with us and with others in relation to mortgages. My hon. Friend will be aware of many of those problems, including the danger of lock-in periods, high financial penalties and the bundling of some mortgages with expensive home-and-contents insurance policies. The best way to deal with interest rates on both mortgages and on savings deposits is to ensure that there is healthy competition within a well-regulated banking and financial services sector. That is precisely what we are delivering through the Financial Services and Markets Bill. My right hon. Friend the Chancellor of the Exchequer has recently invited Mr. Don Cruickshank to conduct a special review of competition within the banking sector.

Rev. Martin Smyth (Belfast, South): Having grown up on a road where there was no bank, I know how people always look to the Post Office for savings and other services. I welcome the Minister's statement on credit unions. Given that consultation is taking place, may I suggest that she does not give too much credit to those

who might be opposing credit unions because they have vested interests? I have seen how credit unions have freed many small, poor communities and given them more liberty in spending.

Ms Hewitt: I am grateful to the hon. Gentleman for making that point. I happily assure him that we will not allow any vested interests to stand in the way of the development of credit unions and other services for low-income areas. I draw the hon. Gentleman's attention to the announcement that the Government made in May about computerisation of the Post Office network.

As we modernise Post Office Counters Ltd. so it will be able to offer efficient banking and financial services to everybody within the communities that it serves, including rural and deprived communities. It will be able to do that in partnership with banks and building societies, which may in the past have withdrawn their branches from rural and deprived communities.

VAT (Buildings)

5. **Mr. Bob Russell** (Colchester): If he will reduce the level of value added tax charged on works undertaken to existing buildings. [91096]

The Paymaster General (Dawn Primarolo): No. European Community agreements prevent us from bringing in a general reduced rate of VAT for works to all existing buildings.

Mr. Russell: I am disappointed by the Minister's response to what was meant to be a friendly question supporting the Deputy Prime Minister's document entitled, "Towards an Urban Renaissance". It would seem that it is not getting the support of the Treasury team. I wonder whether the Treasury and Treasury Ministers have bothered to read what has been proposed in the document. Given the hon. Lady's answer about value added tax, does she agree or disagree with some of the conclusions in "Towards an Urban Renaissance"? One passage states:

"We propose removing the anomaly whereby renovation work on empty dwellings carries Value Added Tax . . . at a punitive 17.5% . . . but new housebuilding"

is exempt. The paragraph continues:

"Ideally, refurbishment and conversion work should be zero-rated . . . we would propose applying the minimum rate of 5% VAT to all housebuilding and conversion. A significant proportion of the extra revenue raised should then be used to fund regeneration and development on recycled land."

Madam Speaker: Order. That was far too long a quotation.

Dawn Primarolo: I am grateful to the hon. Gentleman for reading to me a report which I have already seen. My right hon. Friend the Chancellor of the Exchequer met Lord Rogers yesterday. The urban task force's report is being considered carefully by the Treasury. Our response will be in the urban White Paper. I am a little surprised that the hon. Gentleman is not more familiar with VAT legislation, and particularly the prevention of returning to a zero rate.

Mr. David Drew (Stroud): I thank my hon. Friend for her answer. The full version of the report is even better than the appendix. I urge her to bring VAT rates for new build into line with rates for existing buildings. That is the key issue, not the rate itself, and it is urgently needed to ensure the proper allocation of housing on brown-field sites, rather than relying, as we do too heavily, on green-field sites.

Dawn Primarolo: My hon. Friend is right. The Government want to encourage sustainable housing growth. We must carefully consider what role tax will play in encouraging such growth. Lord Rogers's recommendations are being carefully studied.

Mr. John Bercow (Buckingham): Despite her risibly unsatisfactory answer to the hon. Member for Colchester (Mr. Russell), does the Paymaster General recognise the potential merit of the proposal made in February 1999—by the European Commission, curiously enough—for the imposition of lower rates of VAT on labour-intensive services? As her right hon. Friend the Chancellor is the heaviest plunderer of the pockets of the British people in the country's history, why does she not consider supporting that proposal, as it stands or in a suitably amended form?

Dawn Primarolo: As the hon. Gentleman knows, the proposals for an experimental reduced rate which are being discussed in the European Union are intended to reduce unemployment, and as he knows, unemployment in his constituency has gone down by 33 per cent. since the general election. It is the Government's view that in order to reduce unemployment, we should pursue the policies of skills development, job creation and a stable economy, which the Conservative Government did not pursue. With regard to those discussions, it is our view that they will not contribute to a reduction in unemployment, but we will study the proposals from member states for taking the matter forward.

Working Families Tax Credit

6. **Fiona Mactaggart** (Slough): How he will monitor the impact of the working families tax credit on incomes within families. [91097]

7. **Mr. Malcolm Savidge** (Aberdeen, North): What progress he has made with the implementation of the working families tax credit. [91099]

The Chancellor of the Exchequer (Mr. Gordon Brown): Our aim is that every child should have the best possible start in life. The working families tax credit will be implemented in October this year, including the new, generous child care tax credit. It will benefit nearly 1.5 million families, almost twice as many as under the old system of family credit, and about 3 million children. It will provide a minimum guaranteed income for a family with someone in full-time work of £200 a week—£80 more than the family would receive on income support. On average, families will gain £24 a week, and that will make work pay.

Together with the national minimum wage, the largest ever increase in child benefit, and the reform of taxation in national insurance and in income tax, the working families tax credit will lift about 800,000 children out of poverty.

Fiona Mactaggart: I thank my right hon. Friend for all the measures that he has taken to help low-paid

workers while they are bringing up their families, including the working families tax credit, which will benefit 150,000 people in my region. As my right hon. Friend pointed out, if the Conservatives got their way, it would mean a £24 a week tax increase for each of those families.

I am concerned that my right hon. Friend should ensure that his generosity does not get stuck in the pockets of fathers, and that it reaches children and their mothers. Will he ensure that there is independent evaluation of the distribution of his generosity within families, so that it gets to children and their mothers?

Mr. Brown: I thank my hon. Friend. We will have a monitoring system to see how the working families tax credit works. If there is a dispute about who should get the credit, it will normally be paid to the main carer. My hon. Friend is right. At the next election the Conservative party will have to defend its proposal for a tax rise of £24 a week for 1.5 million of the poorest people in the country. Even now, the Conservatives should desist from their opposition to a measure that will relieve family poverty, make work pay, increase child care and deal with the poverty traps.

Mr. Savidge: I welcome the extent to which the working families tax credit will help to tackle the appalling legacy of scandalous levels of child poverty that we inherited from the Conservative Government. Will my right hon. Friend join me in condemning the Conservative party not just for that legacy, but for their continuing opposition to the measure?

Mr. Brown: I would have hoped that the measure could be supported by all parties in the House, but it is now clear that not only does the Conservative party oppose the working families tax credit, and the shadow Chancellor say that it means state dependency when it is about the dignity of work and helping children, but the Conservative party now even opposes the advertising campaign which is designed to achieve the take-up of the new benefit that we want to see.

The previous Conservative Government spent £21 million advertising the British Gas sale, £36 million advertising the British Telecom sale and £60 million advertising water and electricity sales, but they cannot bring themselves to support the spending of £12 million to advertise a benefit to 1.5 million of the poorest families in Britain. The country will draw the right conclusions from that.

Mr. David Ruffley (Bury St. Edmunds): Ministers will be aware that, on 26 January this year, the CBI said that the working families tax credit will be a "new burden" for companies, and that the costs will be significant, especially for small companies. What evidence does the Treasury have for thinking that the CBI is wrong?

Mr. Brown: I have spoken to representatives of all the small business organisations in the past few weeks about the implementation of the working families tax credit, and they have been involved in discussing its implementation. Mr. Stan Menden, of the Forum of Private Business, says:

"The delivery of tax credits through payroll is clearly more effective than direct state handouts in freeing the labour market and reducing dependency and the cost of welfare."

It was a former director general of the CBI who proposed the measure in the first place.

Mr. Malcolm Bruce (Gordon): Does the Chancellor accept that one way of helping to relieve the problems of the working poor is to raise the level at which people start paying tax, which would remove the necessity for many of them to receive the working families tax credit? Will the right hon. Gentleman give a commitment that he will raise the tax threshold at the earliest opportunity to take minimum wage earners out of tax altogether and, subsequently, bring it up to the levels that applied at the end of the war when one could earn 50 per cent. of the average wage before paying tax rather than the 25 per cent. today?

Mr. Brown: We are in the 1990s, not in 1945, and we must devise a system to make work pay that is relevant to the changes in the 1990s. If I recall correctly, the hon. Gentleman's proposal, designed, no doubt, to solicit votes in the Liberal Democrat leadership election, would cost about £20 billion. Our proposal takes many more people out of poverty, helps to make work pay, deals with the problem of inadequate child care and tackles the poverty trap. I should have thought that it would benefit the hon. Gentleman's campaign to become leader of the Liberal Democrats if he supported our proposal.

Mr. Malcolm Chisholm (Edinburgh, North and Leith): I congratulate the Chancellor on the historic achievement of the working families tax credit, but he will know that some families will not gain as much as they might because of the steep rates of housing benefit withdrawal as income rises. Will the Chancellor guarantee that, for the Treasury, housing benefit reform should take place as soon as possible, that there should be no losers apart from those who are guilty of fraud and that those moving into work should be substantial gainers, so that the great advances of the working families tax credit are not clawed back by the steep withdrawal of housing benefit?

Mr. Brown: A housing policy review is taking place under my right hon. Friend the Deputy Prime Minister, but my hon. Friend should not go away with the impression that people are losing out as a result of the working families tax credit. Many families will be £50 a week better off as a result of measures that we are introducing. On average, the benefits are £24 a week. That is going to exactly those groups of people whom he would want to see benefit from the measure—mothers who want to work, and people in low-paid families who were deprived under the previous Government not only of the minimum wage but of an adequate system of family credit. My hon. Friend could help us to put the message across throughout the country that this is a benefit that helps exactly those people who were denied help under the previous Government.

Mr. Francis Maude (Horsham): Does the Chancellor think it matters that he has been condemned by the CBI, by the Institute of Directors and by the Federation of Small Businesses for turning employers into unpaid benefit officers? As the CBI has said, costs are particularly great for small businesses, which are always hardest hit by red tape. Does any of that matter to him or is he going to brush it all aside as he usually does?

Mr. Brown: The right hon. Gentleman was stuck after failing to ask his question about gold, so he has repeated one that I have already answered. The Forum of Private Business has made its views clear and the CBI was originally involved in a proposal that would have led to the introduction of a working families tax credit. The right hon. Gentleman is opposing a proposal that even Ronald Reagan in the United States of America was prepared to support.

Under the previous Conservative Government, whom the right hon. Gentleman supported, the right hon. Member for Sutton Coldfield (Sir N. Fowler), the former Secretary of State for Social Services, wrote in his book "Ministers Decide" that

"our original proposal was that Family Credit should be paid through the pay-packet. This had a number of advantages. It brought tax and benefit closer together, and putting family credit explicitly on the pay-slip showed total new earnings—demonstrating . . . the gap between take-home wages and unemployment pay."

He wrote that, after right-wing Conservative opposition,

"with some regret we eventually changed our proposal".

There are even members of the right hon. Gentleman's own party who wish that they had done what we are doing.

Mr. Maude: There were a lot of disadvantages to the proposal, which is why the Conservative Government did not introduce it. It is a scandal that the Chancellor is abolishing the system of family credit which the Conservatives introduced. Only this Chancellor could defend as helping the poor a measure that extends social security benefits to top-rate taxpayers.

Is not the working families tax credit yet another burden that has been imposed on business by a Government who claim to be the friend of business? Yet again, they say one thing and do another. On top of £30 billion of extra stealth taxes and £5 billion a year in costs for extra regulations—on the Government's own figures—businesses face a new energy tax and a new attack on information technology and other entrepreneurs. Is it any wonder that Britain has already slipped from fourth to eighth in the world competitiveness league? Is it surprising that the price of all that extra red tape has been calculated as more than 800,000 jobs? As always under Labour, the poor will suffer most.

Mr. Brown: The one group that the right hon. Gentleman did not mention in his diatribe is the working families whom the measure is designed to help. We are cutting the poverty trap that we inherited from the previous Government; we are tackling the problem of child care, which they never even bothered to address; we are dealing with the problem of making work pay; and we are dealing with the problem of child poverty in this country. It is unfortunate that the dividing line between us and the Conservatives is that we support a minimum wage; a working families tax credit; helping people who receive child benefit; helping pensioners through the £100 winter allowance; and allocating £40 billion for health and education—all central measures that will help working families—while the Conservative party is more extreme than ever in its opposition to anything that will help either the working poor or middle-income families in this country.

Local Government Finance

8. **Laura Moffatt** (Crawley): What assessment he has made of the effect of the borrowing requirements of local authorities in the next financial year on his plans for fiscal and monetary stability. [91100]

The Chief Secretary to the Treasury (Mr. Alan Milburn): Local authority spending levels, including borrowing requirements, were taken into account in last year's three-year spending settlement. The resulting levels of public expenditure are reflected in the Government's plans for fiscal and monetary stability.

Laura Moffatt: I thank my right hon. Friend for that answer. Does he agree that good Labour authorities such as Crawley borough council will benefit most from fiscal stability? Such authorities managed to build houses for rent through the lean Tory years. They are still delivering good services and are regularly congratulated by the Audit Commission. Now Crawley borough council will have the stability that it needs to move forward and deliver even better services to the people of Crawley.

Mr. Milburn: I have no doubt that my hon. Friend is right and I pay tribute to the work of Crawley borough council, which is obviously a well-managed and well-run local authority. We have made additional resources available for local government and for our public services. The comprehensive spending review settlement for local government included a doubling in schools investment, an extra £3.5 billion of capital receipts for housing, £700 million more for local authority transport services, £800 million more for the new deal for communities and £2.3 billion through a reshaped single regeneration budget. All those measures will help to modernise our public services to give people in areas such as my hon. Friend's a better deal. They would all be threatened by the Conservatives' spending plans, because the Conservatives are interested in cutting back public spending whereas we are interested in investing in them.

Miss Anne McIntosh (Vale of York): Does the right hon. Gentleman not understand that he has effectively cut services in sectors such as social services, education and police throughout North Yorkshire? Does he not also understand that he has subscribed to the economic convergence criteria, so beloved of the Chancellor of the Exchequer, which are set out in the Maastricht treaty, and that the Government should therefore be discouraging public sector borrowing requirements by all local authorities?

Mr. Milburn: We have a further split in the Conservative party: there are divisions not only among those on the Front Bench, but between Back Benchers and Front Benchers. The Back Benchers want to spend more money and the Front Benchers want to spend less—less money for vital public services with the Conservatives and more with the Labour Government.

EU Economic Convergence

9. **Mr. Desmond Swayne** (New Forest, West): What estimate he has made of the rate at which the UK economy has achieved sustained convergence with other EU countries since his statement to the House in October 1997. [91101]

The Economic Secretary to the Treasury (Ms Patricia Hewitt): The Government have said that there is no realistic prospect of the UK economy demonstrating, before the end of the current Parliament, convergence that is sustainable and settled rather than transitory. We have put in place policies for economic stability that have delivered low inflation and the lowest interest rates for more than 30 years, but the biggest threat to economic stability and to convergence would be a return to Conservative policies of boom and bust.

Mr. Swayne: Will the hon. Lady acknowledge that one of the principal causes of the accelerating divergence of the UK economy from the continental cycle is the historic and growing ownership of assets in the United States by UK companies, and of assets in the UK by United States companies? What does the hon. Lady intend to do about the coincidence of managerial decision making and culture to which that gives rise? Does she intend to introduce measures to restrict the ownership and purchase of such assets, in the same way as she has assisted the European Union in its assault on the transatlantic art market?

Ms Hewitt: Like so many Conservative Members, the hon. Gentleman seems to forget that 50 per cent. of our trade is with the European Union, but we have no need whatever to choose between our close relationship with the EU and our close relationship with the United States of America. I had hoped that he would congratulate the Government on the consequences of our policy of economic stability and growth, which has delivered a 39.6 per cent. reduction in unemployment in his constituency. We took the decision to make the Bank of England independent to secure economic stability and low interest rates. The Conservatives have opposed independence for the Bank of England, just as they have opposed all our other policies for growth and stability.

Mr. Bill Rammell (Harlow): Does my hon. Friend agree that the granting of operational independence to the Bank of England has brought the greatest economic stability in this country in a generation? Will she confirm that she will resist the demands from the Conservative party to move away from operational independence?

On the specific issue of the single currency, does my hon. Friend agree that it is right and proper that we continue to monitor convergence and the degree to which we are meeting the criteria that we set for entry? It is right that, if we meet those criteria, we let the people decide the issue in a referendum. It would be totally wrong to give in to the Conservative party and to accept the demand that, whatever the circumstances and the national economic interest, we will not let the people decide the issue for an arbitrary period of 10 years.

Ms Hewitt: My hon. Friend is right. We took the tough decision to give the Bank of England operational independence. Every month for the past two years, the Conservative party has denigrated and opposed that decision. It will have no credibility left if it now tries to pretend that it is in favour of that policy. On the question of joining the single currency, the reality is that the Conservative party is now so extreme and so anti-European that it would oppose joining a single currency, even if it were good for the British economy, for business and for jobs.

Mr. Quentin Davies (Grantham and Stamford): We have had some more bad examples this morning of the Government cooking the figures and trying to spin away the facts, not least in a thoroughly disreputable answer given to my hon. Friend the Member for West Chelmsford (Mr. Burns) about gold sales. Had the Chancellor—

Madam Speaker: Order.

Mr. Davies: Had the Chancellor quoted the sale price and the purchase price in constant prices—

Madam Speaker: Order. The hon. Gentleman must resume his seat when I am on my feet. He must also keep within the terms of the question on the Order Paper.

Mr. Davies: I am asking the Government how they will cook the figures or spin away the facts in comparing the growth rates in this country with those in the rest of the European Union. How will they explain away the fact that, in the last five years of the previous Parliament, we consistently had a higher growth rate than the rest of the EU, while this year and next year we shall have a lower growth rate than the EU average?

Ms Hewitt: The fact that the hon. Gentleman cannot explain away is that he is in favour of Britain's membership of the EU, while his Front-Bench colleague, the hon. Member for Arundel and South Downs (Mr. Flight), is against it and wants to withdraw. The divisions on the Conservative Front Bench on this issue will damage the national interest. This Government have delivered economic stability and the lowest interest rates for more than 30 years.

Mr. Denis MacShane (Rotherham): Did my hon. Friend have a chance to read the remarkable article in the *Financial Times* two weeks ago, which reported the shadow Chancellor as saying that the euro would be a success? Has she noticed that, since that speech, the euro has gone up? Will she encourage the right hon. Gentleman to make more such speeches and unleash the passionate pro-euro feelings of the hon. Member for Grantham and Stamford (Mr. Davies), who, every time he opens his mouth at the Dispatch Box, sees the euro go up and converge with the pound? His great dream of entering the single market will then come about sooner than he hopes.

Ms Hewitt: My hon. Friend makes his point quite brilliantly. It is highly appropriate that the shadow Chancellor—the man who signed the Maastricht treaty—should now apparently be responsible for a rise in the value of the euro.

Savings Ratio

10. **Mr. Robert Syms** (Poole): What estimate he has made of the savings ratio in 1999–2000. [91102]

The Chief Secretary to the Treasury (Mr. Alan Milburn): The March 1999 Budget showed the savings ratio rising to 7.5 per cent. in 1999 and beyond.

Mr. Syms: Will the Minister apologise for the vicious attack that the Government have launched against savers: the £5 billion that they are taking out of pension funds; and the abolition of personal equity plans and tax-exempt special savings accounts? Is it any wonder that, since the last election, the savings ratio has plummeted to 7 per cent?

Mr. Milburn: If I were the hon. Gentleman, I would be careful about quoting savings ratios, because under his Government the savings ratio hit a low of 3 per cent. It is now 7 per cent. and rising. It is rising precisely because of the economic stability that this Government have created. I tell the hon. Gentleman and hon. Members who are chuntering from the Front Bench that the worst enemy of savers is the rampant inflation that we saw under the previous Government.

Mr. Christopher Leslie (Shipley): Is it not the case that pensioners with savings gain most from the current extremely low level of headline inflation? Is not that beneficial product of the Labour Government's policies a contrast with the prolonged double-figure inflation rates that we had under the previous Government?

Mr. Milburn: My hon. Friend is absolutely right: pensioners and others are benefiting from the low-inflation climate that we have managed to create. We have created a form of economic stability that this country has not seen for many years, with interest rates at their lowest level in more than 20 years, mortgages at their lowest rate for more than 30 years, inflation down and public finances under control. All of that is in marked contrast to the economic turmoil that we saw when the previous lot were in power.

Mr. Howard Flight (Arundel and South Downs): The savings ratio was 9.7 per cent. on average in the last three years of the Conservative Government. How does the Chancellor reconcile his fine words about increasing investment with the fact that the savings ratio has fallen by 26 per cent. since his Government came to power? It is, indeed, the attack on savings that has led to that. Not only have the subscriptions to individual savings accounts in the first quarter, in value terms, been enormously down on PEPs and TESSAs; not only are pension funds losing £5 billion a year; but the Chancellor will find, following the initiatives on stakeholder pensions, that there is a massive fall in the value of company pension scheme provisioning to money pensions, and a massive increase in people cashing in personal pensions. Here again we have the Government spinning one thing and doing another.

Mr. Milburn: I know that the hon. Gentleman and the Conservative party do not like individual savings accounts, but the truth is that savers do. In the first two months following their launch, savers invested more than £4 billion in them—more than twice as much as was invested in PEPs and TESSAs during exactly the same period last year. What is most heartening from the Government's point of view—and, I should have thought, from the point of view of the House as a whole—is that most of the savings were invested in cash ISAs, which will benefit small savers especially. The Government are creating not only economic stability, but an environment in which saving will expand and increase.

I am grateful to the hon. Gentleman for asking his question, because, in many respects, his is the authentic voice of the Conservative party. He is the man who says that he wants state pensions to be privatised, and sickness and unemployment benefits to be transferred to the private sector. Moreover, rather than agreeing with his hon. Friends on the Back Benches that public spending should be increased, he wants it to be cut by £50 billion this year, next year and every year. That is the authentic voice of the Conservative party.

Green-field Housing Development

11. **Mr. Chris Mullin** (Sunderland, South): What plans he has to impose a tax on green-field housing development; and if he will make a statement. [91103]

The Financial Secretary to the Treasury (Mrs. Barbara Roche): The Chancellor has no present plans to impose a tax on green-field developments. The Government keep under review the scope for using economic instruments to complement the planning system in achieving their social and environmental objectives.

Mr. Mullin: I am disappointed by that reply. As my hon. Friend will know, agricultural land that is normally worth between £3,000 and £5,000 per acre is now changing hands at up to £8,000 per acre, and much of the gross gain is being rolled over for the purposes of capital gains tax. Is this not one area in which the Treasury, without arousing any political controversy, might raise some extra money for the public?

Mrs. Roche: I understand my hon. Friend's point. I know of his long-standing interest in the matter, and I know that he has had a meeting with my hon. Friend the Paymaster General.

Roll-over relief enables businesses to modernise and expand. I assure my hon. Friend, however, that we are giving careful consideration to Lord Rogers's report, and, as my hon. Friend the Paymaster General has said, will return to the House with our conclusions.

Mr. Stephen Dorrell (Charnwood): Earlier this morning it was the hon. Member for Stroud (Mr. Drew); now it is the hon. Member for Sunderland, South (Mr. Mullin). Clearly a campaign is developing on the Labour Back Benches for the introduction of a tax on new housing development. Given the Government's track record in regard to the introduction of new taxes, does the Financial Secretary not owe it to potential home owners to rule out categorically the introduction of such a tax?

Mrs. Roche: I am astonished at the right hon. Gentleman's cheek. He was a Treasury Minister in the Government who introduced the measure that imposed VAT on fuel—the measure that hit hard-working families most. He should spend some time examining his own record—the record that got the Conservative party into such a mess.

Mr. Barry Sheerman (Huddersfield): Does my hon. Friend agree that we have a great opportunity for the next 10 years? With a taxation policy married to an environmental policy that is sensible and far-sighted, we can regenerate our towns and cities by tackling brown-field and contaminated sites. However, a flow of taxation moneys will be needed to help brown-field sites to compete with green-field sites.

If I were asked to advise the Government, I would advise them to emphasise the importance of making brown-field development a priority, rather than taxing green-field development.

Mrs. Roche: I understand completely the points that my hon. Friend makes, and—as he knows—the Government have set a target for increasing the proportion of new housing on brown-field sites. He is also absolutely right to talk about the need for a joined-up and co-ordinated approach, not only in the Treasury but in all Departments, in achieving that goal. Consequently, we are very grateful to Lord Rogers and are considering his recommendations very carefully.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): Will the hon. Lady please tell the House what type of incentives are being considered to encourage brown-field rather than green-field site development?

Mrs. Roche: I suggest that the hon. Gentleman reads the Rogers report—[HON. MEMBERS: "Answer."] The Rogers report is very detailed, dealing not only with a range of fiscal measures, but with all the other initiatives that the Government are undertaking in urban areas. It is very much a report for all Departments, and Treasury Ministers will be considering it very carefully. However, as my hon. Friend the Paymaster General said, it is a matter not only for the Treasury but for other Departments; on planning, for example, it is a matter for the Department of the Environment, Transport and the Regions. We shall make a co-ordinated response as soon as we possibly can, after we have considered the report.

Public Sector Investment

12. **Ms Beverley Hughes** (Stretford and Urmston): What is the level of extra investment he has allocated to the public sector since May 1997. [91104]

The Chief Secretary to the Treasury (Mr. Alan Milburn): The comprehensive spending review, in July 1998, allocated an additional £65 billion within total departmental expenditure limits over the next three years. Of that, some £40 billion is extra investment in health and education.

Ms Hughes: I thank my right hon. Friend for that information, which demonstrates that—unlike the previous Government, who tried to destroy public services—this Government are investing massively in the future of those services. Does he agree that, after those Tory years, across the public sector, we need not only new ways of doing things, but new ways of thinking—such as more responsive services, much higher quality and more creativity? How will the Government ensure that the extra investment provided will produce the radical transformation that we need?

Mr. Milburn: I am grateful to my hon. Friend for that question. Our public services not only have a repair, maintenance and infrastructural improvement backlog but need to be modernised so that they provide the responsive and modern services which people nowadays quite rightly expect. That is why the record levels of investment that we have made available for health, education and other public services are tied to specific outcomes—and why, in our public service agreements, we have set 600 targets that we expect to be met. The end result will be not only smaller class sizes, shorter waiting lists and less congestion, but dramatically improved public services in communities across the land which people will be experiencing in the next few years.

Mr. Edward Leigh (Gainsborough): In an ideal world, should the proportion of gross domestic product taken by the public sector increases or decrease?

Mr. Milburn: I know that the hon. Gentleman likes talking about ideal worlds, as that is easier than living in the real one. Nevertheless, on his question, he should have a word with his Front-Bench spokesmen—such as the shadow Chancellor, who, when we announced our record extra investment in health and education, described our spending plans as madness; or the Leader of the Opposition, who described our spending plans as reckless; or the shadow Chief Secretary, who said that they were dangerous. The Conservatives now say that they want to sign up to them—but their spending plans do not add up any more than their figures do.

VAT (Church Buildings)

13. **Mr. Peter L. Pike** (Burnley): What representations he has received recently on the level of VAT on church building repairs and renovations. [91106]

The Paymaster General (Dawn Primarolo): Treasury Ministers have received a number of letters asking for a zero rate or reduced rate of VAT for repairs to church buildings.

Mr. Pike: Does my hon. Friend accept that, in many parts of the country, churches are an important part of our heritage, and that many of the older buildings cost considerable sums to maintain and operate? Is there not a very strong case for at least reducing VAT on such repairs—accepting that they cannot be zero-rated—to 5 per cent?

Dawn Primarolo: My hon. Friend will know that the construction of new churches, church halls and village halls is free of VAT, and that, each year, £20 million is granted for the maintenance and repair of churches. Within current VAT legislation, the Government do not have the ability to reduce the rate.

Mr. Ian Bruce (South Dorset): Has the Minister looked at the problems in many inner-city areas where people are trying to renovate buildings rather than knocking them down and starting again or using green-field sites? A moment ago the Financial Secretary to the Treasury referred to joined-up government. Is there not a suggestion that, unless the issue is tackled, there constantly will be an incentive for people to knock down and start again or to go to a green-field site?

Dawn Primarolo: Yes, the Government are aware of that, and Lord Rogers has looked at such subjects in the urban task force report. It is a pity that the decline of those areas occurred not just since the last general election but under the last Government, who did absolutely nothing about it.

Business of the House

12.30 pm

Sir George Young (North-West Hampshire): Would the Leader of the House give us the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The business of the House for next week will be as follows:

MONDAY 26 JULY—Conclusion of consideration of Lords amendments to the Employment Relations Bill.

Supplemental allocation of time motion relating to the Local Government Bill.

Consideration of Lords amendments to the Local Government Bill.

TUESDAY 27 JULY—Debate on public expenditure on a motion for the Adjournment of the House.

The House may also be asked to consider any Lords messages which may be received.

The provisional business for the first week back after the summer recess will be as follows:

TUESDAY 19 OCTOBER—There will be a debate on the first report from the Treasury Committee on the Office for National Statistics, followed by a debate on the reports from the Select Committee on Public Administration on the work of the ombudsman. Both debates will arise on a motion for the Adjournment of the House.

WEDNESDAY 20 OCTOBER—Until 2 o'clock, there will be debates on the motion for the Adjournment of the House.

Opposition Day [20th Allotted Day].

There will be a debate on a motion in the name of the Liberal Democrats. Subject to be announced.

THURSDAY 21 OCTOBER—Debate on the fourth report from the Procedure Committee on the procedural consequences of devolution.

FRIDAY 22 OCTOBER—The House will not be sitting.

Sir George Young: We are grateful to the Leader of the House for giving us next week's business and an indication of the business for the first week back. Having said that, today's statement is not a happy one with which to conclude before the recess. I very much regret that, at short notice last night, the Government decided to guillotine two Bills, neither of which the Opposition had planned to delay. The right hon. Lady has now announced yet another guillotine for Monday. I will set out the reasons why we feel that the Government have overreacted when we debate the motion later. At this stage, I would say that the Government have played their hand badly and sent the House off on the wrong note.

Can the right hon. Lady assure the House that Members will be able to get here for the next guillotine debate on Monday? I understand that another group of citizens whom the Government have driven to despair are to lobby Parliament—this time, the truckers, following the latest meeting of the road haulage forum on Monday, which demonstrated that the Government are interested only in delay and not in genuine discussion.

I welcome the proposed debate on the Procedure Committee's report on the consequences of devolution, for which I—and you, Madam Speaker—have been calling. We will do our best to help the Government find the right way through the consequences of devolution for this House which, clearly, they have not thought through.

Also in the first week back, we are due to discuss the Office for National Statistics. Should not we use the time to debate the royal commission on long-term care—a debate that has been called for repeatedly in the six months since publication of the report and which the Government seem anxious to avoid?

Finally, I understand that the Government will publish their annual report next week. Does the right hon. Lady agree that the place to hold the Government to account is not before the press and civil servants in the rose garden at No. 10—as last year—but here, before Members of Parliament, in the Chamber of the House of Commons?

Mrs. Beckett: I, too, regret the fact that the Government have found it necessary to introduce timetable motions on the debates of which I have given notice today. Conservative Members seem to have got it into their heads that things run all one way in the House and that they are at liberty to play the rules as they choose, without the Government being able to have similar regard to those rules. We will be able to touch on those matters if Conservative Members want to debate them. We, too, regret the fact that it was not possible to reach agreement on the handling of legislation. We have to protect not only Government business but the interests of the House as a whole.

On groups being driven to despair, I am not sure what those who were lobbying the House yesterday were driven to, but they were certainly making the most extraordinary noises, which I presume were supposed to be evocative of some part of their argument; they were certainly interesting, if not illuminating.

I am glad that the right hon. Gentleman welcomes the debate on procedure, for which, as he rightly said, both he and Madam Speaker have asked us to find time. I reject the notion that there is something unforeseen about the debate. We need to consider how our procedures can evolve and we will have a useful opportunity to discuss that.

I think that we have been waiting—as the right hon. Gentleman would put it—for the debate on long-term care for closer to four months than six. We will of course have that debate, but we will not be able to have it as early as he suggests.

I listened with great interest to the right hon. Gentleman's remarks on the annual report. I am slightly surprised if he is saying that it should be announced in a statement to the House, as I rather had the impression that he thought otherwise in the past, but I will certainly bear his remarks in mind in the future.

Mr. Kevin Barron (Rother Valley): Will my right hon. Friend find time in the not-too-distant future for a further debate in a calm atmosphere on the recommendations of the Modernisation Committee on pre-legislative scrutiny? I chaired the Special Select Committee on the Food Standards Bill, which took evidence from two Ministers on two occasions and from 24 organisations and three other individuals. We spent many hours producing a report most of whose recommendations the Government accepted. In view of this week's events, especially as there were more than 20 Opposition amendments on

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Report, following both Second Reading and the Standing Committee, we need to decide whether this is how the Modernisation Committee wanted us to proceed or whether legislation should go through Parliament in a calmer and more sensible way.

Mrs. Beckett: I had thought that the whole House was grateful to my hon. Friend and the Committee for the excellent work that they did on the Food Standards Bill. Until yesterday, those proceedings were thought to have been a model of the way in which we would all want the all-party recommendations of the Modernisation Committee to be implemented. The Special Select Committee did excellent work, as Select Committees always do, and my hon. Friend is absolutely right to say that the hope was that the legislation would be handled all the better, and would be better legislation, because of the degree and the kind of scrutiny that it had received. I was especially sorry to hear Conservative Members criticising the work of the Special Select Committee.

I agree that if we are to proceed with proper modernisation, we must bear in mind that it will never happen if, at the last minute, when all the proper procedures for a modernised debate have been carried through, people want to take the opportunity to exploit the use of time and not to debate a Bill properly. The House will have to take that into account.

Mr. Don Foster (Bath): I urge the Leader of the House to find time for the Government to explain to the House why they have made a material change to the contracts for special advisers. Is she aware that, under the previous Administration, special advisers were specifically warned not to engage in purely party political activities, whereas under the new Labour contract they are specifically encouraged to brief Labour Back Benchers?

Will the Leader of the House find time for the Government to explain why the House has been told that there has been no change in the arrangements, when that is clearly not the case? Why have we been told that no records are kept of briefings given by special advisers, when I have in my hand an example of a Department for Education and Employment briefing that is titled, dated and numbered, gives specific references to other titled, dated and numbered briefings and states where copies of such briefings can be obtained? Can the Leader of the House explain why the House has been told that no records are kept?

Finally, on the first question raised by the shadow Leader of the House, will the right hon. Lady provide time to reflect on the use of guillotine motions? Does she accept that the orderly programming of business by timetable motions agreed by all parties is for the benefit of the House, but that the procedure is being brought into disrepute by the sudden introduction of guillotines of which the Opposition parties have had no notice?

Mrs. Beckett: The hon. Gentleman asked me a number of questions about political advisers. I do not know why the House has been told that no records are kept. Perhaps it is because they are not—[HON. MEMBERS: "Perhaps?"] Well, I do not know. The hon. Gentleman makes several suggestions about changes that he says have taken place in the way in which special advisers are employed under this Government compared with under the previous Government. I am not familiar with the arrangements under which special advisers were employed by the previous Government. On at least one occasion, statements were made purporting to suggest changes in the way in which special advisers are able to operate, which—I am told—were not well founded. Conservative Members suggested, for example, that there were changes in the rules that had operated when they were in government when that was not the case. As for the hon. Gentleman's basic assertion that under the previous Government special advisers held themselves aloof from the impurity of party politics, I can only say that the large number of former special advisers decorating the Opposition Benches suggests that that policy was spectacularly unsuccessful.

The hon. Gentleman made an important point about the orderly progress of business and timetable motions. I entirely share his view. I am not sure whether he was able to be in the House last night. If he was, he will know both that I regretted that we felt we had to introduce these timetable motions and that I made it plain that an agreed timetable was sought and it was only when agreement was not forthcoming that we felt we had to take action to protect not only today's but tomorrow's business.

Mr. David Winnick (Walsall, North): Is my right hon. Friend aware that I for one do not question in any way the right of the Opposition to delay business? That is the legitimate right of the Opposition. Is it not the case that during the 18 years that we were in opposition, when we delayed business, the Government's response was always to introduce a guillotine motion? Therefore, there is absolutely no difference in the responses of the previous and the present Governments. Is my right hon. Friend further aware that on Monday night, when we stayed until two o'clock in the morning—I make no complaints whatever—some Opposition Members voted against every order on the agenda, including one that would have extended the opening hours for the millennium celebrations? They are spoilsports and we should tell the country so.

Mrs. Beckett: My hon. Friend is entirely right. I am particularly grateful to him for drawing attention to the fact that the Conservative party voted against the licensing extension for the millennium celebrations. Their constituents should all be made aware that the Conservative party wishes them to stay at home without the opportunity of alcoholic refreshment—the new killjoy approach to politics.

Mr. Peter Brooke (Cities of London and Westminster): In the light of the last remark of the Leader of the House, may I say that I voted against the motion because my constituents do not wish the licensing laws to be extended through the night and Westminster city council contributed to the consultation paper exactly on those lines?

Mrs. Beckett: I am even more grateful to the right hon. Gentleman—if that is possible—because I was under the misapprehension that many Conservative Members voted to make a gesture without being fully aware that, as he has made plain, it was a deliberate decision.

That reinforces the argument that it is only right for their constituents to know that they have made that decision, as they are perfectly entitled to do.

Mr. Alan Williams (Swansea, West): I am sure that my right hon. Friend is aware that four regions of the United Kingdom have benefited from billions of pounds of aid from Europe under objective 1 status. Is she aware that the deadline for the initial submission is the end of October, just after we return? To meet the deadline, those four regions need to have indications of support from a series of Government Departments. May we have a statement before the House adjourns on the financial support that will be available for objective 1 applications?

Mrs. Beckett: I cannot undertake to my right hon. Friend that we will be able to find time for such a statement. However, I understand the point that he makes and I will certainly draw his remarks to the attention of the relevant Departments and my right hon. and hon. Friends there.

Sir Peter Emery (East Devon): Will the right hon. Lady reflect that I cannot remember when guillotine motions were introduced in the last week of a Parliament, when we could sit on a few extra days to have all the debate that we might want? It really seems a little strange that that is the line that the Government are taking. During next week and the recess, will she consider whether the Government can produce an answer to the important suggestion that has been made by members of the Modernisation Committee that hon. Members might be able to table written questions when the House is not sitting? As we are not sitting for 12 weeks, many hon. Members reasonably feel that they would like to get answers out of Ministers during that time. The answers could be published in *Hansard* on a weekly basis. That would enhance the way in which Back-Bench Members on both sides of the House could keep the Government up to scratch.

Mrs. Beckett: I take on board the strong and powerful request that the right hon. Gentleman makes for the House to sit for longer and not to adjourn next Tuesday. It is not entirely clear to me whether he carries the majority of his party with him in making that request. [HON. MEMBERS: "Hear, hear!"] Oh, he does. Well, that is interesting, especially in view of the number of occasions on which Opposition Members have pressed me, over such a sustained period, to give the dates of the recess.

I recognise that one characteristic of opposition is that the memory fails a little. I am aware, but the right hon. Gentleman has perhaps overlooked the fact, that the recess dates that I have proposed are shorter than those for four out of the five years of the previous Parliament. Far from proposing a longer recess, as some Opposition Members allege that the Government have done, we are already proposing a shorter one. However, I take the right hon. Gentleman's point about written questions. It is a matter that the Government are considering. He will know that there are implications for the staff of the House as well as for others. The matter is under discussion and I accept that it is a worthwhile point to consider.

Mr. Syd Rapson (Portsmouth, North): Can time be found for a debate on yesterday's Court of Appeal decision on my constituent, Mrs. Carol Glass. To be of help, Madam Speaker, the lady in question has a son of 12 who is disabled. Doctors decided to hasten his death by the injection of diamorphine. The parents objected severely and wanted a court decision. It was refused. The Court of Appeal decision yesterday was not clear and it needs redefining. Only the House could discuss the issue in its own way, to define the matter for the future.

Mrs. Beckett: I am grateful to my hon. Friend. I have, of course, as the whole House will have, great sympathy for families and, indeed, clinicians who find themselves in those difficult circumstances. However, with great respect, although the House is a forum in which such matters may be aired, I am wary of seeking to decide such issues within this forum. It is difficult enough for the courts, clinicians and families to make such decisions. I fear that, much though I sympathise with the concerns that my hon. Friend has raised, I cannot undertake to find time for such a debate in the near future.

Mr. Patrick McLoughlin (West Derbyshire): Bearing in mind the new-found fondness of the Leader of the House for finding time on Fridays for private Members' Bills, will she give us an assurance that, before the House considers such Bills in the next Session, she will have found time for consideration of the fifth report of the Procedure Committee? The report notes that, when ministerial statements are made on Fridays on private Members' Bill days, the House should be given extra time to discuss those Bills, so that the time for ministerial statements is not taken out of private Members' time. That might have ensured that my Bus Fuel Duty (Exemptions) Bill, which would have given a rebate to community transport, would have passed through the House instead of being talked out by a Minister. I find the right hon. Lady's new fondness for private Members' Bills somewhat insincere.

Mrs. Beckett: I sympathise with the hon. Gentleman on his desire to assist community transport. It is perhaps unfortunate that he did not manage to do so when he was a Minister at the then Department of Transport, and has been forced to rely on the private Members' Bill mechanism— but there we go; I realise that we all have difficulties from time to time. However, we are giving proper and thorough consideration to the fifth report of the Procedure Committee.

Angela Smith (Basildon): The Leader of the House will be aware of the announcement earlier this week of new improvements to the vaccine for meningitis C. As secretary of the all-party Cuba group, I have been observing progress on the disease for some time, because the Cuban Government have largely eradicated meningitis C; I hope that we can do the same. May we have a debate on the achievements in the NHS? I realise that there has been an Opposition debate on the NHS, but it seemed to be critical of and did not do justice to the staff in the NHS—nurses, doctors, clinicians and support staff. Would it not now be opportune to hold a debate on the achievements of the NHS and its staff?

Mrs. Beckett: I am grateful to my hon. Friend. I share her view that there is much to celebrate in the achievements of the health service; it is a pity that

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sometimes the focus of debate in this place is on problems rather than on successes. Although I accept the strength of my hon. Friend's case—I am aware of the work that she and her group have carried out in studying the issue—I regret that I cannot undertake to find time for a debate in the near future.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Will the Leader of the House confirm that, during the next few days, the Government will make an announcement on those regions in the United Kingdom that may be eligible for objective 2 status under European Union structural funds? Does she acknowledge that such an announcement is vital for many regions represented by Members on both sides of the House? Does she accept that the way in which the decision on regional selective aid was made—at a press conference—did not allow Members the opportunity to cross-examine Ministers on the announcement? Does she also accept that, as there are only a few days left before the summer recess, it is imperative that she finds time, at the appropriate moment, for a statement by Ministers on that matter, so that Members can cross-examine them on the result of the announcement?

Mrs. Beckett: Consideration is being given to how we can inform hon. Members. The hon. Gentleman will be aware that great effort was made by the Department of the Environment, Transport and the Regions to give Members of Parliament as much information as possible. I understand that consideration is being given to how that can be followed up and the fullest possible information can be made available.

Mr. David Borrow (South Ribble): My right hon. Friend will be aware that, since the general election, there has been no debate on the aerospace industry in general, although there have been debates in the context of defence procurement. Given that major changes are due in the European aerospace industry over the next few years, will she be able to find time, after the recess, for a debate on the future of the UK aerospace industry?

Mrs. Beckett: I know that my hon. Friend takes a great interest in these matters; I believe that he is the new chair of the all-party aerospace group—on which I heartily congratulate him. I fear, however, that I cannot undertake to find time for a debate on the aerospace industry in the very near future, although I am aware of the enormous importance of that industry throughout the UK—not least in the north-west—and of its international success. I fear that that success will have to go somewhat unsung—at least for a little while. However, we shall soon be at the stage of considering which issues will be discussed in the Queen's Speech. My hon. Friend may find an opportunity to raise the matter in those debates.

Sir Teddy Taylor (Rochford and Southend, East): When can we have a debate about the massive expenditure of public funds through the common agricultural policy? Is not the need for such a debate all the more urgent in light of the appalling information that I received in a written answer from Ministers last week, which revealed that last year the European Community spent £100 million on destroying a vast amount of food, including 174,000 tonnes of cauliflowers and 240,000 tonnes of tomatoes? As we are spending £100 million on destroying food, is it not time that the House of Commons debated that subject?

Mrs. Beckett: The hon. Gentleman will know that I have long shared his view that the common agricultural policy needs significant reform. That view is being shared more widely across Europe and the world. The hon. Gentleman will know also that some reforms have been undertaken—although not as many as we would like. We are all seeking opportunities to continue to pursue the issue of CAP reform, not least through international discussions that may take place in the next year or so.

Mr. Phil Hope (Corby): Can my right hon. Friend find time for a debate on the work of the electoral commission and revitalising democracy? I visited Eddisbury yesterday where voters were clearly motivated by the chance to meet by-election candidates and the Prime Minister but were turned off by the yobbish behaviour of the Conservative party. We need new, radical proposals to revitalise interest, particularly among young people, in the democratic process.

Mrs. Beckett: I share my hon. Friend's view about that important issue. I know that some people continue to believe that we should make it difficult for people to register their vote, but I think that we should make it easier. My hon. Friend will be aware that my right hon. Friend the Home Secretary presented a full list of proposals on that matter last week. I am aware that the voters of Eddisbury have the opportunity to express their views today, and I am sure that all Labour Members—but perhaps not Opposition Members—hope that, when they do so, they will bear in mind the Government's many achievements, such as the lowest mortgage rates for 30 years, low inflation, a successful and stable economy and no more boom and bust.

I am strongly of the view that, in elections of any sort, we should pay some attention to the deficiencies of our system. I fear that I cannot undertake to find time to debate that subject in the near future, but I will bear in mind my hon. Friend's remarks.

Rev. Martin Smyth (Belfast, South): The Leader of the House will be aware that we have been pressing for some time for a general debate on Northern Ireland. She will be aware also that the IRA issued a strange statement this morning. May we have a debate in the spill-over period so that we may reflect upon the issues coolly and calmly? Senator Mitchell was invited to travel this road four years ago, but he missed that part of the journey. The decommissioning body then missed its opportunity. Political discussions then led to the Belfast agreement and the decommissioning body was tasked with producing a report. However, the reality is that we have had no decommissioning. What message are three democratic Governments—this Government, the Republic of Ireland Government and the United States Government—sending to terrorists throughout the world when we pander to that sort of behaviour?

Mrs. Beckett: As the hon. Gentleman will be aware, all those Governments are continuing to send the consistent message that we believe in the Good Friday agreement,

that we want to see it carried through and that we want the peace process to reach a successful conclusion. I cannot undertake to find time so far in advance for the debate that the hon. Gentleman seeks in the spill-over period. However, I obviously do not rule it out. As we get nearer to the time, it may prove to be the correct thing to do. I shall bear in mind the hon. Gentleman's request, but I am sure he understands that I cannot give him a date at present.

Mr. Steve McCabe (Birmingham, Hall Green): Is my right hon. Friend aware of the war being waged by South Birmingham community health council to prevent the building of a new hospital in south Birmingham? It appears that 14 individuals are prepared to use the health council as a cover for their campaign which is based on information that they know to be false. How is that an acceptable use of public funds? Will my right hon. Friend try to find time in future for a debate on the funding and accountability of community health councils?

Mrs. Beckett: I am afraid that I was not aware of the problem to which my hon. Friend has drawn attention. I can well understand his concern if he thinks that difficulties are being caused for the provision of health care to his constituents. I cannot undertake to find time in the near future for a debate on the specific subject that he raises, but I undertake to draw his concerns to the attention of my right hon. Friend the Secretary of State for Health.

Mr. David Maclean (Penrith and The Border): Does the right hon. Lady not now regret building in the extra, unnecessary week's holiday in February so that Labour Back Benchers can have a few more days off? Will she now reverse the distressing trend of the new Labour Government to give longer and longer recesses so that less and less time is spent in the House and then ruthlessly to curtail debate on every item of substance? *[Interruption.]* There would be plenty of time to debate matters in the House if the right hon. Lady followed the conventions and traditions of parliamentary debate, rather than guillotining debates.

Mrs. Beckett: I could not quite hear all the right hon. Gentleman's final remarks because of the noise that his colleagues were making. I simply say to him that he is living in a fantasy world. He clearly did not take the trouble to conduct even the most cursory scrutiny—which would be in sound parliamentary tradition—of the facts before he made his points. It is totally untrue to say that the Government have given longer recesses than previous Governments, as I have already pointed out to the right hon. Member for East Devon (Sir P. Emery). This recess is shorter than was the norm under the Government whom the right hon. Member for Penrith and The Border (Mr. Maclean) served so comparatively recently.

As for the mid-February break, I do not regret that, because, Madam Speaker, you will recall, as the right hon. Gentleman clearly does not, that the all-party Modernisation Committee recommended that break because it believed that it would be conducive to the smoother and more effective working of Parliament. Only a few Conservative Members objected, at least publicly, when I sought to accommodate the expressed wish of the House, which is also consistent with parliamentary tradition.

The right hon. Gentleman needs to get it into his head that, as my hon. Friend the Member for Walsall, North (Mr. Winnick) said earlier, it is of course right, proper and consistent with the traditions of the House for the Opposition to seek to exploit the opportunities available to them regarding the use of time. It is also well within the traditions of the House for the Government to have to deal with those attempts from time to time.

Mr. David Drew (Stroud): Does my right hon. Friend agree that it is about time that we revisited the Modernisation Committee's work on electronic voting? In particular, is it not a great waste of time that we go though the Lobby to vote on motions that have not even been debated in the House? At the very least, could we consider the opportunity to use electronic voting on such motions?

Mrs. Beckett: My hon. Friend makes an interesting point that, as he will know, is raised from time to time in the context of modernising the House. I fear that I cannot find time for a debate on that in the near future. Everyone understands that there is flexibility within the rules of the House for hon. Members, as individuals or as organised groups, to make their case by causing disruption to the proceedings from time to time. That is well within our parliamentary traditions, but hon. Members must realise that if feeling begins to grow in the House that those traditions are being frivolously misused, that will cause problems.

Mr. Robert Syms (Poole): Will the Leader of the House find time before the end of the Session for a debate on England? We have spent a considerable time debating Scotland, Northern Ireland and Wales, and there has been major constitutional change. It would be useful if hon. Members could express their views on the English question, what should happen and what should be the relationship between English Members of Parliament and other Members of the House. There is no English Question Time or any other opportunity for us to raise those issues, so a debate on England over two or three days would be more than welcome.

Mrs. Beckett: I hear what the hon. Gentleman says. He regularly attends business questions, so he will have heard you, Madam Speaker, draw attention a couple of weeks ago to the fact that this is the United Kingdom Parliament and we are elected as United Kingdom MPs. There is wariness about arguments and steps that seem to jeopardise that union.

The hon. Gentleman will also have heard me make the point before that the Government have been minded to use the Standing Order, which is within the control of the House, on the Standing Committee on Regional Affairs, so that a further forum for the exploration of some exclusively regional affairs could be established. That proposal has hitherto been blocked by the hon. Gentleman's party, so I say to him with great respect that although I do not question his sincerity in raising the matter, I question the sincerity of the Conservative party in saying that there is a lack of time for such a debate.

Mr. Denis MacShane (Rotherham): Will my right hon. Friend find time for an early debate on the need for more rigorous controls at our airports of passports sold for

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£30,000 apiece by the sleazemaster general of the Tory party, Mr. Michael Ashcroft, and about the great concern that they are now in the hands of some very dubious gentlemen who are not welcome in this country, even if they do bring money to the new sleaze fund of the Tory party?

Mrs. Beckett: I am not entirely sure whether the handling of passports of a foreign country falls within our remit. I know that my hon. Friend will have made his points to the relevant Secretaries of State who deal with immigration matters.

Mr. Eric Forth (Bromley and Chislehurst): May we have a debate on the so-called review of matters relating to Northern Ireland? It really is time, is it not—I hope that the Leader of the House will agree—to cut through the smoke and mirrors of the review, particularly in light of the fact that we now know that the IRA never had any intention of giving up any weapons? *[Interruption.]* It has now said so; that is now clear. Please, therefore, may we have no more pretence, and certainly no more releases of terrorists and murderers, so long as the IRA has made it clear, as it now has, that it has no intention—and has never had any intention—of giving up any of its weapons?

Mrs. Beckett: I am afraid that I shall not follow the right hon. Gentleman down that road. He knows that Senator Mitchell has only today begun discussions on his work. As I told the hon. Member for Belfast, South (Rev. Martin Smyth), the Government remain committed to the Good Friday agreement. I was under the impression that it was also the policy of the Conservative party to be committed to the Good Friday agreement, although, as I am sure that the right hon. Gentleman is well aware, the request that he has just made would be in danger of jeopardising that agreement. Judging by the noises that were made in support of what he said, I am wondering whether the Conservative party does any longer support the Good Friday agreement. I hope that that is a mistaken impression.

Mrs. Jacqui Lait (Beckenham): Will the right hon. Lady tell me whether she expects a statement from the Government about their response to the consultation paper on leasehold reform before we rise for the recess? If not, will she assure us that we shall get a debate on the subject in the spill-over period? However, if that is not possible, do we assume that there will be no legislative progress in this Parliament on the reform of leaseholds?

Mrs. Beckett: I cannot promise the hon. Lady a debate on the matter before the Session ends. I shall draw her remarks to the attention of my right hon. Friend the Minister for Local Government and Housing. As to assumptions about whether anything will be done in this Parliament, the hon. Lady will know that it is never wise to make assumptions about future legislative programmes.

Mr. Malcolm Savidge (Aberdeen, North): In the context of the ensuing statement on consumer protection, might time be found to discuss the scam, which has been revealed by some excellent investigative journalism by the Aberdeen *Press and Journal*, that a Liverpool-based business man, Mr. Peter Quinn, is offering for sale bogus degree certificates for the university of Aberdeen, the Robert Gordon university and the university of Stirling? That will be a matter of concern not only to those hon. Members who, like me, are graduates or honorary graduates of those universities, but, as it obviously involves criminal fraud, it will be of concern to the House, which I am sure will wish the police, trading standards officers and the courts to deal with the matter as swiftly as possible.

Mrs. Beckett: I am grateful to my hon. Friend. I am sure that the whole House shares with the concern that he has expressed, and will welcome the moves that the Government are making to strengthen consumer protection in that and other respects.

Mr. Nicholas Soames (Mid-Sussex): I would be grateful if the hon. Member for Aberdeen, North (Mr. Savidge) would give me the relevant address.

Will the Leader of the House see what she can do to provide time in what I know is a packed programme—perhaps this could be arranged for the spill-over period—for the House to have a debate solely on the Territorial Army, so that in the light of events in Kosovo and elsewhere and of the enormous demands for engineers and signallers, many of whom come from the TA, we can question how it was possible for the Prime Minister to say in the House yesterday that the cuts made in the TA by the Labour Government were good for the TA and further for the United Kingdom?

Mrs. Beckett: I fear that I cannot undertake to find time for a specific debate on the TA. I have no doubt that from time to time there will be opportunities to discuss defence matters. The hon. Gentleman will know that the first phase of the structural reform of the TA is now complete.

The remarks of my right hon. Friend the Prime Minister yesterday stem from the view that is widely held, not least within the armed forces, that the TA as reformed will be a more relevant, more useful and more integrated part of our defence capability. I suspect that the hon. Gentleman will not be converted to that view; I fear that I cannot offer him an early opportunity again to air his view.

Mr. Tim Collins (Westmorland and Lonsdale): May I ask the Leader of the House to reconsider her answer of a few moments ago to the request for a debate on the English question? She referred to the Standing Committee on Regional Affairs. When will the Government recognise that England is not merely a collection of regions but a nation? If the Labour party will not speak for England as a nation, others will.

Mrs. Beckett: I think, not for the first time, that the hon. Gentleman has not noticed that although the Conservative party may feel that it should speak for England, it is the Labour party that speaks for England. The Labour party has a majority of Members in England. Of course, the Conservative party has no Members in Scotland and Wales.

I will not reconsider my earlier reply. I think that the integrity of the United Kingdom is enormously important and the Government are determined to protect

it. The Conservative party is playing a dangerous game in raising such fire. I think also that it must be a matter of some concern to its Scottish and Welsh parties. What will Conservative candidates in Scotland and Wales say in the next general election? Will they say, "Vote for me although my party has rejected me and does not want me to play a part in Westminster"?

Sir Patrick Cormack (South Staffordshire): Will the right hon. Lady give further thought to the reply that she gave to my right hon. Friend the Member for East Devon (Sir P. Emery), who asked for the opportunity during the recess to table written questions so that the Government could be held to account during that period? The right hon. Lady, in what I hope is not her penultimate appearance as Leader of the House, did not give a terribly satisfactory reply. It would be a lasting memorial to her years as Leader of the House if she were able to give us an assurance that the Government will be held to account during the recess.

Will the right hon. Lady deprecate the way in which certain Members have abused parliamentary privilege? Does she agree with me that accusations about individuals who cannot answer in the House should not be lightly made, and should be made only if there is real substance in the allegations? When we return from the recess, will she arrange for an early debate on the report of the Joint Committee on Parliamentary Privilege that touches on those and other important matters?

Mrs. Beckett: I said to the right hon. Member for East Devon (Sir P. Emery) that I thought that he had made an interesting point and that it was one to which I was prepared to give consideration, although it raises questions for the House authorities as well as for others. I would say to the hon. Member for South Staffordshire (Sir P. Cormack) that the tabling of written questions during a recess would be unprecedented. It is not a practice that the Government are withholding because it is something that no previous Government have been prepared to do or to concede; I am prepared to give the matter consideration but I am not able or prepared simply to say today, "Yes, this is a change that the Government will make." As for a lasting memorial, I am not in a memorial-erecting mood today. I appreciate the thought and I will bear it in mind.

The hon. Gentleman talked about the abuse of parliamentary privilege. He is right to say that matters should not be raised lightly under the cloak of privilege. However, the purpose of privilege is to allow matters to be raised. If privilege were being abused, that would be a matter for the Chair and not only for Members. I feel confident that Madam Speaker would draw us to order were that to be required. The hon. Gentleman has asked for a debate about that and I acknowledge that we will be seeking to find time for it. I cannot tell him now exactly when it will take place.

Consumer White Paper

1.15 pm

The Secretary of State for Trade and Industry (Mr. Stephen Byers): Madam Speaker, I wish to make a statement on the White Paper published today to promote the interests of consumers. The White Paper forms a key part of our programme to support competition, innovation and enterprise.

Far too many people feel that they live in rip-off Britain, where they pay high prices compared to other countries, where cheats are allowed to prosper and move from one scam to another with ease, and where there are more shoddy goods than high-quality products.

For too long, the attitude in Britain has been that things could be worse, rather than that things should be better. We do not want to create an army of Victor Meldrews, but we do need confident and informed consumers. That is why the Government are publishing a comprehensive consumer strategy today.

Consumers who are knowledgeable and demanding get a good deal. They also promote innovation and improve the competitive position of business, which in turn means better products and keener prices for consumers. The White Paper will create a virtuous circle between knowledgeable consumers and business performance. It will do that in four ways.

First, the Government will work with business and consumer groups to introduce codes of practice that actually mean something, instead of giving false reassurance to consumers. Codes already pepper the Yellow Pages, but many are little more than marketing devices, offering no safeguards to customers.

The White Paper therefore proposes to introduce legislation to give the Office of Fair Trading powers to approve codes of practice that guarantee high standards of customer service, including proper redress if things should go wrong. That approval will not be a one-off. The Office of Fair Trading will withdraw its approval if the code no longer meets these principles. The OFT's seal of approval will provide at-a-glance assurance for the consumer.

We will also develop an e-commerce code, with industry and consumer groups, to be monitored by an independent body. As purchasing over the internet expands, it is vital that people feel that they have security when they make purchases. That is why we will introduce an e-hallmark, which will provide safeguards for the purchaser.

Secondly, we want to strengthen the role of those who protect the public against those who continually cheat consumers. The current law is ineffective. It offers no deterrent to the determined cheat, the perpetual scam merchant, and the exploiter of the weak and vulnerable, and no deterrent against the one-day sale in a hotel that is simply a rip-off, or the car repairer who fails to deliver and threatens those who complain. As constituency Members of Parliament, we all know of many other examples that have been drawn to our attention.

The traders often disappear before action can be taken, then reappear elsewhere to conduct themselves in exactly the same way. The White Paper therefore proposes stronger action against such fraudsters. I want the OFT and trading standards officers in local authorities to have

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powers to seek injunctions to stop traders carrying out specified practices, and to give the courts the power to ban them from all trading. Cheats who continually rip off their customers should be treated in this tough and responsible way.

We will consider the imposition of criminal sanctions where appropriate. We must also be able to respond quickly to new scams that might develop. We therefore propose a power to make orders by secondary legislation, which will specify that certain practices that have been shown to be harmful should be made illegal.

The third key proposal in the White Paper is better access to advice. People need quick, accurate answers to consumer problems. We will promote the development of a new advice network, building on the existing agencies. People will be able to see easily where they can get good-quality advice. We will also set up a new telephone helpline. Today, I have launched a new consumer gateway on the internet, to provide easy access to consumer advice and information.

Fourthly, we will improve research on consumer issues, so that our policies are based on sound evidence. Many feel that they are paying higher prices for everyday items than people in other countries. We can all understand why rice costs less in China than in Chingford, but why do trainers cost less in New York than in Newcastle, or a CD less in Washington than in Winsford?

I have, therefore, launched a full survey of international price comparisons. That will compare the prices of some 100 products across four countries—the United Kingdom, France, Germany and the United States. I already have powers to refer prices in a particular sector to the Director General of Fair Trading, and I will use those if the survey shows that the British consumer is being overcharged.

The White Paper contains some 70 measures, which cover a whole range of issues. We will make prices clearer to customers; consult on plans for tougher controls on misdescription of services; make sure that a pint of beer is a pint of beer; and make it easier for people to spot if the mileage reading on a car has been fiddled. We will also support and improve enforcement agencies so that they are better able to meet the expectations of consumers and business.

We do not want to distract business from its focus on serving its customers. We will in addition, therefore, begin a programme of reviewing all consumer protection legislation to find out whether it is still effective in meeting the needs of consumers, or whether it has simply become a burden on business with no apparent benefit to the consumer. To start the review, I have today published a consultation document on the law covering weights and measures.

The programme in the White Paper is ambitious. It reinforces our commitment to modern, open markets. It works with the grain of the knowledge economy. It promotes stronger business performance as well as a better deal for consumers. It rejects endless regulation as the saviour of the consumer in favour of competition, information and effective sanctions against rogue traders. It is forward looking and sets a framework for the future. It charts a new way forward in which consumers and business serve each other's interests—benefiting us all through quality products and improved services.

A fair deal for all our people—that is the vision of this White Paper, and I commend it to the House.

Mrs. Angela Browning (Tiverton and Honiton): I thank the Secretary of State for making the documentation available to me just over an hour ago; I am most grateful.

There is much that we can welcome in the White Paper because it gives the consumer a fair deal. In particular, we welcome the fact that research into identifying retail price differentials between the United States, Germany, France and the United Kingdom will be improved. It is important that we identify exactly how the pricing structure is achieved before there is any hasty action to name and shame. For example, the strength of the pound, employment costs, land prices and so on will have a different impact in different countries. Therefore we welcome the Government's initiative in that area.

The Secretary of State mentioned enforcement and, in particular, the Office of Fair Trading and trading standards officers, but he did not mention resources. Given existing legislation, never mind any additions that he may intend to make, it is clear that resources, particularly in trading standards departments, are extremely important. It would be helpful if he would say how much new money will be put into backing the White Paper, particularly for trading standards officers.

To give just one example, since the Government took office, trading standards officers have been charged with the task of identifying the GM content of processed foods. The technology developed in the past few years to carry out such tests is still extremely expensive and trading standards officers do not have the resources to carry out that task. We are looking to the Government to endorse the proposals in the White Paper with detail on how they intend to resource the promises.

The Secretary of State's decision to review all consumer legislation is welcome, as long as no additional burden is placed on business. It is not acceptable simply to consider the legislation with a view to adding to the unnecessary burdens on businesses. He says that he does not want us to be a nation of Victor Meldrews; I say to him, "I don't believe it!" because the hallmark of the Government is their introduction of ill-thought-through legislation and their subsequent reliance on endless regulations, which are a burden and a brake on enterprise and on business.

Consumers have more spending power today than ever before, and we support any initiatives to give them best value and to ensure that they are well informed, but may I ask the Secretary of State about a particular part of his statement? He said that the Government have been able to respond quickly to new scams, which is good, and that they therefore propose to introduce a power to make orders by secondary legislation, specifying that certain practices that have been shown to be harmful should be made illegal. Will his suggestion lead to the creation of a criminal offence? If so, is secondary legislation the appropriate means for dealing with such an offence? I should be grateful if he identified in more detail what he means by practices that have been shown to be harmful and exactly how the law will follow his suggestion through to ensure that such practices do not occur.

The Secretary of State also mentioned the important matter of electronic commerce, which is a growing area for consumers and something that we welcome. It will

create a lot of changes. He is, of course, aware that there is a global marketplace; people are already buying across national borders. He mentioned an e-hallmark to cover goods sold through electronic commerce. How will that work? Will it apply to goods sold from a base in the United Kingdom? Is he seeking EU standards? How will the e-hallmark work in respect of people who make electronic purchases beyond the shores of the United Kingdom, particularly from the EU and further afield? We should be grateful for more detail on that.

Bearing in mind that this point has been flagged up in the press, so one must assume that it is true, can the right hon. Gentleman confirm that he intends to release the draft e-commerce Bill in the next 24 hours? Can he also confirm that no statutory licensing provisions will appear in it? We welcome his reference to weights and measures, but the Government failed to push in Europe for an additional moratorium for market traders. They are concerned because the regulations will change at the turn of the year, and traders in loose goods will be required to label goods in metric and imperial weights. Why did not the Government press for the derogation to be extended for another 10 years? This matter will cause those traders and their consumers a great deal of concern.

I must pick the Secretary of State up on one point. At the beginning of his statement, he said that there are more shoddy goods than high-quality products. We want the scams to end, and we want people who produce defective goods and services to be brought to book so that consumers are protected from them, but I caution him: that sort of language talks down the majority of traders and the bulk of the goods in this country. He needs to strike a balance. I shall leave him with a quote from John Ruskin, who died in 1900—the turn of the century. He said:

"It is not cheaper things we want to possess but expensive things that cost less."

Most consumers would agree with that; it is nothing new. If the White Paper can achieve that, it will have the support of Conservative Members.

Mr. Byers: I am grateful for the support that has been offered by the Opposition to many points in the White Paper. I hope that it is one of those sectors where, in a spirit of partnership, the House can go with the grain of what we seek to achieve. We will wish to pursue the issue in that way.

The hon. Lady raised a number of questions. On retail prices, clearly, a range of issues needs to be taken into account in addressing why products cost more in one country than in another. It is dangerous to look at the matter in a superficial, headline way. We need to get below the figures and to find out exactly what makes them up; I am very keen that we should do so. We should expose all the arguments, even if some may be more difficult to address than others.

With regard to legislation and burdens on business, I hope that, when the hon. Lady has had the chance to look at our document on weights and measures, she will get a clear feel for the direction in which we want to go, which is very much about reviewing the current position.

Most businesses are concerned about the mass of detailed regulations that come from the weights and measures legislation. We are considering ways in which to withdraw some of them to make life much easier for business. That will not compromise the position of consumers, who will still have protection, but it will make life much easier for businesses.

On e-commerce and buying through the internet, in international transactions, there is a real issue about where the contract is actually made and about which legislation would apply if there were a dispute after a contract was not complied with. In the White Paper, we say that we will seek agreement with the company or organisation that is selling through the internet. If it agrees to meet certain standards in complying with our consumer law on guarantees of quality of product, delivery and so on, we will give it our e-hallmark. If businesses do not agree to that, they will not receive the hallmark. That will be a simple way in which consumers can see whether the person with whom they are dealing, whether based in the UK, continental Europe, America or elsewhere, is meeting those standards. It is also an effective way in which businesses can comply with the standards. The pay-off for them is that, on their website, they will be able to demonstrate the e-hallmark to show the consumer that they have guaranteed those standards.

We hope to publish the e-commerce Bill in draft tomorrow. The hon. Lady needs to wait until then to see the detail, although she may have a good idea of what might be included in it.

We need to be able to move quickly on new scams. It is a dramatically fast-moving area: new scams are developing almost daily. We may find that, if we try to put something in stone today, we shall be out of touch by tomorrow, so we need some flexibility, although I take the point that criminal sanctions are a significant step. I said in the statement that we were considering criminal sanctions in certain sectors. We will consult fully before we embark on that road.

The hon. Lady makes an important point on enforcement. If we are to ensure that, day to day, enforcement is effective, we will need to provide trading standard officers with the means to deliver on the ground. Because of the priority that we attach to the White Paper and to consumers, whom we now want to bring centre stage, I will devote from my Department—redirecting resources that are earmarked within the budget to go elsewhere—an extra £30 million to deliver on the White Paper proposals.

Several hon. Members rose—

Mr. Deputy Speaker (Mr. Michael J. Martin): I now call Mr. Dennis Turner.

Hon. Members: He has just walked in.

Mr. Dennis Turner (Wolverhampton, South-East): I was sitting here when I listened to the excellent statement by my right hon. Friend the Secretary of State.

I should like to say without any further interruption how much I appreciate the White Paper, particularly the reference to giving the millions of beer drinkers in this country the protection and consumer support that they deserve. In the previous Session, I tried to introduce the Weights and Measures (Beer and Cider) Bill which sought to do just that. I look at the expressions of Conservative Members. The Conservative party had the opportunity to support earlier legislation in the interests of beer drinkers, but it refused to do so. In 1992, it took similar legislation out of the programme and refused to give that

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protection—what a contrast with the Labour Government and the Secretary of State, to whom I am extremely grateful. The beer drinkers of Britain will also be extremely grateful. I hope that, as a consequence of the White Paper, before too long we shall see this long-overdue legislation and that every beer drinker in Britain will get the fair measures that they deserve.

Mr. Byers: I look forward to raising a full measure with my hon. Friend later today to celebrate the full measure contained within the White Paper. I am sure that the White Paper will be welcomed by beer drinkers throughout the country and by millions of other people. I compliment my hon. Friend on raising this matter over a number of years to try to get a fair deal for the British beer drinker. I am delighted that we have been able to find space in the White Paper to take up his best proposals. This is a good example of a Government working for everyone, including beer drinkers, unlike the Conservative Government who worked just for the few.

Mr. David Chidgey (Eastleigh): I, too, thank the Secretary of State for providing me with his statement an hour before he delivered it. Incidentally, it puts excellent flesh on the bones of the summary provided by BBC Online from about 9 o'clock this morning.

I welcome the first proposal and should like to raise a few points on the key principles for consumers: access, choice, information and redress. On codes of practice, it is important that trade associations achieve a change of emphasis from self-interest to consumer interests. Will the Secretary of State confirm that he intends self-regulation to be a universal concept, applied wherever possible, across all sectors of commerce and trading? Codes of practice are one thing, but compliance with them is another. Will he confirm that non-compliance with the code of practice would be an automatic cause for redress by consumers, with prosecution to follow where appropriate? Will he confirm that the breaking of the code of conduct will trigger the process?

Like the hon. Member for Tiverton and Honiton (Mrs. Browning), I welcome the strengthening of trading standards officers' powers. The Secretary of State mentioned the £30 million in his coffers. He knows that trading standards officers are incredibly overstretched. What discussions has he had with his colleagues in the Cabinet to ensure that more resources are available to strengthen trading standards departments in local authorities, which are at the sharp end?

I welcome the promotion of the advice network for consumers set out in the statement. How will that link in with the CBA network—[HON. MEMBERS: "CAB".] Yes, I beg hon. Members' pardon. Citizens advice bureaux are often the first port of call when consumers seek redress if they have a problem with goods or products. *[Interruption.]* Although I enjoy the humour of Conservative Back-Bench Members, this is an important issue. What consultation is the Secretary of State carrying out, and what proposals does he have to enable CABs to provide better legal advice, leading to redress in the courts, for people who find themselves in that position?

Consumers have a right to full information about the goods that they purchase and the choice available. What plans does the Secretary of State have to enforce full and clear labelling on food products? I am thinking particularly about products that may contain genetically modified organisms.

The hon. Member for Tiverton and Honiton asked about metric weights and measures. Do the Government intend to pursue the opportunities that they still have to preserve imperial weights and measures at the point of sale for goods that are sold in bulk?

We all welcome the strengthening of consumer protection, but will the right hon. Gentleman tell us what assessment he has made of the additional costs that will inevitably be borne by the taxpayer, and by business?

Mr. Byers: The hon. Gentleman welcomed the broad thrust of my proposals, and I welcome the broad thrust of the support that he has expressed.

The hon. Gentleman asked about the role of trade associations. I think it important to make clear what we mean by the seal of approval from the Office of Fair Trading. The code will be purely voluntary. Members of the public will recognise the seal of approval; they will be able to see it clearly in Yellow Pages. It will meet a standard—

Mr. Chidgey: A kitemark?

Mr. Byers: A kitemark, perhaps; call it what you will.

That is the nature of the seal of approval that we want to introduce for businesses that sign up to the code of practice. However, there will still be businesses that do not sign up, and customers will need to be aware that they are dealing with organisations that have not received the seal of approval. The full range of the law will apply to businesses—as it does to all businesses—that fail to deliver on the contracts into which they have entered, and do not provide proper compensation.

The hon. Gentleman asked about trading standards officers. Yesterday, we had a useful meeting with the group representing trading standards officers' organisations, which has been closely involved in the development of the policies in the White Paper.

There remains the question of how we can target the extra funding to ensure that it is used specifically for consumer-related matters. We shall be considering whether we can find a mechanism enabling us to do that, through local authorities, and we shall be engaging in discussions to that effect.

The hon. Gentleman raised the important issue of the role of citizens advice bureaux. No doubt many hon. Members' constituencies contain CABs that play a vital role in the provision of this and other information. We have just allocated an extra £1.3 million to the CABs nationally, so that they can use their computer network to provide advice on consumer matters as well as other issues. The CABs have also been closely involved in the details of the White Paper, along with the Consumers Association. They broadly welcome our approach, and especially welcome the possible opportunity for CABs to get together with other information-providing organisations and to be located in the high street, so that they can give consumers information more readily.

The hon. Gentleman asked about labelling. We insist that any food with GM ingredients in tins and other containers must be clearly labelled: that is the approach that we have taken, and will continue to take.

As for the issue of imperial measures, there is no question of our preventing people from going into a high-street shop in Wallsend and asking for a pound of Cox's apples. We are also ensuring that shops do not suffer an undue burden because of the dual pricing that will be necessary. Consumers will not be affected: they will still be able to ask for a pound of apples, a pint of milk or a pint of beer.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. Before I call the next hon. Member, may I appeal for short, sharp questions—and, of course, short, sharp replies?

Mr. Dale Campbell-Savours (Workington): I wholeheartedly welcome the policy of sanctions against rogue traders. I think that this will be the key legislation in the current Parliament, because the public want change. They want an end to rip-off Britain. But what are we going to do about premium phonelines? People telephone a number, and are ripped off. What are we going to do to stop that?

Mr. Byers: I agree that strong action against rogue traders will make a huge difference to many of those whom we represent. Let me give clear notice that we intend to introduce strong, tough measures, reflecting the wishes of the British people. That will, of course, require legislation. There is nothing worse for a person who works hard all week and then goes out at the weekend to spend some of his own money than to find that he has been ripped off by one of these rogue traders—one of these scam merchants. We will act to stop that.

Premium phonelines are a matter primarily for Oftel, and we are discussing with Oftel how we can improve the present position. As most hon. Members recognise, it needs to be dealt with.

Mrs. Jacqui Lait (Beckenham): Will the right hon. Gentleman say whether the e-commerce hallmark will include any guarantee of the security of the electronic infrastructure, and what discussions he has had with the industries involved on secure electronic infrastructure? Will he also say whether the better regulation task force has been involved in the White Paper's preparation or will be expected to comment on it? How many deregulation measures does he expect to bring before the Deregulation Committee as a consequence of the White Paper?

Mr. Byers: I think that the hon. Lady will find that the weights and measures consultation document proposes a number of deregulation measures and that it will be very much welcomed by business. The better regulation task force has been fully consulted on the White Paper's details and it is supportive of our proposals.

The e-commerce hallmark is intended to ensure that people know that if they deal over the internet they retain their normal consumer rights. The e-commerce hallmark will address that issue.

Mr. Barry Sheerman (Huddersfield): I welcome the White Paper. I also very much welcome my right hon. Friend's emphasis in the White Paper on the need to make markets work properly. If we have a choice between competitive markets and overweening regulation, we should realise that consumers are served best by better-working markets.

In recent months, I have been very much involved in the financial services and markets pre-legislative inquiry, which has highlighted the fact that big financial decisions—such as buying a pension or obtaining a mortgage—can not only change consumers' lives but dog them throughout their lives. I hope that the emphasis will be on providing good information to consumers so that they are able to make a reasonable choice. Communication and information are essential for people who, without them, are lumbered with poor deals, poor pensions and poor mortgages.

Mr. Byers: Once hon. Members have had the opportunity to examine in detail the philosophy underpinning the White Paper, I think that they will realise that it very much recognises that consumers benefit when markets work well, and that not only businesses benefit from effective markets. We have no doubt that competition must be the driver in ensuring that consumers get a good deal or that competition creates lasting consumer benefit.

On the specific point about financial services, the White Paper is very clear in stating that those who are considering giving a mortgage, for example, will have to state very clearly the rates of interest that will be charged and present that information in a manner that is easily understood by those who are probably about to embark on the biggest financial transaction that any of us undertake. Those people have to have clear and precise information, and the White Paper proposes measures that will ensure that they are properly informed.

Mr. Christopher Fraser (Mid-Dorset and North Poole): In his statement, the Secretary of State raised several e-commerce issues. Will he say more precisely how the independent body that he mentioned will be constituted to address those issues? Will he also be more specific about the "knowledge economy" that he mentioned?

Mr. Byers: The knowledge economy is a recognition that whereas, in years gone by, the prime responsibility of business and of Government was to encourage investment in capital such as plant, machinery and equipment, if we are to win in the 21st century, investment will have to be in human capital such as skills, learning, knowledge and education. We have to respond to that priority. However, we are not saying that traditional spheres are not part of the knowledge economy. The hon. Gentleman made a good point in saying that if we are to be really successful we shall have to marry the two together. One of my priorities is to ensure that traditional spheres such as manufacturing both embrace and receive the benefits of the knowledge-driven economy of the future.

The independent body on the e-hallmark will have responsibility for judging whether a business qualifies to receive the hallmark. We think that it is far better if businesses themselves are involved in the process, which we shall have to monitor. The Office of Fair Trading, too, will have a role to play. Nevertheless, that is the role that the independent body will play in ensuring that when we award the e-hallmark for internet trading—whether in the

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United Kingdom or internationally—people will know that consumer law applying in the United Kingdom will apply also to that transaction.

Mr. Tam Dalyell (Linlithgow): A great deal was said in May by candidates of all parties for the Scottish Parliament on stronger action against fraudsters, the powers of trading standards officers in local authorities, criminal sanctions and scams. How does this measure fit in with legislation that the Scottish Parliament claims as its own?

Mr. Byers: These are reserved powers, but we will work closely with the devolved Administrations to make sure that our proposals are implemented in a way that is compatible with and supported within them.

Mr. Christopher Chope (Christchurch): Will the Secretary of State give an assurance that one of the products to be the subject of international price comparison will be the pump price of petrol and diesel? Will he give a further assurance that that will include also comparative rates of tax across the international market?

Will e-hallmarking be carried out by the e-envoy? What happened to the two candidates for e-envoy who were submitted by the right hon. Gentleman's Department to the Prime Minister's office in March? Have they both said they are not willing to take on the job? Does the Secretary of State think that giving a decision to job applicants within a reasonable space of time ought to be part of the new consumer standard?

Mr. Byers: The appointment of e-envoy will be made by the Prime Minister, who will make his decision known in the near future. Petrol and diesel prices are constantly monitored by the European Commission.

Mr. Gordon Prentice (Pendle): Many people in my constituency are fed up to the back teeth with being ripped off by one-day salespeople—for example, table-top salespeople at Cheltenham—and will be encouraged that the Government are at last tackling the problem. Will there be an obligation on one-day salespeople to give prior notification to trading standards officers that they will be in an area? It is all very well talking about criminal sanctions but, by their very nature, those people are literally here today and gone tomorrow. The question of prior notification is central.

Mr. Byers: The people to whom my hon. Friend has referred are well known to trading standards officers, but their frustration at the moment is that they have no effective powers to deal with them. Our measures, which will require primary legislation, will be able to tackle at source the type of activity to which my hon. Friend refers.

Mr. Patrick McLoughlin (West Derbyshire): In his welcome statement, the Secretary of State did not mention counterfeiting or whether he intends to take action on it. When he attacked hotel sales and table-top sales, should he not have put greater emphasis on saying to people, "Buyer beware"? People who buy from reputable retailers have protection, but some take a chance and buy cheaper goods from areas without the protection that we would expect from larger retailers. The right hon. Gentleman will be causing great trouble if he gives the impression today that the Government are able to underwrite every one of the millions of transactions that take place in this country. The one thing that disturbs me about his statement is that he is giving a false impression that somehow the Government will stop all these transactions.

Mr. Byers: If I have given that impression, I now have the opportunity, thanks to the hon. Gentleman, to say clearly that we recognise that the principle of caveat emptor—buyer beware—is important. There is a responsibility on consumers to make sure that they get goods that meet the given description. We believe that we will be able to achieve that only if consumers are informed, knowledgeable and confident, and those principles underpin the White Paper. We are taking action on intellectual property rights and counterfeit, and we are discussing how we can make the provisions in relation to intellectual property more effective.

Jane Griffiths (Reading, East): Can my right hon. Friend offer an assurance to organisations such as Yellow Pages, which employs 900 people in my constituency, that they can boost and maintain public confidence in themselves and that people who find a service or product through them will be safe from rogue traders?

Mr. Byers: My hon. Friend is a great advocate for the important role that services such as Yellow Pages play; they are a great source of convenience. I am pleased to say that there will be a dedicated part of Yellow Pages for those organisations that have received the Office of Fair Trading seal of approval, which will make life easier for the many consumers who have to find a builder, joiner or engineer in a hurry to do work as a matter of urgency.

Mr. James Gray (North Wiltshire): We are very grateful for what the Minister said about the proper labelling of foods containing GM products, but is he aware of the widespread abuse of the country of origin labelling of meat products? Meat pies labelled as made in Britain may well contain meat from cows that were grazed and slaughtered in Bolivia and were merely minced in the United Kingdom. Will the White Paper take account of that and put a stop to the abuse? If it does, both consumers and farmers in my constituency will certainly welcome it.

Mr. Byers: My right hon. Friend the Minister of Agriculture, Fisheries and Food is pursuing that matter and we are raising it in the World Trade Organisation because we think that it must be dealt with internationally. We want the country of origin to be clearly identified.

Mr. David Borrow (South Ribble): I want to highlight the weakness of the consumer in respect of ancillary services. The White Paper deals with hotel telephone charges. I want to raise the related matter of the problems of mobile home owners. Once they have purchased their home and pay ground rent, they are ripped off for ancillary services. Will my right hon. Friend take that weakness on board when the legislation is introduced?

Mr. Byers: There is specific legislation dealing with the position of the mobile home owner. I listened to my

hon. Friend and I will certainly reflect on the need to review the law in the light of the White Paper and the consultations surrounding it.

Mr. Nick St. Aubyn (Guildford): Will the Secretary of State take on board the fact that if, despite his best intentions, he undermines the principle of buyer beware, the message from today will be beware Byers? Will the Bill become law in time for the next general election and apply to the next Labour manifesto, because many voters regret the fact that it did not apply to the fine print of the current manifesto?

Mr. Byers: We had a raffle about who would be the first to say, "Byers beware" or "Beware Byers"—not a raffle, a guess.

Mr. Alan Duncan (Rutland and Melton): A sweepstake.

Mr. Byers: Indeed, a sweepstake; thank you so much. I always wondered what role the hon. Gentleman was meant to play on the Front Bench there. He is very helpful and I shall pass a note of thanks to the Leader of the Opposition for so sagely appointing him. I have quite forgotten what the question was now.

I am sure that our manifesto for the next general election will prove as popular and as accurate as the previous one.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): Two weeks ago, Volvo was found guilty of pricing malpractice, and yesterday there was a newspaper headline—"£6 billion rip-off"—referring to the Competition Commission's public hearings about car sales in Britain. Can any action be taken against Volvo under existing law, and will the White Paper help to tackle the enormous scandal of thousands of pounds more being charged for a car in Britain than in European markets?

Mr. Byers: I agree that it is a scandal. It is a matter for regret that the law is ineffective. A whole range of powers will be introduced next year as a result of the Competition Act 1998. Next week we will announce the sanctions that we intend to use under that legislation. They will be significant and will make companies examine carefully their conduct in this important area. I am afraid that the whole Volvo saga shows that the law was deficient and that we need to have new remedies in place. We are providing them in the competition legislation that will come into force next year. The measures in this White Paper will help too.

Mr. Ian Pearson (Dudley, South): I warmly congratulate my right hon. Friend and his team on today's statement and the White Paper. In particular I welcome the proposed e-commerce code and e-hallmark. Young people in my constituency increasingly buy CDs over the internet from the United States because they are typically 30 per cent. cheaper. I am sure that many more will do so when they have guaranteed consumer rights. I am sure also that American companies will not be slow to apply for our e-hallmark. What can my right hon. Friend do to encourage British companies so that in future my constituents can buy goods over the internet from Birmingham rather than Boston?

Mr. Byers: My hon. Friend makes an important point. I am pleased that the e-hallmark will be an effective way to give reassurance to people who will increasingly trade and buy goods over the internet. It is already happening with books and, in particular, CDs. I have no doubt that when we can get in place a framework with which consumers feel at ease and so want to deal over the internet, companies and businesses in Birmingham as well as Boston will want to be part of the new information age and the way in which transactions will take place in the 21st century.

Mr. Ian Bruce (South Dorset): I am sure that the right hon. Gentleman will agree that we already have similar types of controls on people such as solicitors and doctors, and he will know how dissatisfied people often are with these controls which are expensive to put in place. Is it not the case that often well-meaning Ministers add additional costs to the honest trader while the dishonest trader gets away scotfree? Clearly, we are trying to help the honest trader to improve trade rather than to penalise him. How will the Secretary of State's magic bullet get over this real problem?

Mr. Byers: The hon. Gentleman makes an important point. In drawing up the White Paper we have consulted representatives of the building trade—joiners and so on—to ensure that our proposals go with the grain of what they want. The hon. Gentleman will find that today's proposals have been welcomed. Nevertheless, over the months and years ahead we will continue to work in partnership with legitimate business because in tackling the cowboy builder we do not want to affect the legitimate trader. That is why we will work in partnership with business to make sure that we get it right.

Mr. Geraint Davies (Croydon, Central): I thank my right hon. Friend for drawing a line in the sand between Arthur Daley Tory rip-off Britain and new Labour consumer empowerment. Does he agree that the combination of internet sales with the single currency and e-hallmarking will give enormous power to the consumer in terms of relative price comparisons—the single currency makes that easy to see—and quality assurance which we should herald as a great success for Britain?

On a separate issue, can my right hon. Friend give any assurances that he will look into the bundling of products such as mortgages and insurance, which often confuses consumers and leads to excess commissions—indeed, unbundling?

Mr. Byers: On the bundling of financial services, my hon. Friend will be aware that today Mr. Don Cruickshank, who has been heading up the banking review on behalf of the Chancellor of the Exchequer, is publishing his interim report which will address some of those issues specifically. We welcome the proposals that he is putting in place which will benefit consumers. The British consumer is already beginning to compare prices. That has been one of the drivers behind today's proposals. That is why we are looking at more than 100 products, comparing prices in the United Kingdom, the United States, France and Germany. That will be of real benefit to British consumers.

Mr. John Bercow (Buckingham): Does the White Paper deal with the growing problem of unsolicited faxes, which affects thousands of businesses and consumers the

[Mr. John Bercow]

length and breadth of the country? Moreover, is the right hon. Gentleman aware that this important issue was originally aired earlier this Session in a ten-minute Bill promoted by my hon. Friend the Member for Mid-Dorset and North Poole (Mr. Fraser), with warm support from both sides of the House? Given that Members of Parliament, among others, regularly receive a stream of faxes, regrettably sometimes from people who appear to be a sandwich short of a picnic, early action to deal with the problem would be greatly appreciated.

Mr. Byers: There is a regional difference here: it is a pork pie short of a picnic in the north-east of England.

I compliment the hon. Member for Mid-Dorset and North Poole (Mr. Fraser) on his ten-minute Bill, which drew the matter to the attention of all Members of the House. We have been discussing with the director general of Oftel how we can carry this forward. He is putting in place proposals to allow people to secure their fax machines so that they do not receive unsolicited faxes. That is touched on in the White Paper.

Dr. George Turner (North-West Norfolk): I warmly welcome the fact that we are to tackle the problem of cowboy builders and tradesmen, who are the real despair of many pensioners, especially in my constituency.

Does my right hon. Friend recognise that the real rip-off in our pubs and clubs nowadays is the price of soft drinks? If we compare the prices in the supermarkets with what we are charged in pubs and clubs, it is clear that the typical family in Norfolk is being asked to pay sometimes as much per pint for the child's lemonade as for the father's beer. As we want young people and drivers to drink soft drinks, should not something be done to deal with the rip-off that families currently experience?

Mr. Byers: Those Members of the House who, like my hon. Friend and me, buy just soft drinks will know that the costs are excessive. Many consumers do not realise the cost because they often mix soft drinks with alcoholic ones. It is a real problem. We need to guarantee that prices are posted so that people can see what they are paying. The most effective way to drive down prices is to make consumers aware of what they are paying. That is what we intend to do, and we are discussing with the industry how that can best be secured.

My hon. Friend makes an important point about cowboy builders. They often prey on some of the most vulnerable members of our society. We all know of people, especially pensioners, who have had work done by a builder and have been intimidated when they find that the work has not been done properly. Once we have established the system, they will be able to go to a builder who has the code of approval. They will have the security and assurance of knowing that the person is technically competent and has a financial guarantee to underpin the work.

Points of Order

2.8 pm

Mr. Gerald Howarth (Aldershot): On a point of order, Mr. Deputy Speaker. During business questions, my hon. Friend the Member for South Staffordshire (Sir P. Cormack) raised with the Leader of the House the question of the abuse of privilege in the House. The Leader of the House rightly said that it was a matter for the Chair. I draw to your attention the fact that yesterday the hon. Member for The Wrekin (Mr. Bradley) used parliamentary privilege to attack the treasurer of the Conservative party. I understand that on "The World at One" today, the editor of *The Times* admitted that he had provided at least some of the information that formed the basis of the hon. Gentleman's attack.

Given that this is not the first time that a Member of the House has used parliamentary privilege to be an agent of a national newspaper—the right hon. Member for Swansea, West (Mr. Williams) was used by *The Guardian* in the last Parliament—do you consider it time that the House took action to ensure that hon. Members do not allow themselves to be used as pawns for national newspapers seeking to protect the position of their editors by increasing their circulation at the expense of the truth?

Mr. Deputy Speaker (Mr. Michael J. Martin): First, I would have hoped that the hon. Gentleman would have had the courtesy to notify the hon. Member of whom he makes a criticism. Secondly, on the main point made by the hon. Gentleman, the matter is not one for the Chair. If the House wants to change its rules, that is entirely up to the House; it is not a matter for the Chair.

Mr. Howarth: May I be clear about that, Mr. Deputy Speaker? You suggest that it is not a matter for the Chair, although the Leader of the House said that she thought that that was the case. On a point of accuracy, the right hon. Member for Swansea, West well knows that, on many occasions, I have mentioned his part in the matter that I raised, so I did him no discourtesy. The House will probably agree that the hon. Member for The Wrekin has already done enough discourtesy to the House. *[Interruption.]*

Mr. Deputy Speaker: Order. Please let me answer. Regardless of the personal opinions of the hon. Member for Aldershot (Mr. Howarth), he should always notify an hon. Member of whom he intends to make a criticism. The use of privilege is for hon. Members to consider; it must be used responsibly. It is not a matter for the Chair.

Mr. Nick St. Aubyn (Guildford): On a point of order, Mr. Deputy Speaker. On Monday, after the debate on the Railways Bill, and yesterday, in Madam Speaker's ruling on that matter, the Government were pressed to make clear what the progress of the Bill would be. Today in business questions the Leader of the House failed to take the opportunity to do so. Will you please rule, Mr. Deputy Speaker, after due consideration, that, if the Government do not spell out their timetable for the Bill's progress by

the time we go into recess, the Bill cannot progress beyond Prorogation in November? May I refer you to the first report of the Modernisation Committee? Paragraph 70 states:

"Any changes proposed in this area of the legislative process must clearly contain stringent safeguards."

The report pointed out that the House of Lords would also have to be involved. Paragraph 102 refers to the need for "the identification by the Government as early as possible of any Bill it wished to be subject to a carry-over procedure."

We have reached the point at which any need for a carry-over procedure for that Bill should be stated. I should be grateful if you would rule on the matter in due course.

Mr. Deputy Speaker: Once again, that is not a matter for the Chair. Bills die at Prorogation.

Mr. John Bercow (Buckingham) *rose—*

Mr. Deputy Speaker: I remind the hon. Gentleman that we have other business to consider.

Mr. Bercow: I am aware of that, Mr. Deputy Speaker. I am grateful for your guidance on that point; however, you will be aware that several right hon. and hon. Members have inquired about the procedure for the handling of legislation. When the issue was raised with Madam Speaker yesterday, she advised Members who were concerned about it to raise the matter with the Leader of the House at business questions.

Mr. Ivor Caplin (Hove): No one did.

Mr. Bercow: There was no opportunity to do so.

Can you now advise the House, Mr. Deputy Speaker, whether, in future, it is intended that there should be published criteria according to which Bills will or will not be referred to a Select Committee, and according to which there will or will not be two Second Reading debates rather than one? That information is of the utmost importance, and the Leader of the House is in a position to provide it. May we please have guidance?

Mr. Deputy Speaker: The only guidance that I can offer the hon. Gentleman is that it is nothing to do with me. The hon. Gentleman may want to take the matter up with the Leader of the House—*[Interruption.]* Order. The right hon. Lady is a most approachable Minister; the hon. Gentleman should go to see her.

Mr. St. Aubyn: I am grateful to you for your previous ruling, Mr. Deputy Speaker. May I also ask you to guide the House in respect of "Erskine May"? Page 536 of the latest edition states:

"A Commons bill reported from a select . . . committee is normally recommitted to a Committee of the whole House."

Given that the Railways Bill will not come back from the Select Committee for Report until the middle of November, which is effectively the end of the Session, and given that the Bill cannot be amended in the Select Committee, will you please rule that the Bill will require a further Committee stage and that it is therefore bound to die at the end of this Session?

Mr. Deputy Speaker: I must remind the hon. Gentleman that the Bill was referred to the Select Committee; it was not committed to the Select Committee.

Mr. St. Aubyn: I apologise for taking up the Chair's time on this highly complex matter. It confuses many of us, although it would not do so if the Government had made their position clear. "Erskine May" refers to a Bill being reported from a Select Committee, regardless of the way in which it went to the Committee in the first place. Whether the Bill is referred or sent to the Committee, the Committee is charged with reporting back to this House. According to "Erskine May", at that point it is required to be "recommitted" to another Committee. In those circumstances, may we have the advice of the Chair on the likelihood that time will run out for the Railways Bill in this Session?

Mr. Deputy Speaker: I have nothing to add to the advice I have already given the hon. Gentleman. It may not be satisfactory to him, but it is the best that I can offer.

Orders of the Day

Food Standards Agency Bill and Employment Relations Bill (Allocation of Time)

2.15 pm

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): I beg to move,

That the following provisions shall apply to the remaining proceedings on the Food Standards Bill and on the Employment Relations Bill—

Timetable

1.—(1) Proceedings on Consideration and Third Reading of the Food Standards Bill shall be completed at today's sitting and shall, if not previously concluded, be brought to a conclusion six hours after the commencement of proceedings on this Motion.

Questions to be put

2.—(1) This paragraph applies for the purpose of bringing any proceedings to a conclusion in accordance with paragraph 1(1).

(2) The Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any Amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

(3) On a Motion made for a new Clause or a New Schedule, the Speaker shall put only the question that the Clause or Schedule be added to the Bill.

(4) If two or more questions would fall to be put, under sub-paragraph (1)(c) on Amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those Amendments or Motions.

3.—(1) This paragraph applies for the purpose of bringing any proceedings to a conclusion in accordance with paragraph 1(2).

(2) The Speaker shall first put forthwith any Question already proposed from the Chair.

(3) If that Question is for the amendment of a Lords Amendment the Speaker shall then put forthwith—

(a) the Question on any further amendment of the Lords Amendment moved by a Minister of the Crown, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(4) The Speaker shall then put forthwith—

(a) the Question on any amendment moved by a Minister of the Crown to a Lords Amendment, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(5) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown, That this House disagrees to a Lords Amendment.

(6) The Speaker shall then put forthwith the Question, That this House agrees to all the remaining Lords Amendments.

(7) As soon as the House has agreed or disagreed to a Lords Amendment, or disposed of an amendment relevant to a Lords Amendment which has been disagreed to, the Speaker shall put forthwith a separate Question on any other amendment which is moved by a Minister of the Crown and relevant to the Lords Amendment.

(8) The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the appointment, nomination and quorum of a Committee to draw up Reasons and the appointment of its Chairman.

(9) A Committee appointed to draw up Reasons shall report before the conclusion of the sitting on the allotted day.

Miscellaneous

4. Standing Order No. 15(1) (Exempted business) shall apply to proceedings—

(a) on the Food Standards Bill at today's sitting, and

(b) on the Employment Relations Bill on the allotted day,

and those proceedings shall not be interrupted under any Standing Order relating to sittings of the House.

5. Standing Order No. 82 (Business Committee) shall not apply to proceedings on either of the Bills.

6. No Motion shall be made, except by a Minister of the Crown, to alter the order in which any proceedings on either of the Bills are taken or to recommit the Food Standards Bill; and if a Minister makes any such Motion, the question on the Motion shall be put forthwith.

7. No dilatory Motion shall be made in relation to either of the Bills except by a Minister of the Crown; and if a Minister makes any such Motion, the Question on the Motion shall be put forthwith.

8. The Question on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall be put forthwith; and Standing Order No. 15(1) shall apply to proceedings on any such Motion.

9.—(1) If at today's sitting a Motion for the Adjournment of the House under Standing Order No. 24 (as that Standing Order has effect in accordance with the Order of the House [16 December 1998]) stands over to Four o'clock and proceedings on this Motion have begun before that time, the Motion for the Adjournment shall stand over until the conclusion of proceedings on the Food Standards Bill.

(2) If on the allotted day a Motion for the Adjournment of the House under Standing Order No. 24 stands over to Seven o'clock (or, in accordance with the Order of the House [16 December 1998], Four o'clock), and proceedings on the Employment Relations Bill have begun before that time, or if such a Motion stands over from an earlier day, the Motion for the Adjournment shall stand over until the conclusion of any proceedings on the Employment Relations Bill.

10. If at the sitting today or on the allotted day the House is adjourned, or the sitting is suspended, before the time at which any proceedings are to be brought to a conclusion under paragraph 1(1) or (2), no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

Interpretation

11. In this Order, 'allotted day' means any day on which the Employment Relations Bill is put down on the main business as first Government Order of the Day.

I propose to be extremely brief, as I am conscious that time taken on this debate will be time taken from debate on the measure. The Employment Relations Bill and the Food Standards Bill are important elements of the Government's legislative programme—indeed, both were referred to in our manifesto. Both Bills have already received substantial discussion and consideration in the House. As the whole House will be aware, the Food Standards Bill, in particular, received an unprecedented amount of scrutiny—public consultation, which produced 1,000 replies; a Special Select Committee; a Second

Reading; and an ordinary Standing Committee. The Government are now keen to maintain the momentum of the measure.

It was not possible to complete consideration of the Lords amendments to the Employment Relations Bill last night; that is why it was necessary to table an allocation of time motion today. The motion must be seen against the background of a lack of progress and of the difficulties that have occurred throughout the week. I fear that it has become quite clear—

Mr. Nick St. Aubyn (Guildford): As the right hon. Lady was present during the earlier exchanges, will she explain to the House why, at the start of this week, it was necessary to take up a whole day's sitting on a Second Reading of a Bill that clearly cannot progress to fulfilment during this Session? That has now caused the right hon. Lady to introduce a guillotine motion on other important Bills.

Mrs. Beckett: No, I do not propose to get involved in that matter, for the simple reason that, as I have pointed out, I do not want to take time from the matters that we are now discussing—the matter raised by the hon. Gentleman is not one of them. I am sorry if the hon. Gentleman and his hon. Friends did not have the chance to raise the matter at business questions, but that is not a matter for me. The issue was not raised with me and, consequently, I did not deal with it. *[Interruption.]* I do not propose to deal with it now, no matter how often it is raised. If hon. Gentlemen want to raise it, they should please not waste the time of the House.

Mr. Ian Bruce (South Dorset): I am confused about what happened yesterday to make the right hon. Lady decide to curtail business. She will know that the House expected that the Access to Justice Bill—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I shall not allow hon. Members to mention other Bills. We have an allocation of time—

Mr. Bruce: On timing.

Mr. Deputy Speaker: Order. We have an allocation of time motion before us, which specifically relates to the Food Standards Bill and the Employment Relations Bill. No other Bill should come into that discussion.

Mr. Bruce: I apologise for naming that particular Bill, Mr. Deputy Speaker. However, because of the way in which yesterday's business was conducted, both the Leader of the House and I did not actually return from Buckingham Palace in time to vote. We were expecting a vote at 6 o'clock, but the vote took place 20 minutes earlier. The right hon. Lady will probably remember that the second vote was so early that she arrived from the Palace still wearing her hat—looking very elegant. Surely, we were moving faster yesterday and today's guillotine motion is not justified.

Mrs. Beckett: The hon. Gentleman makes some kind remarks, but flattery will get him nowhere.

The hon. Gentleman referred to the specific timing expected for a particular vote, and what that indicated as to the passage of legislation. He alleges that a particular vote was expected for a particular time; that is a matter that relates to the information that he had. I do not want to take up too much time, so I simply say to him and to the House, that, through the week, it had become clear that a small number of Opposition Members were keen to disrupt the smooth passage and progress of business. I make no complaint about that, although it can be annoying to other Members. Such tactics are sometimes regarded as trivial, but they are a perfectly legitimate operation of the Opposition's role and of their rights in the House. I have no quarrel with that whatever.

However, as all hon. Members know, rights involve responsibilities. The Government have a responsibility to protect our business and to see it through and to protect the private Members' business that is set down for consideration tomorrow. That is the last day available to consider private Members' business and many hon. Members hope to see their legislation progress. The hon. Member for West Derbyshire (Mr. McLoughlin) raised that matter with me during business questions.

Events throughout the week led to our conclusion that a few hon. Members were keen to slow down progress. Although I recognise that programme motions are preferable to guillotine motions, even if programme motions had been agreed on this legislation—and they were not—we would then have had to ask whether that promise could have been delivered. The Government chose to move this guillotine motion against that background and in the light of events during the past week.

Mr. David Maclean (Penrith and The Border): I have listened carefully to the right hon. Lady's comments. Is she suggesting that, because about five Opposition Back Benchers kept Labour Members up until beyond midnight on Monday, she proposes to guillotine the Food Standards Bill—which had Opposition support in Committee, which came out of Committee bang on time and upon which I think the Government will admit they received the full co-operation of my right hon. and hon. Friends? Is that the right hon. Lady's justification for chopping ruthlessly the time allowed for its consideration today?

Mrs. Beckett: We are not chopping it ruthlessly. We have provided adequate time to discuss the Bill and that will occur so long as we do not take up too much time considering this motion. I am well aware of, and the Government recognise, the part played by Opposition Members in the Committee's considerations—in which I understand the right hon. Gentleman also played a distinguished role. It is not a matter of time, or of people being kept up late. The right hon. Gentleman may be aware that, of the nine Divisions that were called on Monday night after a couple of hours of debate, seven related to statutory instruments and all of them had been to Standing Committee and passed unopposed.

Let us not be mealy-mouthed about this. We all recognise and understand the tactics employed—they are legitimate tactics for Opposition Members to use. However, it is equally legitimate for the Government to recognise when they are being used and to take the decisions that a Government must take.

2.22 pm

Sir George Young (North-West Hampshire): The motion before us would curtail the debate on two Bills—the

[Sir George Young]

Employment Relations Bill and the Food Standards Bill—neither of which we have sought to delay. At no time in her speech did the Leader of the House allege that the Opposition intended to obstruct the measures. These Bills have been caught up in some wider Government agenda—about which they have been less than explicit—which requires some display of virility and the exercise of their majority in this place before we rise for the summer recess.

I shall deal first with the Employment Relations Bill and to the events of yesterday. The House began considering the Access to Justice Bill and the Lords reasons for disagreeing with House of Commons amendments at 3.56 pm. Consideration concluded three hours later after one Division, which was called by the Opposition. There was no delay and no evidence of any obstruction of the Government's business. We then began considering Lords amendments to the Employment Relations Bill at about 7 o'clock. By 10 o'clock, there had been one vote—which we had called—and we had finished considering all the issues in which we were interested, with the exception of two upon which we wanted to have a brief debate and to vote. The rest of the business was Government amendments.

I have looked through yesterday's *Hansard* to see whether there was any filibustering by my hon. Friends. I saw some references to "The Goon Show" and to "Hancock's Half Hour" but they were made by the Secretary of State for Trade and Industry, who also asked whether druids were exempt from the minimum wage. The Secretary of State made the longest speech in the debate leading up to the guillotine announcement. Indeed, the right hon. Gentleman was called to order in column 1288 of *Hansard* for moving away from consideration of the amendment. Only one of my right hon. Friends was called to order, at column 1283 of *Hansard*, for straying from the subject under consideration. There were no long speeches, only good, serious contributions to the argument.

A 10 o'clock motion on yesterday's Order Paper in the name of the Prime Minister would have enabled the House to sit beyond 10 o'clock, and I have no reason to doubt that consideration of the Bill could have concluded at a reasonable hour. The Order Paper then listed for consideration another Bill, the Contracts (Right of Third Parties) Bill, which is clearly not very important, as it has now disappeared into the spill-over. There was nothing in the conduct of the Employment Relations Bill yesterday to justify imposing a guillotine.

The House did not begin its final deliberations on the Food Standards Bill yesterday because it was due to be considered today. We did not oppose the Bill on Second Reading and we dealt with it in Committee in three weeks, which is a reasonable time scale. I assure the House that the Opposition did not intend to disrupt the passage of the Bill today, and it is simply absurd to imply that we wanted somehow to threaten private Members' business tomorrow.

The Leader of the House asserted yesterday—she repeated that assertion today—that we did not agree to a programme motion. That is a wholly new doctrine: "Sign this programme motion or we will guillotine you." That is not how the business of the House is arranged.

Mrs. Beckett *rose—*

Sir George Young: Perhaps the right hon. Lady would allow me to finish my point. We gave an undertaking, which I believe that the Government accepted, that we would not delay the passage of the Bill.

Mrs. Beckett: That is not what the Government are saying. If the right hon. Gentleman looks over the pattern of events this Session, he will see that, on the last few occasions when the Government felt obliged to guillotine legislation, we sought programme motions that were refused. When we embarked on the process of debate, there was then substantial delay. So, unfortunately, there is a history of the refusal to agree to a programme motion leading to subsequent delay, which has made it necessary to impose a guillotine.

Although we were only a third of the way down the amendment paper when I made my business statement last night, the right hon. Gentleman makes much of the fact that the Opposition wanted to raise only one or two minor points, which he implies could have been dealt with speedily. Why did no Opposition Member approach the Government side to explain that the Opposition wished to continue for another half an hour, an hour, or whatever? We all know that that is a perfectly ordinary way of discussing and arranging business through the usual channels. However, it was not done.

Sir George Young: The right hon. Lady has raised many points. However, with respect, she did not deal with the final point that I made before her intervention—perhaps because she had decided to intervene before I made it. We gave an undertaking—which I believe that the Government accepted—that we would not delay the passage of the Food Standards Bill. That denies the right hon. Lady's reference to an earlier case, when no similar undertaking was given. In this case, we said that, although we did not agree to a programme motion, we would not delay the passage of the Bill. I believe that that undertaking was accepted.

The Leader of the House said that there was no implied threat. However, she said yesterday:

"It is the Government's lack of certainty about proper progress of business—not just as a result of the official Opposition, although I remind the hon. Gentleman that they did not agree to a programme motion on the Bill—that has led us reluctantly to take this step."—[*Official Report*, 21 July 1999; Vol. 335, c. 1296.]

That is a clear implication that, if we did not agree to the programme motion, we would expose ourselves to a guillotine. That is not how the House does business, and I hope that we will not be confronted with that sort of argument in the future.

Mr. Kevin Barron (Rother Valley): Many hon. Members who were in the Chamber on Monday night witnessed Divisions for two hours—if our constituents had seen it, they would have thought that we were barmy—on issues that had appeared before Standing Committees and been agreed without Divisions. The right

hon. Gentleman had no control over the Opposition Whips or his Back Benchers that day. He can do nothing to stop those people disrupting Parliament. The Government have every right to protect the business of the House if he cannot protect us from half a dozen of his Back Benchers.

Sir George Young: The hon. Gentleman has given the game away. The guillotine has nothing to do with these two Bills; it is revenge for what happened on Monday.

The Leader of the House has announced another guillotined debate for next Monday on yet another Bill. So the Government are planning to end the Session in the high-handed, dictatorial manner to which we have become accustomed.

Mr. Gordon Marsden (Blackpool, South): Does the right hon. Gentleman accept that the Leader of the House is motivated not by revenge but by judgment, because the Opposition have shown that they are singularly incapable of controlling their own Back Benchers?

Sir George Young: The Government are guillotining discussion on two Bills on which the Opposition have given undertakings. At no time in the speech that we have just heard did the right hon. Lady challenge our undertakings or imply that we were going to obstruct the Bills. As she said yesterday, and as we have heard today, the guillotine has nothing to do with the Bills; it is a result of what happened on Monday. When I asked yesterday what was the reason for the guillotine, the right hon. Lady said:

"Time has been taken up in the House."

One wonders what the House is for if not to take up time.

Mr. Lindsay Hoyle (Chorley): Is not the right hon. Gentleman embarrassed by the fact that his party is being run by about six or seven vigilantes who are disrupting the business of the House? He ought to be ashamed of trying to defend them.

Sir George Young: That is an absurd allegation about a number of my right hon. and hon. Friends, who take their duties to the House as seriously as did a number of Labour Members during the 18 years when we were in government. I am sure that the hon. Gentleman wants to cast no aspersion on the late Bob Cryer or on the hon. Member for Bolsover (Mr. Skinner). Is he directing at them the remarks that he has just made about some of my colleagues? *[Interruption.]*

Mr. Deputy Speaker: Order. The House must come to order. We cannot have hon. Members shouting across the Chamber.

Mr. St. Aubyn: I am sure that, in his study of *Hansard*, my right hon. Friend will have noticed that, on Monday night, we were having an important debate about an entirely new procedure, which was being invented on the hoof by the Government for their own purposes, and that debate was foreclosed by the Government's action without any attempt to answer the important questions being asked. It is Labour Members who are not taking their responsibilities to the House as seriously as they should.

Sir George Young: I quite agree, and my hon. Friends' reward is simply to be called "vigilantes" by Labour Members.

The reason given by the right hon. Lady last night for the guillotine was that it was in view

"of the lack of progress on business this week".

Later, she said that

"it was the progress and the general climate of the handling of business over the week . . . that led to the Government's concern."—[*Official Report*, 21 July 1999; Vol. 335, c. 1292-95.]

In other words, discussion is being guillotined on these Bills not because the Government are concerned about what might happen to them, but because, as we have heard, the Government wasted Monday on the Second Reading of a Bill that will have to have another Second Reading when we return in November. The House sat late, perfectly legitimately, and not nearly as late as we used to sit in 1979 and 1980, when we had many more late-night sittings. It is deeply disturbing that, after one late night, the Labour Government have overreacted in this way.

Mr. Geraint Davies (Croydon, Central): The right hon. Gentleman said earlier that last night's business could and would have been completed by a reasonable hour. In that case, surely six hours is enough time to complete the business today, so why does he not sit down and allow the House to get on with the business in hand?

Sir George Young: The Government are guillotining two Bills. If the hon. Gentleman accepts our undertaking, why is there any need for a guillotine?

The reason for the guillotine dates back to earlier this week, so the Government must have been planning it for some time. Yet, when we had a debate on the summer recess arrangements yesterday morning, there was no mention of the guillotine for the remaining business. The first that I knew about the guillotine was at about seven minutes to 10 last night, which was at about the same time as everybody else. We expect the normal courtesies to be extended if the House is to manage its affairs sensibly. That is simply no way for the Government to treat not only this Opposition party, but the Liberal Democrats, and it is no way to treat the House of Commons. It is not the right arrangement for the measures that we want to discuss.

Mrs. Beckett: I simply remind the right hon. Gentleman, in view of the point that he has just made, that, when I was shadow Leader of the House, I had experience of being in my office and seeing the Leader of the House on the screen telling the House about a guillotine motion, so I had no notice at all.

Sir George Young: The right hon. Lady made it clear that the reason for the guillotine motion was related not to what happened yesterday but to what happened earlier in the week. Against that background, she could have observed the courtesies of letting us know through the usual channels earlier than seven minutes to 10. Her hon. Friends had to call a Division to allow the Government more time to get their act together.

I say to the right hon. Lady that we have helped the Government when they have made a reasonable case. About a fortnight ago, I added my name to a programme motion, so it is nonsense to assert that we do not act reasonably. In the case of the Food Standards Bill, we gave undertakings that the Government accepted.

[Sir George Young]

The guillotine is therefore unnecessary and vindictive. I believe that it an attempt to unite the Labour party after its well-advertised splits and tensions, and it does so at the expense of the freedoms of the House. For those reasons, we shall vote against the motion.

2.35 pm

Mr. Paul Tyler (North Cornwall): I do not intend to follow precisely all the points made by the right hon. Member for North-West Hampshire (Sir G. Young) because I do not think that repetition will help and it will certainly take time from the debate when our purpose this afternoon is obviously to get on with that debate.

I remind the Leader of the House that my hon. Friend the Member for Bath (Mr. Foster) asked at business questions specifically about the terms on which guillotine motions are brought before the House. I hope that, if she has time during the summer months, she will reflect carefully not only on those terms but on the consultation that takes place in advance.

Liberal Democrat Members' general approach is that a guillotine motion, which is a sledgehammer, should be used only as a very last resort. The way in which we use them at the moment does no credit to Parliament, individual parties or their individual members. It guarantees less effective scrutiny and less effective legislation, and both Parliament and the public lose out as a result. Moreover, the aggressive antics that inevitably follow such actions are not to the benefit of the reputation of the House or the work that we do.

The Leader of the House made much of what happened earlier this week in justifying the motion. I propose to spend a moment or two on that subject. Surely the aggressive antics that we have witnessed do not justify the particular motion in front of us today. As the right hon. Member for North-West Hampshire has said, the origins of the motion lie in the events on Monday night.

I was here throughout those proceedings, and I took part in the debate on the business motion. It became clear in that debate—I hope that, when the Minister of State, Ministry of Agriculture, Fisheries and Food replies to the debate, he will recognise and respond to this point—that, unless the Minister concerned knows the reason for a business motion, the House will be in a complete state of disarray. It was clear that the Minister for Transport did not know the answers to the questions that were being asked about the business motion. For example, she did not know whether, as a result of the Select Committee inquiry, there would be a second Second Reading. She did not know what would happen at prorogation. She did not know whether Standing Committee proceedings would follow.

The failure of those on the Treasury Bench to give adequate answers to important questions that were asked by hon. Members on all sides of the House resulted in a mess. Frankly, the events of Monday night were absurd, but the Government must take responsibility for failing to explain what would happen.

The Leader of the House has made much this afternoon about the progress of business through the House. All that happened on Monday night was that some of the usual hooligans—the term "vigilantes" is too much of a compliment—sought to disturb the business of the House. In the previous Parliament, the hooligans were members of the right hon. Lady's party; such people are a fact of parliamentary life. However, on Monday night, the hooligans had some justification for their actions, in that, at the end of the debate, there was no conclusion. The Whips moved a closure motion, but no answers had been given to the questions that had been asked. There had been a failure in communication.

I hope that, this afternoon, closure will not again be moved before the Minister has responded to the proper issues raised by those of us who want to improve the way in which the House deals with business.

I can only concur with the right hon. Member for North-West Hampshire about the panic business statement last night. We witnessed the charade of Labour Back Benchers forcing an entirely absurd Division so that the Leader of the House could arrive with an adequate statement. There was a complete lack of consultation. The right hon. Gentleman and I stood by the Dispatch Box just before the business statement was made and were told what it might contain. We had no opportunity to conduct proper consultation or find out whether we could agree on a process that would help the House to deal effectively with its business.

In an intervention, the Leader of the House implied that she was simply following the bad example of her Conservative predecessors. For goodness' sake—if we develop on that basis, the modernisation of the House will go into reverse. Taking a bad example from the past and adopting it as the process for the future—

Mr. Richard Shepherd (Aldridge-Brownhills): I am grateful to the Liberal Democrat Chief Whip for giving way, and I am very excited to hear his opinion that he and the Conservative Front Bench spokesman should consult on these matters, but the House is the representative institution for much more than Front Benchers. It must also enable Back Benchers to express their views. Back Benchers, I regret to observe across 20 years, are not always ad idem with the views of their party's Front Benchers, and that will apply to the Government as well as to the Opposition. If it is just a cosy-up between three Front Benches, where is the interest of constituents throughout this country protected, and where is the opportunity for Back Benchers to pursue an interest that may seem minor in the great scheme of things but is of great importance to their area or constituency?

Mr. Tyler: I welcome that intervention because I entirely agree with it. The way in which on-the-hoof decisions are sometimes taken, even when the bipartisan usual channels are in operation, does not help the House to do its business in a way that is to the service of all our constituents. That is why short notice is, by its very nature, the antithesis of good consultation.

I happened to be sitting in my office watching the debate, and at 9.55 pm I happened to see the text come up at the bottom of the screen, saying that there would be a business statement at Ten o'clock. I had no foreknowledge. For the Leader of the House to tell us that, on a previous occasion, she sat in her office and was told nothing, is merely to suggest that no lessons have been learned from the mistakes of the past. Two wrongs do not make a right; surely we should know that. I hope that there will be no repeat of that.

It is extremely important to bring one piece of information before the House. I understand that the Conservative party was offered a programme motion—no one has yet denied that. However, I do not know the terms of that motion, or whether the Conservatives turned it down flat and were not even interested in talking about it. If so, I think that we should know. I, on behalf of my right hon. and hon. Friends, was never even offered the opportunity to comment on a programme motion. We would have been very sympathetic to it.

The hon. Member for Aldridge-Brownhills (Mr. Shepherd) and I are both members of the Modernisation Committee, so he knows that I welcome sensible discussion in advance of business. I should like there to be a business committee to take over that responsibility, so that we do not have to rely on the usual channels. By definition, in a House that is now multi-party, a two-way conversation, with one person saying yes and another person saying no, is also the antithesis of good consultation of the whole House, and we must get away from it.

That may be necessary in exceptional circumstances—

Mr. Maclean: Will the hon. Gentleman give way?

Mr. Tyler: No; I want to make progress, because I want to get on to the debate.

Mr. Maclean: On that point.

Mr. Tyler: The right hon. Gentleman may make his point in due course. I am sure that it is vital, but, even so, I want to make progress.

In my book, there is a very important difference, not of degree but of substance, between a programme motion, which is agreed to, and an imposed guillotine, which by definition is disagreed to. I hope that we shall find ways to develop the former, so that the opinions of those in all parts of the House have a better opportunity of feeding into the way in which we conduct business.

The right hon. Member for North-West Hampshire has mentioned the two Bills that are the subject of the timetable motion. Throughout yesterday evening, I carefully watched the way in which the Employment Relations Bill was debated. For once, the ingenuity of the Opposition was comparatively brief. The ingenuity of the Secretary of State for Trade and Industry was, uncharacteristically, extremely long winded. Any complaint about progress on the Bill should therefore have been directed by the Leader of the House at her colleagues, not at the Opposition. My hon. Friends were extremely brief.

As far as I can judge, the Government amendments were comparatively straightforward. They were also comparatively welcome to the Opposition and, to a considerable extent, they tidied up some inconsistencies that had been left by the Committee.

The House had not had an opportunity to judge whether there would be major problems on the Food Standards Bill. It had not been put to the test. All the signs were that there would not be major problems unless some of the Conservative Back-Bench hooligans had subtly thought up some new problems and wanted to cause trouble, in which case I am sure that we could have relied on the good offices of the shadow Leader of the House to keep them firmly under control. He is a firm disciplinarian, as we shall discover in a few minutes.

This is a test of the Conservatives' sincerity. If several Conservative Members pop up in a minute, and go on in a way that one or two of them can, we shall know that there is some hypocrisy among those on the Conservative Benches, because the important issue is surely to make progress on the Bill.

Mr. David Drew (Stroud): Will the hon. Gentleman give way?

Mr. Tyler: No; I am making progress.

I believe that last night's events very seriously—I hope not permanently—undermined cross-party co-operation on progress on business. We have made some real progress in this Parliament. The Government have been forthcoming with the programme motions following the advice of the Modernisation Committee. However, there must be real progress hereafter, and I hope that we shall find that last night's events were an aberration, not the pattern of what is to come.

The Food Standards Bill covers important matters, and I do not propose to speak for much longer. The Food Standards Agency is supported by Members in all parts of the House and by the wider public. There will be important issues to discuss, but I am confident that the Government will be forthcoming in meeting some of the concerns of my right hon. and hon. Friends as well as of the Conservative Opposition, not least in relation to smaller enterprises.

I hope that we shall avoid a full three-hour harangue. That is where the discipline of the right hon. Member for North-West Hampshire will come into play. Yes, in the past, the hon. Member for Bolsover (Mr. Skinner) has provided the hooligan element. Yes, in the present, the right hon. Member for Bromley and Chislehurst (Mr. Forth) does much the same thing. However, this afternoon is a test of the ability of the House of Commons to deal with an issue on which we basically have no fundamental political differences, and I very much hope that we can now get on with it.

2.46 pm

Fiona Mactaggart (Slough): I shall be brief. I want to share with the House the confusion that I felt, as a new Member, about the attitude of the Chamber to time. A historical convention seems to have developed whereby time is the only weapon available to the Opposition and to Back-Bench Members. That is a foolish weapon. The time has come for us to give Back-Bench and Opposition Members other opportunities to influence the progress of legislation.

It seems to me peculiar that, when issues are raised by those who are not members of the Government, usually the only vote that we may have is on whether the House shuts down its business completely. That does not sufficiently respect the interests of our electors or of those on the Government Back Benches, which might sometimes differ from the interests of those on the Front Bench. In a Chamber where the only weapon of anyone who has any criticism is time, Ministers naturally desire to keep their Back Benchers silent.

[Fiona Mactaggart]

It is time that we grew up and that we admitted that we all have an interest in representing the interests of our constituents and advancing the programmes on which we were elected. It is time to consider mechanisms that can better achieve those aims.

Interestingly, we used such mechanisms to some extent in the case of one of the Bills that is subject to the allocation of time motion—the Food Standards Bill. The Bill was introduced relatively late, but it received pre-legislative scrutiny, which fundamentally changed it on an issue on which the Opposition led the charge, but about which many Labour Back Benchers shared their concerns: the poll tax to fund the Food Standards Agency. Because that was done intelligently, we won on that issue without there being a great row.

The problem with the fact that the only weapon that is available to us in this place is time is that it encourages tribalism. It says, "This side are the good guys and that side are the bad guys," or vice versa. That may very well—

Mr. Shepherd: I appreciate that the hon. Lady is concentrating on time. Does she agree that time can be used to enable intelligent Members of Parliament, also trying to represent their constituents, to employ the device of intelligent, rational argument by which, if there is a problem, one unpicks a contention within a Bill? This guillotine motion, or any guillotine motion, is designed to curtail that opportunity. The hon. Lady's rationale does not address what is central to the purpose of the House of Commons—not this foo-fa of good will and good intent, but the detail of analytical and rational argument, dealing with the content of a Bill.

Fiona Mactaggart: I thank the hon. Gentleman for making an important point. By regarding time in the Chamber as the only valuable time, we do not get rational debate. We sometimes endure midnight chunterings, which are not examples of thoughtful and rational debate. Would we not be better off if we genuinely provided time to enable analytical, thoughtful debate to take place, to which I know the hon. Member for Aldridge-Brownhills (Mr. Shepherd) is committed? Such debate could make a difference and not simply provide the opportunity to bore and tire those on the other side of the Chamber into submission. We could actually change things. I think that the hon. Member for Aldridge-Brownhills and I are united in believing that that is our job in this place. We could do our job better if we had a more modern and grown-up attitude to time.

We should programme every Bill and we should know when the House will be in recess well in advance. I come from a tradition that knows that the pressure of the deadline often produces better work. However, we should focus on opportunities to debate that can produce thoughtful, intelligent and better responses, rather than indulging in ritual tribal warfare that degrades the Chamber.

2.52 pm

Mr. James Paice (South–East Cambridgeshire): The hon. Member for North Cornwall (Mr. Tyler) said that time-wasting last night stemmed very much from Labour Members. At 9.58 pm they called a wholly unnecessary Division. They had to produce two Labour Back Benchers as stooges to be the Tellers because there was a zero Opposition vote. That Division occupied 12 minutes, which perhaps enabled the Leader of the House to get her act together. I cannot help but wonder how much more of the meat of the debate could have been dealt with in that 12 minutes.

Mr. Hoyle: Will the hon. Gentleman give way?

Mr. Paice: I will happily give way to the hon. Gentleman, but before I do, I suggest that over the coming weekend or during the summer recess, he has a chat with his father, who was a past master at prolonging debate unnecessarily.

Mr. Hoyle: I do not have the opportunity to get a word in with my father.

To say that no Opposition Members voted in the Division to which the hon. Gentleman refers is not quite correct. I think that he will find that two of his hon. Friends went through the Opposition Lobby. They realised that they had made a mistake and went back through the other side of the Lobby to cancel their votes. How does the hon. Gentleman explain that?

Mr. Paice: *Hansard* records in column 1291 that there were no "Noes". There were just two Tellers. If Members had gone through the Lobby and had been head counted, they would have been recorded as having voted. It is as simple as that.

I wish to underline what a shambles the Government have made of taking the Food Standards Bill through its parliamentary stages. As the Leader of the House has said, it is one of the Government's flagship Bills. The Labour party heralded it in its manifesto and it has not been opposed by any Opposition party.

Let us reflect on what has happened in the Government's handling of a flagship policy. The White Paper, on which the Bill was to be based, was published in early 1998. It was very welcome. It then went out to consultation. We were promised the draft Bill in the summer of 1998, after consultation had taken place. We did not get it until February 1999. The Government, properly, suggested that it should receive pre-legislative scrutiny. That was a sensible approach to the consideration of such a Bill and I have no criticism of that. However, the Government sought to complete that scrutiny in only seven weeks.

It is worth referring to what the Special Select Committee that scrutinised the Bill said. The hon. Member for Rother Valley (Mr. Barron), who chaired the Committee, is no longer in his place. It should be borne in mind that that Committee was massively dominated by Labour Members. It stated:

"This period of just over seven weeks is by any standards a very short one for an inquiry by a Parliamentary committee."

Paragraph 8 reads:

"Given the way in which a select committee undertakes an inquiry, by requesting written evidence, taking oral evidence, and finally producing a report, it is clear that seven weeks is a far from ideal amount of time. We are concerned that this first exercise in ad hoc committee pre-legislative scrutiny should have taken place under difficult time constraints".

It was flagged up clearly at that stage that even Labour Members felt that the Government were not providing enough time for the Bill.

There were the usual discussions through the usual channels immediately after Second Reading. I do not think that I am giving away any secrets when I say that the Labour usual channels wanted the Bill to be considered in Standing Committee in only one week, on the basis that there had been pre-legislative scrutiny.

The Select Committee that considered the Bill did so carefully and its report is an ideal example of what can be achieved. It produced recommendations relating to the principal issues arising from the Bill. It did not go through it line by line in the technical way that a Standing Committee does, but made a number of proposals. In one instance, thankfully, the Government accepted that Committee's advice and backed down on charging. If we have time this afternoon, we shall debate the Meat Hygiene Service, which is a clear example of the Government taking no notice of the Standing Committee's advice, or not responding to it properly.

It has been widely accepted that in Committee we addressed the issues constructively. Where we felt that specific issues had been debated thoroughly, we withdrew or did not even move amendments later in the proceedings, so that we might move on without rehashing old arguments.

Mrs. Caroline Spelman (Meriden): To complete the picture, I am sure that my hon. Friend is aware that only eight of the original 42 clauses remained unamended and survived the draft of the Bill that we considered in Committee. The vast bulk of the draft Bill had been amended.

Mr. Paice: I am grateful to my hon. Friend, who has considered these matters carefully. She makes the point that the Standing Committee had to scrutinise the Bill that was before it, which was not the same as the draft Bill originally presented. Some of the changes were welcome because they were responses to the recommendations of the Select Committee. That did not mean that the Standing Committee did not have a responsibility to examine the Bill.

On specific issues, we wanted more scrutiny. We said that we would raise those matters on Report. Last night, the Leader of the House accused me of not being present at business questions and suggested that I should have asked for more time to consider the Bill during previous business questions. However, there was no need to do that; we thought that we would have a full day on Report, with perhaps an extra hour or two hours. The right hon. Lady has implied that that would be perfectly acceptable. Six, seven or eight hours would have been adequate for what we were planning to do in raising certain issues.

If we had known that the Bill would be guillotined, we would have explored some of the key sections of the Bill rather more deeply in Committee. As it is, as my right hon. Friend the Member for North-West Hampshire (Sir G. Young) said, we delivered the Bill as we said we would. At the end of three weeks in Committee, we had not run over time. Indeed, we finished with about an hour to spare. No one can suggest that three weeks in Committee—only 11 sittings—is a sign of time-wasting.

The amendments and new clauses selected for consideration today are set out on one side of one sheet of paper. They are fairly well spaced out. There are not huge groups of amendments, as we sometimes see in other selection lists. Often, we find huge groups of Government amendments. Only 35 amendments were tabled and they were not all selected for debate. Three new clauses were tabled, one of which was not selected, and the Government tabled a new schedule. There are 13 groups on the selection list, one having been tabled by Plaid Cymru. As Plaid Cymru was not represented in the Committee, it should have the right to bring its amendments to the Floor of the House. One amendment was tabled by a Labour Back Bencher, supported by a couple of Liberal Back Benchers. That can hardly be laid at the door of the Opposition. Two groups of amendments are Government concessions, which we welcome, and one group consists of miscellaneous and drafting amendments.

No objective person would classify the amendments and new clauses tabled for this afternoon as time-wasting. Why should we waste time? We are not against the Bill. We support the principle. It now seems unlikely that we will reach all the major issues dealt with in the groups of amendments, in particular the Meat Hygiene Service, which we discussed to a degree—

Mrs. Beckett: I shall take only a second. The hon. Gentleman says that hon. Members wanted a day to debate the Bill and that that would have been adequate. A normal parliamentary day is six hours, and six hours is what the motion allows. He is not debating the Bill, but that is his choice.

Mr. Paice: If the right hon. Lady had listened, she would know that I said about a day, or six, seven or eight hours, which for many years has been a more typical day. Six hours is the minimum—

Mr. Maclean: I am grateful to my hon. Friend. The Leader of the House is trying to suggest to the House, as did the hon. Member for North Cornwall (Mr. Tyler) in his sanctimonious speech, that somehow it is improper to take time debating one of the most vicious and ruthless guillotines that I have experienced in 16 years in the House. Owing to the way in which the guillotine motion has been drafted by the Government, of course time spent on it will take time out of the debate, but God help this House if the Government say that we cannot discuss guillotines in future because that is inappropriate and takes time out of important debates.

Mr. Paice: My right hon. Friend makes a valid point. I am certain that, if challenged, the right hon. Lady could not name a guillotine motion in the 18 years of the previous Government on which the Opposition did not speak, or which they allowed to go through on the nod, as she implied by her comments today.

I limit my remarks to the Food Standards Bill. The legislation has been welcomed across the political spectrum, by outside bodies ranging from the National Farmers Union to the National Consumer Council—the entire spectrum of the food industry. They would be horrified by the arrogance of the Government in trying to rush through a Bill that must be right if the agency is to have the credibility that everyone wants it to have.

The Minister of State said that the agency will be the most powerful quango in the land—it may well be. Surely that justifies our demand that the Bill should be properly

[Mr. Paice]

examined. If the Government do not want it to be scrutinised, that is an indictment of their approach to the House and to legislation.

Mr. Christopher Gill (Ludlow): Will my hon. Friend give way?

Mr. Paice: If my hon. Friend will forgive me, I shall conclude in a moment. I am sure that he will have a chance to speak later.

When I entered the House, it was the convention that Bills were not timetabled—guillotined—until they had had 100 hours in Committee. That is not so long ago, and certainly well after both the Leader of the House and the Minister of State entered the House; they both preceded me by some years. Now it seems that the Government are riding roughshod over democracy in order to get their way.

Last night the right hon. Lady said that the Government needed certainty. That is the language of dictatorship, not of democracy. In any event, she has that certainty. It is represented by the hundreds of grinning eunuchs on the Benches behind her, who are not prepared to undertake proper scrutiny of the Bill, which it rightly deserves and which consumers throughout the country expect it to have.

3.3 pm

Mr. Geraint Davies (Croydon, Central): What a charade this is. We have already taken almost an hour on the allocation of time motion, and we have only six hours to debate that and substantive issues. It is clearly a case of arrogant self-indulgence from a few egos on the opposition Benches. Such enormous time-wasting is essentially anti-democratic. We know that we have only six hours. The posturing and pomposity of Opposition Members will make no difference to that. I am sick of listening to synthetic emotion from hon. Members who are incapable of making speeches less than 10 minutes long.

We need proper timetabling in this place, similar to the sittings motion before consideration of the Finance Bill, so that people will not jump up on their hind legs and speak for 20 minutes or half an hour about nothing. That is a waste of the time available to us and an example of end-of-term public school spirit on the part of the Opposition.

The right hon. Member for North-West Hampshire (Sir G. Young) let the cat out of the bag when he said last night—

Sir Patrick Cormack (South Staffordshire): Will the hon. Gentleman give way?

Mr. Davies: Hold on. I will give way in a moment. The right hon. Member for North-West Hampshire said that the business last night was in good order and could have been completed by a reasonable hour. It follows logically from that that we could easily complete the business today within six hours. That is ample time, which is why so much time is being wasted by Opposition Members, and here is another one of them.

Sir Patrick Cormack: I am exceptionally grateful to the gracious Member for giving way. I hope that he will apologise to the hon. Member for Slough (Fiona Mactaggart) for his attack on public school people, given that she is a product of Cheltenham Ladies college.

Is the hon. Gentleman aware that throughout the period of Labour opposition—18 long years, throughout which I was in the House—every guillotine motion was debated in full? Were his right hon. and hon. Friends guilty of synthetic fury?

Mr. Davies: I am glad to say that my hon. Friend the Member for Slough (Fiona Mactaggart) contained her remarks within less than five minutes. I hope to do the same.

As regards guillotines, the point backfires. The number of guillotines imposed by the previous Government was enormous. That shows the contradictory position of the Opposition now, when they jump up and down. Why do we not get on with the business in hand and discuss the Bills on the Order Paper?

3.6 pm

Mrs. Angela Browning (Tiverton and Honiton): It was the Lords amendments to the Employment Relations Bill that I addressed at about 6.50 pm yesterday. That business has been lost, although we could have completed it last night. *[Interruption.]*

I am asked why I am speaking from the Back Bench. I am doing so in order to contribute and to put on the record of the House the reason why an important Bill—a Government Bill—was thwarted by the Leader of the House at 10 pm last night.

As a member of the Conservative Front-Bench team, I co-operated with the Labour Whips to an extent that is probably unprecedented. Before I took my place last night, I had already indicated to the Whips that I would be quite happy for the first two groups of Lords amendments to be nodded through. I had indicated on the amendment paper the areas of debate on which I wanted to concentrate, and I had given every indication that the work last night could be concluded in good time.

There were, as the House knows, 19 sets of grouped Lords amendments, but only five amendments had been tabled to those amendments. Two had been tabled by my hon. Friends and me, one had been tabled by the Secretary of State for Trade and Industry, and two more had been tabled by my right hon. Friend the Member for Bridgwater (Mr. King) and cross-party members of the Intelligence and Security Committee.

I made it clear to hon. Members on both sides of the House that we would conclude the business last night. I also made clear the aspects that warranted discussion. There were two aspects in particular. One was the amendments tabled by the Intelligence and Security Committee, which took only three quarters of an hour to debate and were not pressed to a Division, despite the fact that the relevant Lords amendments were tabled very late in the progress of the Bill and had not been subject to debate or scrutiny in Committee either in this House or in another place.

Those amendments had important security implications for the country. The hon. Member for Slough (Fiona Mactaggart) uses dismissive language about the tenor of the debate. Had she been in her place

last night, she would know only too well that in our discussion of the Employment Relations Bill last night, we concentrated on matters of national security and on the other matter, relating to clause 15, on which ministerial commitments made in another place about amendments on Report had not been forthcoming.

Fiona Mactaggart: The hon. Lady misunderstood me. I made no dismissive remarks about last night's debate. Indeed, I was extremely interested in the proposals from the Intelligence and Security Committee. Had I been able to be present, I would have been in the Chamber for that debate.

My concern is that the House seems to have developed a habit recently of having, very late at night—*[Interruption.]* My constituents think that after 10 o'clock at night is a funny time to do one's work. The House has developed a habit of engaging very late at night in debates that are ridiculous rituals. If we held our debates earlier in the day, they might be less so.

Mrs. Browning: Of the 19 groups of amendments scheduled for debate last night, we completed six, the first two of which I agreed to nod through. But the two which took up the substantive amount of time were the two that I mentioned—one relating to national security matters raised by the Intelligence and Security Committee, which should have had proper scrutiny, and the other to clause 15, on which the House divided because commitments made by Ministers in the other place had not been honoured. It was when we then moved on at approximately 9 o'clock that the Secretary of State for Trade and Industry decided to share with us, amusing as it was for those of us who were present, anecdotes about Spitfire pilots and scenes from "Hancock's Half Hour". From 9 o'clock onwards, it was clear that the Government Front-Bench spokesmen were under instruction to filibuster.

Mr. Clive Betts (Lord Commissioner to the Treasury): Rubbish.

Mrs. Browning: I did everything that I could to co-operate with the hon. Gentleman's colleagues. At one stage, I referred one of his colleagues to other channels. I am not other channels, but, being in charge of the legislation, I was convinced that we could conclude it satisfactorily. Without the intervention of the Leader of the House at 9.50 pm, we would probably have concluded the Bill, including one more vote, by 10.30 pm. For that business to be lost to the House last night and deferred until next Monday was unnecessary.

Mr. Tyler: If it was not an intentional filibuster, it was certainly an effective unintentional filibuster. If the Government were not under instruction, they seemed to be doing it anyway, which seems an extraordinary situation. The credibility of what the Government have said has surely been blown to smithereens by their subsequent action of calling an absurd Division.

Mrs. Browning: The hon. Gentleman says that it was a filibuster; it certainly developed in that way. However, those of us who set out in good faith on the next group of amendments had no idea that it was to be turned into a filibuster by no less a person than the Secretary of State for Trade and Industry.

How shall we be able to accept the Government's word during future legislation? Knowing how to allocate one's time effectively in order to give due consideration to those issues that require it is becoming a pretty precarious business.

Dealing with amendment No. 17 last night I said:

"I will be happy to allow speedy progress on some amendments on the Order Paper, but not amendment No. 17. What has happened as a result of the amendment bears full examination."—[*Official Report*, 21 July 1999; Vol. 335, c. 1262.]

Throughout the evening I gave every indication of where I needed to spend time on matters of substance while reinforcing the message that, where we could make rapid progress, we would.

There still seems to be something of a mystery about the Government's agenda last night in curtailing progress on the Bill. Having voted to overturn a Lords amendment, it is clear that, even when we dispatch the Bill on Monday, it will have to go back to the other place.

Matters of great importance arise here, such as the timing of the application of the legislation for industry and employment. Given that the Government's excuse seems to be that they were all tired after Monday, the only conclusion to which I can come is that they were not only tired but pretty emotional as well.

3.15 pm

Mr. Richard Shepherd (Aldridge-Brownhills): Under the new Labour Government, guillotine motions are becoming increasingly ritualistic. The Leader of the House and I have voted long and often against the principle and employment of guillotine motions as an instrument of Executive abuse of process. The House, as a collective body of elected representatives, can only attest, or assent—if it is a higher order of attestation—to the proposals brought before us for consideration.

I felt for the Leader of the House because, towards the end of any Session, with the pressure of the necessity of returning to our constituencies and giving our constituents undivided attention for 14 weeks, the Government naturally want to ensure that they have secured all aspects of their business.

The Leader of the House tried to negotiate that concept, and adduced arguments which were essentially arguments of divination. I say divination, because as one reads the arguments that the right hon. Lady adduced last night, and which my right hon. Friend the Member for North-West Hampshire (Sir G. Young) cited, they have a curious ring. The right hon. Lady said:

"We have had a substantial amount of time wasted—[HON. MEMBERS: "What?"]—yes, wasted, although I accept not necessarily by the official Opposition as such. Time has been taken up in the House."—[*Official Report*, 21 July 1999; Vol. 335, c. 1292.]

In the exchange that the hon. Member for Slough (Fiona Mactaggart) was kind enough to allow me to pursue with her, I thought that we accepted that Members of Parliament have the right to try to express arguments on details, which are often outside the consultations. Therefore, any hon. Member can anxiously wait for an opportunity to rise on a clause which might be dismissed by a guillotine motion.

A generation ago and before, guillotine motions were looked upon as something shocking because they are the denial of freedom of speech. They may have something to do with the enormous legislative programmes that modern

[Mr. Richard Shepherd]

Governments seek to carry through. To list such programmes is almost the parliamentary equivalent of soundbites. From my own memory, I can recall a previous distinguished Prime Minister—to put it that way—who was elected on the basis that we have far too much legislation, coming to the Conservative 1922 Committee and cheering us, with a ringing affirmation, for passing 44 pieces of legislation during our first period of government. "Jolly good," the Prime Minister called out, then added, ominously, "but we can do better."

The claim to reduce the burden of legislation going through the House was in the Conservative party's election manifesto. But within one brief parliamentary Session that was out of the window and we were into the business of proclaiming how many pieces of legislation we had scuttled through the House.

Nearly 20 years later, a new Government have come in, and what is one of their most ringing cheers? Of course, they have to clear up the detritus, the misgovernment of Britain for 2,000 years, the misappropriation and all the rest. I seem to recall that one of the current Prime Minister's ringing and cheering assertions to the nation is of 52 pieces of legislation.

Perhaps the House and you, Mr. Deputy Speaker, will forgive me for just reflecting on what is the point of a Queen's Speech. It cites 16 or 18 pieces of legislation, but no longer reflects what we shall all be condemned to doing in the House during the next 12 months. I make those observations because they affect why the House sometimes becomes tense over the progress of Bills through the Chamber. That is really what this is about.

Why did I say that the Leader of the House was into divination? Although the hon. Member for Croydon, Central (Mr. Davies) made a very sour speech, if I may be allowed to say so, it is probably agreed by Members on both sides of the House that, on reflection, genuine questions were not answered. For example, although I try to follow such matters, I have no certainty about how one moves amendments in a Select Committee. So we come to the guillotine motion; in a sense, it is addressing the failure to satisfy the House on Monday. *[Interruption.]* I see that the usual channel has absented himself from the corner of the Chamber which he occupies.

The motion contains one of the features that we have taken up a number of times. It would not be true to say that those on the Treasury Bench invented the device of including the three hours, as set down in the Standing Orders, for discussions on guillotine motions within the overall time allocated for consideration of a Bill. I regret that that happened on one occasion that I can identify before 1997. However, the toy that has been given to the Government means that that is becoming a standard feature of guillotine motions. That is why I am very disappointed in the hon. Member for North Cornwall (Mr. Tyler). I do not want to detract from the fact that he made a very good speech but hon. Members should note that, having almost completed it, he turned round and said, "But I hope no one else will cause any obstruction by making a speech, because we want to be able to discuss the merits of the Bill."

Mr. Maclean: Sanctimony.

Mr. Shepherd: I shall not go as far as saying that that remark was a little sanctimonious. The hon. Member for North Cornwall was saying, "I am quite prepared to be coerced by guillotine motions of this nature." To pursue his argument, we must ensure that the Government are ashamed of encompassing substantive argument on a Bill within the time allowed for a guillotine motion.

Mr. Tyler: Perhaps the hon. Gentleman would like to know that during my previous sojourn in this place in 1974, throughout the period of the Conservative Government and during this Parliament I have always voted against guillotine motions on principle.

Mr. Shepherd: I am very cheered by that enunciation and I hope that it becomes part of the Liberal party's programme. I would say that, wouldn't I? However, I recall that the hon. Gentleman came close to falling into the hands of Lucifer over the absurd provisions of the Criminal Justice (Terrorism and Conspiracy) Act 1998, which the House considered last September. Not only was he not going to vote against the guillotine motion, but he actually signed it. Fortunately, the good and intelligent argument of his own colleagues and other Members of the House convinced him that it was inappropriate for him to sign that motion. In one of the most touching moments that I have ever witnessed in the House, a signatory to a motion on the Order Paper—presumably, signing the motion reflected a considered position—withdrew his support by standing up and saying, "I withdraw my signature." I do not condemn that, because we sometimes change our opinions. After all that the hon. Member for Slough has said on that point of rational argument, I accept it; I sometimes have my mind changed.

The point that I want to make is about a three-hour guillotine motion encompassing argument on the substantive legislative issues before the House and I hope that the Government—and the usual channel, who unfortunately is not in his usual place—will take it on board. In truth, using that little device does no Government any credit. Either the Government want to give us three hours' debate on these matters or they want to give us six. Surely they do not want to coerce us into surrendering a proper debate about whether the allocation of time is adequate. That is what we are discussing.

The divination to which I referred is in the words of the Leader of the House, who said:

"The course of events over this week led the Government to have some anxiety about the progress of the Food Standards Bill."

This matter has nothing to do with the Food Standards Bill itself and, by a process of divination, the right hon. Lady knows that the character of certain Members makes it unsuitable for them to be permitted to address it. Why do I say unsuitable? Because she said that time had been wasted

"not necessarily by the official Opposition as such."

How gracious; now we are allowed—as an official Opposition, no less—to be commended for the way in which we discharge our business, although the hon. Member for Croydon, Central does not believe that there is merit in that position.

The Leader of the House continued:

"It is no good hon. Members asking questions if they do not want to listen to the answer."

She was saying, "We'll guillotine it if necessary." She went on:

"The Opposition have every right to use time in the House"—

That was very big of her—

"that is their legitimate right".

She then talked about

"the duty of the Government".—[*Official Report*, 21 July 1999, Vol. 335, c. 1292.]

I know that after 10 o'clock we are all driven to make some absurd comments, but the particularisation and characterisation, which I think are wrong, is that any Member, however humble or however recently elected, can be guillotined out of the way.

Acceptance of the Food Standards Bill is what is behind the motion. I have no way of testing this until the debate has finished, but when the guillotine falls we may have three hours, less up to 20 minutes for a Division, to debate the Bill. That means that the Government consider only two hours and 40 minutes to be appropriate for such a debate. I do not believe that a Bill that has received almost universal support and attracted the good will of Members on both sides of the House should be treated so casually. However, the Government are not treating the Bill casually; they are treating casually the right of those who send us here to represent them to have their say.

Perhaps the 52, 54, 56 or 57 pieces of legislation that the Government hope to pass next year should be viewed by their business managers with a much more jaundiced eye. Good government in this country means, by and large, a sense of fairness and recognition that other people sometimes have different views. The motion should be opposed, because it strikes at freedom of speech and exerts the absolute control of the Executive over the Chamber.

3.28 pm

Mr. David Maclean (Penrith and The Border): The motion before the House is intolerant and it has been tabled by a Government who are becoming increasingly intolerant. I exempt from that accusation the Minister of State, Ministry of Agriculture, Fisheries and Food and the Minister for Public Health because of their behaviour and demeanour in Committee when we were discussing the Food Standards Bill. They behaved with exemplary courtesy and were grateful for some of the contributions from the Opposition; I think they said that some of those contributions helped. I feel that I know the Minister of State slightly better than I know the Minister for Public Health, and I cannot imagine that he is behind the tabling of the motion.

The Minister of State was probably as appalled as the rest of us last night when he discovered what was going to happen today. The motion is certainly not his style, considering the way in which he handled proceedings in Committee. I would be the first to acknowledge that his patience would soon run out if there was one second of time-wasting today and we did not make proper progress on the Bill. He would be calling on the business managers to use a guillotine motion to get the Bill through the House.

However, that is not the scenario. The Employment Relations Bill and the Food Standards Bill are being guillotined not because there was one second's time wasting by the official Opposition, the Liberal Democrats or anyone else, but because the Leader of the House, the Chief Whip and the business managers concluded that the climate during the conduct of other business in the week indicated—as my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) said, the Leader of the House concluded through divination—that the Food Standards Bill might be delayed, or filibustered. That is an extraordinary way in which to run business in the House.

Mr. Drew: Is the right hon. Gentleman seriously asking Labour Members to accept that he would not have been filibustering last night in advance of his filibuster on Friday on the Fur Farming (Prohibition) Bill?

Mr. Maclean: I can give an absolute assurance that I would not have spoken at all last night. I did not have a particular interest in the Bill. One cannot be a specialist—one cannot be an amateur—on every Bill before the House, so I had no intention of speaking last night.

I had intended to speak on the Food Standards Bill today. I assumed that it would kick off at about 2.30 and finish about 7, 7.30 or 8; that would be the normal amount of time. I also assumed that, if we finished at 8 o'clock on Thursday night, that was not too late for the precious luvvies and darlings on the Labour Benches, who seem to wilt and to turn into pumpkins if we go beyond 10 o'clock.

I do not intend to do any filibustering on Friday. In fact, if I did filibuster, Mr. Deputy Speaker would be ruthless in pulling me up. I may have one or two points to make on other Bills, but that is an entirely different matter.

I get back to the point of the guillotine. It has been introduced because, on Monday night, some Divisions were called by some Opposition Back Benchers. Because of those Divisions, proper sensible debate on the Employment Relations Bill and on the Foods Standards Bill will be ruthlessly curtailed.

What happened on Monday night? I agreed with much of the speech of the hon. Member for North Cornwall (Mr. Tyler), but take issue with two little points. On Monday night, the Minister for Transport failed to respond to the points in the debate and then, all of a sudden, decided to move the closure. One of my hon. Friends had given way to the Minister or a Government Whip, and suddenly the Minister or the Whip moved that the question be now put, without us hearing a cheep from the Minister in response to any of the crucial questions that had been asked. Those questions were crucial because, in opening the debate, the Minister for Transport had not a clue what would happen.

I assume that the reason was not the briefing because the civil service cannot have gone downhill that much in two years; I assume that the Minister had been given, as usual, excellent briefing. Why she decided not to use it, or not to call for answers from the Box, is beyond me. Because there was no response and because the closure had been moved, I, with other Opposition Back Benchers who were annoyed at the lack of a proper response, forced a Division.

[Mr. Maclean]

What else can an Opposition do? What else can individual Members do when we make serious points in a debate and then find that there is no response? Of course Divisions were called. If the Government wanted to avoid—

Fiona Mactaggart: Will the right hon. Gentleman give way?

Mr. Maclean: In a moment. I shall comment on the hon. Lady's speech soon.

If the Government want to avoid what they consider to be unnecessary Divisions, they should have the courtesy to answer questions that are asked of Ministers. The Government can control all the motions and all the business before the House. Ministers' refusal on Monday night to answer some simple questions was directly responsible for five or six Opposition Members forcing Divisions.

Fiona Mactaggart: The right hon. Gentleman asks what else a Member can do. That seems to be the nub of the problem. We need to establish procedures whereby Members can make their views known and have their questions answered through a sensible, reflective procedure, rather than by dancing round and round in circles at 2 o'clock in the morning.

Mr. Maclean: We have those procedures. We asked the Minister for Transport some questions. She had a Parliamentary Private Secretary behind her who could have run to the Box to obtain the answers. As usual, she had her big red folder. I suspect that all the answers were in there to begin with, but she decided not to respond. Whether that was out of arrogance and contempt for the House, or whether she did not like the questions and did not want to respond, we do not know.

We do not need to invent some new fancy procedure. The Minister could have read out the answers in her briefing notes if she had wished to do so. Because of that failure, as everyone knows, some unnecessary Divisions were called. The hon. Member for North Cornwall was right that that was the genesis of some of the Divisions on Monday night but, being a typical Liberal Democrat, he cas[illegible]e Government for causing the problem and then ca[illegible]d some Opposition Members for voting. It was an absurd charade, he said. Fortunately, I have had the benefit of checking *Hansard*. He and other Liberal Democrats voted in almost every one of those Divisions—certainly between midnight and 1.30 am.

The hon. Member for North Cornwall has re-entered the Chamber. I am refreshing hon. Members' memory, mentioning that he said that some of the votes on Monday night were absurd. I notice that he participated in those votes, but I congratulate him on getting the point correct: those votes happened because of the Government's arrogance in not responding.

As a result of that, we have a guillotine motion. There is no question of delays on the Employment Relations Bill being caused by any Opposition Member. The delays on the Bill were caused by the Secretary of State for Trade and Industry. He deliberately delayed the Bill after 9 o'clock, when he got the message to keep talking until the Government cooked up a guillotine.

Mr. Patrick McLoughlin (West Derbyshire): It was not only the fact that the Secretary of State for Trade and Industry spent a considerable amount of time speaking in yesterday's debate that caused the problem. It was also the fact that, because of the Government's bad drafting of the Employment Relations Bill, a huge number of Government amendments had been tabled. If there had not been so many Government amendments, there would not have been so many groups of amendments to discuss.

Mr. Maclean: My hon. Friend is right. No Labour Member can deny that.

The Leader of the House made a virtue out of making a very short speech on the guillotine motion. She said that she did not want to take time out of the rest of the debate. We know why she made a very short speech: she had nothing the say. There was no justification for the motion. She could not justify it on the basis that the Opposition were delaying the legislation yesterday. The Opposition were not; they were co-operating fully. The only person delaying it was the Secretary of State for Trade and Industry.

The Leader of the House could not justify the guillotine motion on the basis of the behaviour of the Opposition, the Government or anyone else on the Committee that considered the Foods Standards Bill. I have served on quite a few Committees and taken a few Bills through the House; parts of some of them were opposed vigorously by my hon. Friend the Member for Aldridge–Brownhills. I cannot remember a time when a Committee was conducted in such a spirit of sensible co-operation.

We had the odd stormy moment but, in the main, there was complete co-operation. The Opposition—Conservatives and Liberal Democrats—tabled amendments. The spirit of some of them was accepted by the Government, who are coming back with improvements. On other occasions, Ministers pointed out why the amendments were helpful but not necessary, saying that, through guidance or codes of practice, the point would be addressed. Ministers know that.

That is why I feel sorry for the Minister of State, Ministry of Agriculture, Fisheries and Food and the Minister for Public Health. Although I am critical of this intolerant Government for their disgraceful motion, it is not those two Ministers who are responsible for it. To use the expression of the hon. Member for Slough (Fiona Mactaggart) in her imitation of the Prime Minister, "They are the good guys." They are not demanding the introduction of what is an unnecessary guillotine.

Why did the Government not see what would happen? Why did we not start on the Food Standards Bill? It would be a bit difficult to filibuster or delay the few sensible amendments that my hon. Friends have tabled. Moreover, if we wanted to wreck or mess about with the Food Standards Bill, as the Government know, some of us are capable of tabling more than 13 amendments.

Fiona Mactaggart: The right hon. Gentleman made it clear earlier that his strategy when he is frustrated by one thing is to fuss about something completely different.

He made it clear that he did that on Monday night. That is what I described as a failure of the procedures of the House. I imagine that my right hon. Friend the Leader of the House thought that he might choose this occasion to do it again.

Mr. Maclean: What a preposterous idea. I assure the hon. Lady that, had we intended to disrupt the Food Standards Bill, there would be 50 amendments in my name on all aspects of it. I have tabled no amendments to the Bill because I was largely satisfied by most of the Minister's comments in Committee. I am also satisfied with the few—it is a few in parliamentary terms—sensible amendments that have been tabled by my hon. Friends, which are adequate for debate. It is preposterous of the hon. Lady and outrageous of the Leader of the House to suggest that a Bill that we have not even started to discuss on the Floor of the House should be guillotined, especially given that there was utterly sensible co-operation from the Opposition in Committee.

Mr. Barron: Ten minutes ago, the right hon. Gentleman said that all that he wanted to do this afternoon was discuss the Food Standards Bill, the Standing Committee considering which we both sat on, until 7.30 or 8 o'clock tonight. Why, then, does he not sit down so that we can do that?

Mr. Maclean: Because I shall not be blackmailed by the Government, who want to curtail remarks on a guillotine motion by wrapping it up with the substance of the Bill. That is the evil that my hon. Friend the Member for Aldridge-Brownhills complained about, and that is what other Labour Members have been threatening us with today. They are saying, "Don't talk on the guillotine motion. Stay gagged. Let us drive it through ruthlessly, because every minute you talk on the motion takes time out of discussion of the Bill."

I deplore the fact that time is being taken out of the debate. That is not happening because my hon. Friends and I are talking on the motion; it is happening because the Government have phrased the motion in that way. They could have phrased it to give us two or three hours on the guillotine motion and then presented a separate time limit for discussion of the Bill itself. This is, therefore, a simple blackmail motion, because we know that for every second that we take in protesting about the Government's illiberal behaviour in trying to drive through guillotines, we are taking time out of discussion of the Bill. Although the Bill is extremely important, the freedom of Members of Parliament to have a say on all aspects of legislation is even more important.

Labour Members also suggest that, because this and other Bills have been before a Special Select Committee, we need less time to debate them. They suggest that they can be guillotined and that it does not matter if we have a shorter debate on Report because Special Select Committees of experts have looked at them. That is a jolly good thing for the 17 people fortunate enough to be on the Special Select Committee, excellently chaired by the hon. Member for Rother Valley (Mr. Barron), but what about all the other Members of the House? What about those who were not even more fortunate in being on the Standing Committee that considered the Bill line by line? The only opportunity for those 635 Members to discuss the Bill is on the Floor of the House.

This motion is preventing that discussion from happening, not because I am protesting about the motion, but because the Leader of the House has drafted the motion in such a way that every word of protest against this illiberal, intemperate motion takes time out of the debate. That is why I shall vote against the motion. It is wrong because it seeks to curtail parliamentary democracy when there has not been one second wasted on the Food Standards Bill, or on the Employment Relations Bill last night.

Mr. Hoyle: The right hon. Gentleman must be aware that he is taking time away from Back Benchers who want to get on with the debate. He must realise that he is filibustering.

Mr. Maclean: I am not sure whether the hon. Gentleman is stupid or slightly deaf, but he has missed the point that I am making.

Mr. Hoyle: Sorry?

Mr. Maclean: The hon. Gentleman is using the standard blackmail on us. His Government have phrased this motion in such a way that it amounts to parliamentary blackmail.

Mr. Hoyle: How can the right hon. Gentleman say that I am blackmailing him when I simply asked him to get on with the debate and allow Back Benchers who were not on the Select Committee to contribute to it. That is not blackmail. The right hon. Gentleman should withdraw his disgraceful comments; he should know better.

Mr. Maclean: I have been here slightly longer than the hon. Gentleman, and I profess that, on this matter, I do know slightly better. It is parliamentary blackmail to phrase a motion in such a way that, every minute that one takes in protesting against the illiberal nature of the motion takes time out of the subject that we really want to debate.

This motion is the Government's responsibility. They should have phrased it differently, as such motions used to be phrased on most occasions in the past. *[Interruption.]* The hon. Member for Chorley (Mr. Hoyle) can laugh his head off, but he is part of the parliamentary blackmail. If he really wants time for debate on this measure, he should vote against the guillotine motion.

The motion is not necessary for the Food Standards Bill and I doubt whether it is necessary for the Bill that we were dealing with last night. I shall oppose it because I shall not be blackmailed by the Government into staying silent on a guillotine motion.

I wish to exempt, once again, the Ministers responsible for the Food Standards Bill, because I do not believe that they are guilty on this occasion. Indeed, I am absolutely certain that they are not. They will have been as appalled about this motion as the rest of us. Whenever the Government table a guillotine motion that is not necessary, I shall oppose it, as I will tonight.

3.47 pm

Mr. Desmond Swayne (New Forest, West): The Leader of the House made it abundantly clear that the motion arises out of the events of Monday night. I do not

[Mr. Desmond Swayne]

want to dwell on that, but I shall say this: after last week's business statement, both my right hon. Friend the Member for North-West Hampshire (Sir G. Young) and I drew to the attention of the Leader of the House the fact that such problems would arise. We flagged up the fact that Monday's Bill would require a second Second Reading.

When the Minister for Transport was unable to explain the events that would follow on from the motion that she was proposing, Conservative Members naturally, and quite properly, wanted to investigate that fully in the debate that followed. As that debate was then curtailed arbitrarily—and improperly, in my view—it led to the subsequent Divisions that kept hon. Members up until 2 am. As a consequence, we now have the motion before us.

The motion is absurd; it is a punishment motion. The Government are saying, "You did this on Monday night; therefore we shall do this now." It is an absurd way for the Government to run the business of the House.

The hon. Member for Slough (Fiona Mactaggart) said, in support of the motion, that we should have programme motions on all our business and sensibly agree a timetable in which to discuss Bills. We have been through that. My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) will agree that, when we sat through hour after hour of the Committee stage of the Scotland Bill, all of which had been timetabled through the usual channels, the timetable proved thoroughly inadequate because it was a straitjacket. Indeed, the Bill was effectively guillotined.

The timetable constrained debate of matters that arose quite naturally out of the investigations and probing amendments of Back Benchers. When issues were suddenly discovered that required fuller and more expansive debate, the timetable simply could not accommodate that. Timetables drawn up in advance cannot take account of what may be discovered by proper scrutiny.

I am against guillotines in principle, but I am against this one in practice. As the Leader of the House has made clear, it does not arise from any fear about the passage of the two Bills involved; it arises from the right hon. Lady's desire to be seen to be taking firm action following what happened on Monday night.

3.50 pm

Mr. Nick St. Aubyn (Guildford): I expected that my hon. Friend the Member for New Forest, West (Mr. Swayne) would have much more to say. Given that he does not, I certainly do.

I agree with those of my hon. Friends who, like me, were present throughout Monday's proceedings, that we have been traduced by the way in which Ministers have described our behaviour this afternoon. We have heard from other Labour Members that we are hooligans and vigilantes. Various other phrases have been used, but they have not discouraged the Leader of the House from saying that we employed legitimate tactics. We are not surprised that the right hon. Lady considers it all right for Back Benchers to be hooligans and vigilantes, because last night we saw a Minister being a hooligan, delaying the very legislation that is now to be subject to the timetable motion. It is the Government's Front-Bench hooligans who pose the real problem.

That Minister is not the only one, however. This whole difficulty arose from an attempt on Monday to assuage the pride and the prejudice of the Deputy Prime Minister. His pride demanded that there should be a Railways Bill from his Department—a Bill which, as is becoming clearer by the day, simply cannot proceed in the current Session. That is what provoked all that happened on Monday night. A Minister was not prepared to admit to us how the Bill would proceed and would not reply to the points that I was making. I gave way to one of her ministerial colleagues in the belief that we would be enlightened about how the Government would deal with the innovative structure for Bills; instead, we were faced with a closure motion, as a result of which we spent three and a half hours on procedure. We shall spend more than three hours on procedure this afternoon and we shall spend more than three hours on it on Monday. If we take into account the time spent on points of order concerning these issues over the past few days, that amounts to a total of 10 hours of debate on procedural matters.

People outside this place will ask what has resulted from our spending nearly three times as much of our precious remaining time on procedure as will be spent on consideration of the important Bills that we shall discuss this afternoon and on Monday. The solution is simple: the timetable motions should be withdrawn. The hon. Member for North Cornwall (Mr. Tyler) helpfully reminded us today that he had signed a timetable motion a year ago but, having heard the arguments presented in the House, had decided to oppose it. It is entirely within the rules of the House for a Minister to say, "Having received reassurances from Conservative Back Benchers, and having understood why their actions on Monday night were entirely justified, we are prepared to drop the timetable motions for today and Monday, and proceed with a clear, well-intentioned, well-timed but untimetabled debate on these two key Bills."

The Parliamentary Secretary's eyes light up at the prospect. If he is tempted down that road, he will have struck a blow for democracy, for the freedoms of the House and for the mutual respect in which we hold our arguments. I am afraid that that mutual respect was sadly lacking in the Minister's colleagues on Monday night: despite numerous offers, they spurned all attempts to make them explain how they proposed to proceed with the Bill that we were considering.

Mr. John Bercow (Buckingham): I am sorry to interrupt my hon. Friend who is making a powerful point, but did he observe that Labour Members began chuntering a moment ago when he referred to points of order? Does he agree with my recollection—I hope that the Parliamentary Secretary, Privy Council Office is listening attentively—that most of those points of order concerned the procedure for the handling of legislation? The need for them could have been readily avoided if the Government, via a statement, had made clear what the criteria were for the future handling of all Bills—if they had made it clear when Bills would and would not be referred to Select Committees, and when it would or would not be necessary for there to be two Second Readings as opposed to one. The Government may

chunter, from a sedentary position, about points of order, but they know that the way to avoid such problems in the future lies in their hands.

Mr. St. Aubyn: My hon. Friend makes an excellent point. A week ago, during business questions, I heard the Leader of the House being told for the first time that she would have to explain how this week's Bills would be dealt with. I was present throughout business questions and I know that the right hon. Lady had no answer.

On Monday, we observed that hon. Members received no reply when they constantly asked the Government how the Bill could possibly proceed. Points of order have been made to the Chair over a number of days, and no doubt many hours have been spent in the Speaker's Office in an attempt to resolve the enigma of the Railways Bill. I expect that there will be chapters about it in "Erskine May". All that was required, however, was a little thought and a clear statement from Ministers.

The hon. Member for Slough (Fiona Mactaggart) asked why we could not have a mechanism allowing Back Benchers to receive answers from Ministers. We would love to know her ideas but, in fact, we have such a mechanism: the mechanism which we employed on Monday night.

Ministers, their Whips and the usual channels all knew exactly what was happening on Monday night. They knew exactly what would happen if they refused to give any answers; they knew exactly what would happen if the closure was moved and they forced us to use such tactics. There was no mystery about it. It has happened time and again. Labour Members who are now trying to present themselves as innocents employed exactly the same tactics when they were in opposition. The mechanism is there, and it was used. This afternoon, in a reflex reaction, Labour control freaks are trying to punish Back Benchers who used the mechanism which, because she was not present, the hon. Member for Slough did not witness on Monday night.

Fiona Mactaggart: My point is that the mechanism used on Monday night, if understood by hon. Members, was certainly not understood by our constituents. It did not constitute a reasonable, proportionate way of dealing with the problem that may have existed. Would it not be better for us to use our imagination to find a more sensible, transparent way of dealing with the problems, rather than simply saying, "We have always done it that way"?

Mr. St. Aubyn: I heard the speech the first time. The hon. Lady clearly was not here on Monday night—her votes are not recorded—and she may not even have read the report of the debate. The response on Monday night was entirely proportionate to the events that preceded it. We had an "unlimited time" motion, which the Chair described as a free-standing motion outside Standing Orders. If the hon. Lady likes innovation, she should have been here on Monday night because Ministers were innovating on the hoof. What became increasingly clear was that they either did not know or, much more likely, were not prepared to admit—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman is dwelling over-long on the proceedings that took place on Monday night, and is becoming a little repetitive. I ask him to address his remarks to the motion.

Mr. St. Aubyn: I am trying to explain that the behaviour of hon. Members on Monday night was entirely reasonable. If hon. Members are behaving reasonably, closure and timetable motions are unnecessary.

The entire history of guillotine motions in this Chamber is based on the unreasonable behaviour of hon. Members in the previous century, when Irish Members used quite unreasonable methods to delay progress on Bills. Historically, the House has always justified passing timetable motions on the basis of dealing with unreasonable behaviour. Today, Opposition Members have demonstrated quite conclusively that, in this instance, there has been no unreasonable behaviour—except for Ministers' totally unreasonable behaviour, on Monday, yesterday and today. That is why all hon. Members who respect the House's rights and privileges must oppose the motion.

4 pm

Mr. Christopher Gill (Ludlow): I do not recall speaking in any previous debate on a guillotine motion. I am speaking in this one because a Bill in which I have an interest has, this week, become the innocent victim of wranglings in the House. My hon. Friend the Member for Guildford (Mr. St. Aubyn) has just described those events, on Monday and again last night.

On Monday, the Government did not lose their business—they obtained a Second Reading of their Railways Bill, which was the House's business on that day. Subsequently, there was a wrangle over procedure, but I should be very surprised if any right. hon. or hon. Member could have any objection at all to the way in which Back Benchers expressed their concern and anger about the Government's proposals on further consideration of that Bill.

As we all recognise, the Government were proposing a slightly unusual way of proceeding on the Railways Bill. Indeed, given that the Bill had already been considered by the Committee to which it has now been referred yet again, to many of us, the Government's proposals seemed to be very strange—thereby giving rise to legitimate questions whether Back Benchers would be able to table amendments in Select Committee as they should have been able to do had the Bill been referred, in the normal way, to a Standing Committee.

I, too, was in the House last night when more of the House's time was wasted. Last night, I clearly heard the hon. Member for Chorley (Mr. Hoyle), who has intervened also in this debate, calling for a vote on the motion. Last night, it also seemed—at least to Opposition Members—that there was complete confusion among Labour Members. Many of us were perplexed about why some Labour Members were calling for a yes vote, whereas others were calling for a no vote.

Last night, there was such confusion among Labour Members that one of my right hon. Friends said, "Lindsay, what are you doing? You've got it wrong." However,

[Mr. Christopher Gill]

the hon. Member for Chorley did not hear my right hon. Friend, because he knew perfectly well what he was doing: acting, under instructions from the Labour Whips, to force a Division, absorbing yet more time allocated to debate on the Employment Relations Bill.

It was sheer effrontery for the Leader of the House to tell the House, as she did a few moments ago, that we shall now have a guillotine because, last night, "it was not possible" to make progress on the Employment Relations Bill. That is simply not true. Last night, had there been discipline among Labour Members, we should have had additional time, before 10 o'clock, to debate the Bill.

Moreover, last night, the 10 o'clock motion was not moved. Therefore, it was a matter not of insufficient time to debate the Bill but of the Government denying us the opportunity to do so. Today, the Government are proposing a guillotine motion on not one Bill but two. I do not know whether such a motion is unprecedented but, in my time as an hon. Member, I certainly do not recall ever seeing one before.

Last night, had the 10 o'clock motion been moved and debate been allowed to continue, if the debate had got out of hand and the Government thought that there was a filibuster, it would have been quite open to Ministers to move a closure motion at any time after 10 o'clock to close down the business. Yesterday, if they had allowed the debate to continue after 10 o'clock but had to move closure, today it would have been perfectly legitimate and reasonable for them to ask for a guillotine.

As I said, I am speaking to the motion because the Food Standards Bill, in which I have an interest, has been the casualty of the Government's ineptitude. Ministers know that the row started on Monday because they were not able to answer Back Benchers' questions on the future of the Railways Bill. In the circumstances, the Government—knowing what they wanted to do—without fear or favour should have known what the next step would be and how to answer the questions quite legitimately asked by Opposition Members.

As many of my right. hon. and hon. Friends have said, the Food Standards Bill itself commands widespread support. There has been no attempt to obstruct the Bill, which easily obtained a Second Reading. In the House, as in Committee, the Opposition have co-operated in every way in the Bill's passage.

I hope that the hon. Member for Slough (Fiona Mactaggart) is not leaving the Chamber now as I should like to say one or two words about what she had to say. She clearly is leaving the Chamber, but I hope that she will appreciate that I have tried to observe the normal courtesies of the House by warning her that I shall be mentioning her name.

Mrs. Ann Winterton (Congleton): Will my hon. Friend give way?

Mr. Gill: Yes, but I have much to say.

Mrs. Winterton: I shall be very brief and am very grateful to my hon. Friend for giving way. He mentioned courtesies of the House. I wonder whether other hon. Members noted that the hon. Member for Croydon, Central (Mr. Davies)—whose speech was very sadly described as "sour" by my hon. Friend the Member for Aldridge–Brownhills (Mr. Shepherd), who is considered to be one of the most courteous Members, with tremendous integrity and a consistent record in speaking for his constituents—clearly is very discourteous and does not understand the courtesies of the House, such as that of remaining in the Chamber until the next speech has been completed. Does my hon. Friend join me in deploring such behaviour and in wishing to see the old-fashioned courtesies continue? Perhaps Ministers could also make that point to the hon. Member for Croydon, Central when, eventually, he returns to the Chamber.

Mr. Gill: I agree entirely with my hon. Friend's comments. I was not in the Chamber when that happened, but perhaps the hon. Member for Croydon, Central, who is a relatively new Member—I believe that he was elected at the last general election—left the Chamber unaware of those courtesies of the House. Perhaps he does not understand them.

I should add, having been prompted by my hon. Friend the Member for Congleton (Mrs. Winterton), that today it was unfortunate that the hon. Member for Chorley left the Chamber after making a very direct, but not necessarily very courteous intervention on an Opposition Member. As he is implicated—because of his actions yesterday, which I have described—in the matters that we are now debating, one would have thought that he should remain in the Chamber to hear more of this debate, rather than leaving shortly after making an intervention. I am very glad that he is back in the Chamber now.

As I was saying, the Opposition have in no way tried to obstruct the Food Standards Bill, which commands widespread support. Nevertheless, the Bill raises issues of great importance which I, for one, had hoped to be able to address on Report or Third Reading. However, as I said, the Bill is the unwitting victim of earlier events in the House. There is no evidence that the Bill would have been obstructed on Report or at Third Reading. I would go so far as to say that I had a genuine fear that it would not go the distance, and that there would be insufficient Members in the Chamber to sustain the debate until 7 o'clock this evening.

Mr. Michael Fabricant (Lichfield): I have been doing a calculation while my hon. Friend has been speaking—although I was listening to every word that he said. Some 35 amendments have been selected by Madam Speaker for debate. If we had the full six hours to go through them, we would be allowed 10 minutes of debate per amendment. Does my hon. Friend agree that 10 minutes per amendment is a gross insult not only to Parliament but to the people whom we serve?

Mr. Gill: I very much regret that the Bill will not have a greater amount of time. My hon. Friend is right to point out how little time is left for each group of amendments. He will recognise that some of the amendments are more important than others and that some will demand more time than others. Nevertheless, he is right to say that the average time allowed is insufficient.

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): The hon. Gentleman cannot have it both ways. A few moments ago, he made it quite clear

that he thought that there might be insufficient Members present for the Bill to run its full time. Now he is agreeing with the hon. Member for Lichfield (Mr. Fabricant) that there is not enough time to debate the amendments. He needs to be clear on what he is saying to the House.

Mr. Gill: I am saying that I very much regret the way in which a Bill in which I, as a Back Bencher, have an interest, and in the debate on which I wished to participate this evening, is being dealt with. I am debating this issue because of something outwith my control. If the Government had got a grip on their business and had been able to answer the questions that arose on Monday, we would not find ourselves in our present bind, which has been compounded by what happened last night.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I am trying to work out whether the hon. Gentleman approves or disapproves of the suggestion by the Modernisation Committee that there are three ways of dealing with a Bill, any one of which can be open to the House. That is relevant to the discussion. We do not want to go back over Monday's discussion, but the House was following the procedures set down by the Modernisation Committee, and voted. Some of us might not think it particularly sensible, and some might be totally opposed to guillotines—whichever Government move them—and even more opposed to the moving of double guillotines. Nevertheless, it would be interesting to know which of these approaches the hon. Gentleman supports.

Mr. Gill: Like the hon. Lady, I am not a great lover of guillotines although I understand that, from time to time, Governments will seek to impose them. I believe that that should be done sparingly. My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) said powerfully that we are talking about the denial of opportunity for Back Benchers to contribute to debates.

I am concerned that, because the Railways Bill has been referred to the Environment, Transport and Regional Affairs Committee, the opportunity for Back Benchers to contribute are severely restricted. How do Back Benchers make their views on the Bill known to the Committee? Are Back Benchers allowed to table amendments? Is the Committee allowed to consider them?

Mr. Deputy Speaker: Order. The hon. Gentleman is again going over the Railways Bill and the debate on Monday evening. I would be grateful if he came back to the motion.

Mr. Gill: I will follow your guidance, Mr. Deputy Speaker, but you will appreciate that I was responding to an intervention by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody).

Mr. Crispin Blunt (Reigate): Before my hon. Friend took the intervention from the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), he said that the Government had lost control of their business on Monday. What I find so bizarre is that the Government did not lose control of their business on Monday—they got their business on Monday and have continued to do so this week. Yet, in her extraordinary statement at 10 o'clock last night, the Leader of the House said that we would have this guillotine motion due to the lack of progress on Government business.

Mr. Gill: My hon. Friend misunderstands me. I did not say that the Government had lost their business—I made the point that the Government did get their business on Monday. I have explained to the House that it was spurious of the Leader of the House to say that a guillotine was to be imposed because the Government could not get their business, and I went on to explain that she said that it was not possible to make progress last night. I have demolished that argument as well. I hope that my hon. Friend the Member for Reigate (Mr. Blunt) will forgive me for being hard on him, but he could not have been listening carefully to what I said.

Mr. Maclean: If my memory serves me correctly—others can check *Hansard*—the only business lost on Monday night was when Labour Members objected to a motion moved by the hon. Member for North Cornwall (Mr. Tyler) on behalf of the whole House.

Mr. Gill: That event will have been recorded in the journals of the House, but I take my right hon. Friend's point.

Mr. Fabricant: Will my hon. Friend give way?

Mr. Gill: Not again.

At this stage, I should remind the House that I am not a professional politician who comes to this place simply to talk for the sake of talking. I come to the House to speak when I feel strongly about something and when I have something to say on a subject that I know and understand. I am acting very much out of character this evening by speaking in this debate, but I want to make it clear why I feel constrained to do so. A Bill in which I am interested is being sabotaged because of the Government's ineptitude on Monday, their failure to answer the questions that they were asked and their failure last night to get a grip on Labour Back Benchers, who forced divisions that we need not have had.

I refer now to the comments of the hon. Member for Slough. The House will applaud the way in which she made her suggestions about how the House might operate better. In all sincerity, I say to her that we have all been there. We have all felt frustration about the way in which the House conducts its business, and we have all felt that the House sometimes denies us the opportunity to say what we want or to get our own way. I wish to outline to her, from my experience, how the procedures of the House have been changed by Back Benchers speaking in this House consistently on certain subjects. This has led to amendments to the routine of the House, which have gone a long way towards improving the situation in the way that the hon. Lady would like.

[Mr. Gill]

Select Committees were introduced by a Conservative Government in 1979. The consensus of opinion would be that these have been a success. The fact that we can now refer legislation to Select Committees and to other—

Mr. Deputy Speaker: Order. The hon. Gentleman is wandering away from the motion again.

Mr. Gill: I take note of your ruling, Mr. Deputy Speaker.

Fiona Mactaggart *rose—*

Mr. Gill: Before I give way to the hon. Lady, she should note that if she wants to say something more on the theme that occupied her earlier—a theme that interests me and to which I would like to respond—either she or I will be ruled out of order.

Fiona Mactaggart: The hon. Gentleman referred to the establishment of Select Committees in 1979. As I recall, it was Richard Crossman who first had the idea some years before, and—

Mr. Deputy Speaker: Order. That is completely irrelevant to the motion, and the hon. Lady knows it.

Mr. Gill: Being a law-abiding citizen, I shall follow your strictures, Mr. Deputy Speaker, and conclude my remarks.

This is probably the first time that I have ever spoken in a guillotine debate. I have no ambition to speak in another. I hope that the Minister and the House understand why I felt constrained to be on my feet for however many minutes it has been, on this rather singular occasion.

4.21 pm

Sir Patrick Cormack (South Staffordshire): My hon. Friend the Member for Ludlow (Mr. Gill) has entertained us greatly.

I could not help feeling that the Leader of the House did not have her heart in it when she moved the motion. She has not come back for most of the debate. I do not criticise her for that; she is exceptionally busy and I cast no aspersions, but her heart is elsewhere. The becoming hat that she wore yesterday at the garden party, which some of us had the privilege of glimpsing, suits her far, far better than the Madame Defarge creation that she sported briefly this afternoon.

It is interesting that my old friend, the Minister of State, Ministry of Agriculture, Fisheries and Food, is to respond to the debate, as it was he who said:

"The Leader of the House knows that the full three hours will be taken on a guillotine motion . . . We are at fault if we do not fill all three hours"—[*Official Report*, 1 February 1994; Vol. 236, c. 807-8.]

He once occupied the position that I now occupy and made scintillating speeches, castigating the then Government for introducing guillotines. Unlike some of my distinguished right hon. and hon. Friends, I do not carry the baggage of Government, and there were occasions when he took me with him, both in the argument and into the Lobby.

I remember an occasion when a guillotine was introduced on a health Bill and I was so appalled that the House was not being given a proper opportunity to discuss it that I made my contribution to the debate and left. Labour Members should remember that they support a Government with an enormous majority. They are playing into the hands of a potentially tyrannical Executive if they too easily support guillotine motions. Incidentally, the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) charmingly called them "guee-otine" motions. I hope that she enjoys her holiday in Paree.

Of the two underlying reasons for the debate, one has not yet been mentioned, and that is the way in which we have changed the business of the House and fundamentally altered our Thursdays. I did not approve of the experiment, driven by the Government's proposals, of having Thursday morning sittings and trying to end everything by 7 o'clock. Without that change, we would not be under the current time constraints. Today's debate proves that ending at 7 o'clock on a Thursday, for all our good intentions, is not always possible.

The more immediate reason for this debate is the character of our proceedings—the charade—on Monday night. My right hon. Friend the Member for Penrith and The Border (Mr. Maclean) and my hon. Friends the Members for New Forest, West (Mr. Swayne)—a distinguished theologian, as I gathered as I thumbed through Dod this afternoon—and for Guildford (Mr. St. Aubyn) all underlined the fact that, had it not been for the way in which the Government handled Monday's business, there would have been no unduly late sitting that night.

Those of us who have been here a very long time—I remember sitting through the night, night after night, on industrial relations legislation in the 1970s—do not consider 2 am especially late. However, our proceedings were protracted by the fact that the Government had no direct and sensible answers to perfectly permissible and sensible questions. That point was also made by the hon. Member for North Cornwall (Mr. Tyler), who talked eloquently about the reputation of the House, about last night's filibuster by the Secretary of State for Trade and Industry and about that farce of a vote in which there were two tellers, but no voters, for the Noes.

The Government must bear the responsibility for what is happening today. They have behaved extremely badly. We all know that July is a bad month. T. S. Eliot said that

"April is the cruellest month"

but, for parliamentarians, it is certainly July. I hope that, when we have a structured parliamentary year, the House will rise a little earlier than it will this year.

We are in this quandary today because the Government behaved both arrogantly and incompetently on Monday. Arrogance and incompetence provoke Oppositions. We were told that often enough—in as many words, sometimes—by the Minister, who is now gazing at the ceiling.

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): I was checking how long the hon. Gentleman had been speaking.

Sir Patrick Cormack: I frequently used to check how long the hon. Gentleman spoke, and he had several marathon records. If he wants to hold a competition, perhaps we can do it for charity one day.

Farce is added to today's proceedings by the fact that there has been no filibustering by either the official Opposition or the Liberal Democrats on either Bill. There have been no fancy points of order or ridiculously involved and complicated speeches on trivial subjects. My hon. Friends the Members for South-East Cambridgeshire (Mr. Paice) and for Tiverton and Honiton (Mrs. Browning) both spoke knowledgably, and we had further testimony on the Food Standards Bill from my right hon. Friend the Member for Penrith and The Border and my hon. Friend the Member for Ludlow.

Ministers have behaved well over the Food Standards Bill and there has been an unusual—for this Government—willingness to listen to constructive points. An important amendment was accepted and everything proceeded in an orderly and sensible manner. My right hon. Friend the Member for Penrith and The Border complimented both the Ministers concerned, and I am entirely happy to echo that. Then, last night, in a fit of midsummer pique—it can be described in no other way—at a few moments' notice, a timetable motion was imposed. The Food Standards Bill was not in jeopardy. Nobody was going to seek to talk it out—not that we could anyhow when the Government have such a massive majority. The Bill was receiving mature and proper consideration, and that was what we wished to continue to give it.

It is not for Labour Members to criticise us for taking time on the guillotine motion. In an extremely important, impressive speech, my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), who is a considerable parliamentarian, talked with great eloquence, and the House listened with great respect as it always does to him, about the background to this manoeuvre. He pointed out, as he is particularly well equipped to do, how Government after Government promise less, not more, legislation. Then, we have repeated breaking of that pledge. This Government are more guilty than any other Government of recent years, as they have driven to get their legislation through. As a result, they treat the House with scant regard and, indeed, sometimes even with contempt. In that splendid speech, my hon. Friend said that what was at issue was freedom of speech, and he was right to make that telling point.

We had just two contributions from the Labour Benches. The hon. Member for Croydon, Central (Mr. Davies) made a brief and, frankly, disgraceful little speech. He then waltzed out of the Chamber and has not been seen since. His attitude was: what a tiresome thing is an Opposition. I say to him in his absence—I hope that he will at least take time to read *Hansard*—that if, as is most unlikely, he retains his seat or gets another one at some stage, there will come a time when he will sit in opposition. What will he then say about an Opposition being tiresome? Many hon. Gentlemen who are present know full well that what I say is true.

Mr. Barron *indicated assent.*

Sir Patrick Cormack: The hon. Gentleman nods his head. He should take his hon. Friend to the bar one day and tell him what opposition is all about. The hon. Member for Croydon, Central made a petulant, vindictive speech that was riddled with bitterness.

Mr. Tipping: My hon. Friend took three minutes.

Sir Patrick Cormack: In three minutes, the hon. Gentleman poured out more bile than the Minster, who is exceptionally good natured, could pour out in three hours.

As for the hon. Member for Slough (Fiona Mactaggart), I do not accuse her of any discourtesy for leaving the Chamber because, as she left, she looked across and said, "I'm starving." She had sat throughout the debate and I hope that she is now enjoying a well-earned snack, so will not mind what I say about her. She talked about the need for consensus, and many of us would agree with much of what she said. However, as a supporter of the Government, she should not lecture this side of the House on consensus.

My right hon. Friend the Member for North-West Hampshire (Sir G. Young), shadow Leader of the House, has signed two or three programme motions where we have agreed with the allocation of time. There was no attempt properly to seek consensus on the time to be allocated to the Bills that we shall discuss later this afternoon and on Monday. The Government must learn to behave in a parliamentary way. *[Interruption.]* That was a jolly quick snack and we are delighted to see the hon. Lady back. I hope that she enjoyed it.

It is interesting to see that one Member who has sat throughout the debate and has obviously taken pleasure in it is the hon. and genial Member for Chorley (Mr. Hoyle). If he wants to learn a little about how frustrating opposition can sometimes be and how important it is for an Opposition to speak out against what they consider to be draconian actions, all he need do is walk to the other end of the Corridor and see his recently ennobled father. How glad I am to see that he describes himself on his writing paper as "the Honourable".

Mr. Hoyle: I am amazed to hear that about my writing paper. I assure the hon. Gentleman that I certainly would not use that title. Will he please check the writing paper, because it certainly is not mine?

Sir Patrick Cormack: If I am wrong in that, of course I apologise. I would hate to make an accusation that proved to be wrong. Certainly, the hon. Gentleman is so described in official literature that I have seen and I am delighted that he is, because nobody deserved the ermine more richly than his honourable dad.

We now have a Government who regard Parliament as their creature. That is a dangerous attitude for any Government to adopt. The Government treat Parliament with a degree of derision that is bad for the body politic. They react with the indignation of the short-tempered owner trying to house-train a puppy when he thinks that his will is being thwarted. It is right that the Government's will should be thwarted. It is right that, this afternoon, we should seek to thwart their will and it is extremely wrong that the Government should have brought this motion to

[Sir Patrick Cormack]

the House in the way that they did. I hope that we shall not have any more guillotine motions in this Parliament, but I suspect that we will, beyond the one—

Mr. Geoffrey Clifton-Brown (Cotswold): There is one on Monday.

Sir Patrick Cormack: I know that there is already one on the Order Paper for Monday.

If we do have further guillotine motions, I hope that the Government will never again behave with this ill-tempered petulance, which has been provoked by their own arrogance and incompetence in dealing properly with a Bill, and has put the House of Commons into a legislative straitjacket. This is a sorry day for Parliament. It is a sorry note on which to come to the end of a long and fairly gruelling parliamentary Session. I have no hesitation in urging all my right hon. and hon. Friends, and anybody in the Chamber who cares about the House and the democratic process, to vote emphatically against the Government.

4.38 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): This has not been an interesting debate. First, I apologise to the House on behalf of my right hon. Friend the Leader of the House for her unavoidable absence during the latter part of the debate and the winding-up speeches.

I may be wrong but, as I look at the Conservative Benches, I see only two faces who have that incredible beauty of experience of having sat on both sides of the House before this Government took office—the hon. Member for South Staffordshire (Sir P. Cormack) and, I think, the right hon. Member for Wealden (Sir G. Johnson Smith). *[Interruption.]* I may be wrong, but the point is that the vast majority of them have, until now, spent all their life in this House on the Government Benches. I accept, therefore, that opposition is a new experience for them.

The procedures of the House have changed over the years since I came in. I fully accept that I have made speeches that can be thrown back at me—the longer we are here, the more likely that is to happen. I should like to say, however, that I have learned from those experiences. I know how to play parliamentary games, but I also know how to get a result. I like to make progress and to make changes to bring this place, at least remotely, into the latter part of the 20th century by introducing quality legislation. On any assessment that might be done, if this place were in the private sector, of our performance in terms of the quality of legislation, it is abysmal. We have attempted from day one to produce quality legislation on the Food Standards Agency. That does not necessarily mean that we used the old methods. In fact, by definition, we have had to use different methods.

The proposal to establish an agency started life when the Labour party was in opposition. Professor Philip James was commissioned to have a look at the idea of a food standards agency and see how it would work and what its functions and powers might be. We received the report a week after the general election, published it and then consulted on it. We received some 600-odd submissions.

Mr. Gill: Will the Minister give way?

Mr. Rooker: No I will not give way for the moment. We then produced a White Paper "The Food Standards Agency: a Force for Change" in January 1998, on which we received about 1,100 submissions as a result of a systematic consultation.

The Select Committee on Agriculture conducted an inquiry in 1998 into the general issues surrounding food safety, and published a report. We fully intended to produce a draft Bill last summer or autumn but, for reasons that have been explained in the past few months, it was not possible. Even in the Queen's Speech debate, my right hon. Friend the Prime Minister made it clear that it was our intention to produce a draft Bill and, if possible, to legislate this Session. That depended to some extent on matters in the other place.

We produced a draft Bill with notes on clauses in January this year, on which we again consulted systematically, not just as a paper exercise but by taking almost a roadshow to the regions. I went to five separate regional meetings and listened to, rather than spoke to, 1,500 or so people. We consulted on what was in the draft Bill and the consultation paper in respect of the levy.

At the same time, we set up the Special Select Committee. As we still intended, if possible, to legislate this Session—everyone can see the kind of timetable that we were working to—we asked the Special Select Committee to do a quick job. The general consensus among those who have read the report is that it did an excellent job in the short time available. It rightly made it clear that it would have liked more time. My right hon. Friend the Minister for Public Health spent two sessions in front of the Special Select Committee at the beginning and the end of its proceedings, for a total of five hours. As we heard from my hon. Friend the Member for Rother Valley (Mr. Barron), who chaired it, the Committee took submissions from 24 outside bodies and three individuals and produced a report that resulted in about a dozen substantial changes to the draft Bill.

Earlier, the hon. Member for Meriden (Mrs. Spelman) criticised the Government for changing the draft Bill before it became the main Bill that came to the House. I cannot imagine anything more ludicrous. We have listened throughout and consulted at each stage. We made substantial changes to the proposals from Philip James's report to the White Paper, from the White Paper to the draft Bill, from the draft Bill to the Bill that came to the House.

Several hon. Members *rose—*

Mr. Rooker: I will give way in a minute. I am going to finish the point. We did not make all the changes that the Select Committee suggested, and we have explained why. We have not made changes furtively, and we are happy to explain the changes that we have made later today in discussions on the amendments.

Every Government amendment on the amendment paper today is the result of the Government's commitments in Committee. I shall tell the House now,

because there will not be time later on, that other Government amendments—technical amendments relating to devolution for Northern Ireland and Scotland—which I and my right hon. and hon. Friends have refrained from tabling today, will be tabled when the Bill reaches the other place. We knew that, if those amendments were not reached today or, for some reason, the Government decided not to move them, that would send the wrong signals—it has nothing to do with food safety—to the countries involved.

Sir Patrick Cormack: Will the Minister give way?

Mr. Rooker: No. I want to finish the point that I am making.

We were still committed to obtaining Royal Assent this Session. The advertisements for the chair and deputy chair of the Food Standards Agency were published a couple of weeks ago, within a week of Second Reading. It has been public knowledge for a while that Second Reading of the Bill in the other place, subject to the will of this House, is programmed for Friday 30 July. To make that a reality, the Bill has to be delivered to the other place today, not tomorrow. We knew that all this week. Therefore, when we saw the possibility that that would not happen, we had to take appropriate action.

Mr. Tyler: Will the Minister give way?

Mr. Rooker: No. I am going to finish this point. I will then take questions, if we are going to have a Select Committee-type of operation.

We have to deliver the Bill today so that the other place can complete its Committee stage and any other investigation in the carry-over period so that we can deal with any Lords amendments before the end of this parliamentary Session.

Amendments have also been tabled relating to the financial provisions. It is up to the Opposition whether we have a debate on them so that they can be explained. As I promised in Committee, I have some information and some figures that I should like to give to the House about the financing of the agency. I cannot organise the business—we are in the hands of the Opposition. That being so, we had to take action to guarantee that the Bill would complete its stages today.

I am not saying that there would have been a filibuster on this Bill. It was quite possible that yesterday's business could have knocked out today's business. No one can contradict me on that. It is also clear that delivery of the commitments that were honourably entered into by the Opposition Front-Bench spokesmen could not be delivered. Therefore, in the interests of the package of business that the Government are asking the House to approve, and given that we have announced the dates of the recess, it is wholly reasonable to move a timetable motion on a Bill on which we have nothing to hide.

At 7.30 pm on Tuesday, I personally handed to the Opposition copies of all the Government amendments being tabled that evening. I even gave them the opportunity to table amendments to the Government amendments. We were open. We gave all those commitments in opposition. There is nothing new in the Government amendments today. It is true that we have conducted the Bill in a different way from day one. For that, I make no apology on behalf of the Government. We are determined to get quality legislation through this place so that the agency works from day one.

Sir Patrick Cormack: The Minister must realise that we do not criticise his conduct of operations, or the Bill. We accept that it is, by and large, a sensible Bill, which has great cross-party support, but why, oh why, would he not accept the undertaking that he was given? I can tell him that it would have been delivered. Instead, he has ended a good ministerial story with a rather sad last chapter by imposing a guillotine.

Mr. Rooker: In replying to the debate, I have concentrated on the specifics. The whole of my contribution was devoted to answering that question. I shall give way to the hon. Member for South-East Cambridgeshire (Mr. Paice), and then I shall conclude.

Mr. Paice: I am grateful to the hon. Gentleman for giving way. I want to make it clear that he has treated me—as the leading Opposition spokesman on the matter—and the rest of the Committee with the utmost courtesy throughout the Bill's proceedings so far; I appreciate that. I hope that its remaining stages will be dealt with in the same manner.

In that light, will the hon. Gentleman reconsider the accusation that he threw at my hon. Friend the Member for Meriden (Mrs. Spelman)? She and I—in my response to her intervention—were not suggesting that the Government should not have altered the Bill. We were simply making the point that, because they had altered the Bill—quite rightly in many instances—it was necessary to study the new version and give it proper scrutiny. To change the Bill does not remove that objective.

Mr. Rooker: The underlying theme of the criticism seems to be that, for some reason, if any change that the Government make to the draft after the White Paper is not subject to parliamentary debate, we are cheating somehow. We are not. We have been wholly and utterly open about the matter. To improve the Bill as it went along cannot be a charge that can be held against us. There was no criticism in Committee that we had changed it from the draft. I sincerely hope—

Mr. Tyler: Will the hon. Gentleman give way?

Mr. Rooker: I will, but only because I like the hon. Gentleman. He has been extremely positive about the measure. Furthermore, he was a Member of this place for only six months in 1974 and was out of the place for 18 years. I shall give way to him and then I am determined to sit down, or we shall be in danger of losing the chance to discuss the amendments.

Mr. Tyler: I am grateful to the Minister; I cannot take all these compliments from both sides of the House—they are most damaging to my reputation.

I agree with the point that the Minister made at the outset; the experience of the Bill has been uniquely constructive. It has been most helpful.

[Mr. Tyler]

However, that does not explain why this motion is before us. The Minister is right to say that there might have been a problem with the Employment Relations Bill, but that could have been dealt with separately. There is no evidence, from anything that he has told us this afternoon, that the treatment of the Food Standards Bill would be obstructed—none whatever.

Mr. Rooker: I explained that there were time constraints because of the need to send the Bill to the other place. There are 13 groups of amendments. At two hours a group, I could easily organise a two-hour debate on any group of amendments, and that would make 26 hours. That is the reason for the motion.

Question put:—

The House divided: Ayes 276, Noes 108.

Division No. 271] **[4.51 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Barron, Kevin
Battle, John
Beard, Nigel
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Linton, Martin
Livingstone, Ken
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mullin, Chris
Murphy, Jim *(Eastwood)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Roy, Frank
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham

Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Wise, Audrey
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Greg Pope and
Mr. Jim Dowd.

NOES

Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Baldry, Tony
Beith, Rt Hon A J
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Bottomley, Rt Hon Mrs Virginia
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Faber, David
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
George, Andrew *(St Ives)*
Gill, Christopher
Gillan, Mrs Cheryl
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hancock, Mike
Harvey, Nick
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Johnson Smith, Rt Hon Sir Geoffrey
Kirkwood, Archy
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Major, Rt Hon John
Mates, Michael
Maude, Rt Hon Francis
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Nicholls, Patrick
Norman, Archie
Öpik, Lembit
Page, Richard
Paice, James
Prior, David
Ross, William *(E Lond'y)*
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Spring, Richard
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

Resolved,

That the following provisions shall apply to the remaining proceedings on the Food Standards Bill and on the Employment Relations Bill—

Timetable

1.—(1) Proceedings on Consideration and Third Reading of the Food Standards Bill shall be completed at today's sitting and shall, if not previously concluded, be brought to a conclusion six hours after the commencement of proceedings on this Motion.

(2) Remaining proceedings on consideration of Lords Amendments to the Employment Relations Bill shall be completed on the allotted day and, if not previously concluded, shall be brought to a conclusion three hours after their commencement on that day.

Questions to be put

2.—(1) This paragraph applies for the purpose of bringing any proceedings to a conclusion in accordance with paragraph 1(1).

(2) The Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any Amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

(3) On a Motion made for a new Clause or a New Schedule, the Speaker shall put only the question that the Clause or Schedule be added to the Bill.

(4) If two or more questions would fall to be put, under sub-paragraph (1)(c) on Amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those Amendments or Motions.

3.—(1) This paragraph applies for the purpose of bringing any proceedings to a conclusion in accordance with paragraph 1(2).

(2) The Speaker shall first put forthwith any Question already proposed from the Chair.

(3) If that Question is for the amendment of a Lords Amendment the Speaker shall then put forthwith—

(a) the Question on any further amendment of the Lords Amendment moved by a Minister of the Crown, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(4) The Speaker shall then put forthwith—

(a) the Question on any amendment moved by a Minister of the Crown to a Lords Amendment, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(5) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown, That this House disagrees to a Lords Amendment.

(6) The Speaker shall then put forthwith the Question, That this House agrees to all the remaining Lords Amendments.

(7) As soon as the House has agreed or disagreed to a Lords Amendment, or disposed of an amendment relevant to a Lords Amendment which has been disagreed to, the Speaker shall

put forthwith a separate Question on any other amendment which is moved by a Minister of the Crown and relevant to the Lords Amendment.

(8) The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the appointment, nomination and quorum of a Committee to draw up Reasons and the appointment of its Chairman.

(9) A Committee appointed to draw up Reasons shall report before the conclusion of the sitting on the allotted day.

Miscellaneous

4. Standing Order No. 15(1) (Exempted business) shall apply to proceedings—

(a) on the Food Standards Bill at today's sitting, and

(b) on the Employment Relations Bill on the allotted day,

and those proceedings shall not be interrupted under any Standing Order relating to sittings of the House.

5. Standing Order No. 82 (Business Committee) shall not apply to proceedings on either of the Bills.

6. No Motion shall be made, except by a Minister of the Crown, to alter the order in which any proceedings on either of the Bills are taken or to recommit the Food Standards Bill; and if a Minister makes any such Motion, the question on the Motion shall be put forthwith.

7. No dilatory Motion shall be made in relation to either of the Bills except by a Minister of the Crown; and if a Minister makes any such Motion, the Question on the Motion shall be put forthwith.

8. The Question on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall be put forthwith; and Standing Order No. 15(1) shall apply to proceedings on any such Motion.

9.—(1) If at today's sitting a Motion for the Adjournment of the House under Standing Order No. 24 (as that Standing Order has effect in accordance with the Order of the House [16 December 1998]) stands over to Four o'clock and proceedings on this Motion have begun before that time, the Motion for the Adjournment shall stand over until the conclusion of proceedings on the Food Standards Bill.

(2) If on the allotted day a Motion for the Adjournment of the House under Standing Order No. 24 stands over to Seven o'clock (or, in accordance with the Order of the House [16 December 1998], Four o'clock), and proceedings on the Employment Relations Bill have begun before that time, or if such a Motion stands over from an earlier day, the Motion for the Adjournment shall stand over until the conclusion of any proceedings on the Employment Relations Bill.

10. If at the sitting today or on the allotted day the House is adjourned, or the sitting is suspended, before the time at which any proceedings are to be brought to a conclusion under paragraph 1(1) or (2), no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

Interpretation

11. In this Order, 'allotted day' means any day on which the Employment Relations Bill is put down on the main business as first Government Order of the Day.

Orders of the Day

Food Standards Bill

As amended in the Standing Committee, considered.

New Clause 1

LABELLING OF FOOD PRODUCTS

'.—The Agency has a duty to require that all food products are accurately labelled with a complete list of ingredients, whether they are genetically-modified, the country of origin of each major ingredient and the system of production where appropriate.'.—*[Mrs. Spelman.]*

Brought up, and read the First time.

5.3 pm

Mrs. Caroline Spelman (Meriden): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Lord): With this, it will be convenient to discuss amendment No. 8, in clause 7, page 3, line 35, after 'matters', insert

', including the country of origin of all major ingredients,'.

Mrs. Spelman: As a relatively new Member of the House, I feel as if I have just been present at a family row, in which some family members who were drawn into the discussion were never really implicated in the first place. I want to place on the record the fact that there was never any intention on the part of members of the Standing Committee, who worked in the most constructive atmosphere with the Government on the Bill, to imply that the guillotine had anything to do with the conduct of the Committee.

I want to place on the record also a tribute to the work of the members of the Special Select Committee. It was the quality of their work that enabled our deliberations in Committee to be conducted in an extremely constructive and cordial manner.

I reiterate that I was not criticising the extent of the modification of the original draft Bill, but pointing out that, because of the extent of the modification, the Bill needed careful and considered scrutiny in the Standing Committee. I re-emphasise that that was not criticism of the modification per se.

Obviously, we are disappointed that the time for Report stage has been limited. For tactical reasons, some things are best kept to be raised on Report instead of being debated—and perhaps rejected—in Committee. The eighth group of amendments on today's selection list is just one example of something new, which has not yet been thoroughly debated, that we wanted to keep for Report. I am anxious in case, in the time available, we do not manage to reach the important subject of appeals procedure.

As we said several times in Committee, we are keen for the new Food Standards Agency to be a success. That success will be measured by the confidence that producers, retailers and, above all, consumers, have in the information and advice that emanates from it.

We have amended the original amendment that we tabled in Committee, which may have created a misapprehension that we sought to usurp local authorities'

role in enforcing the present labelling rules. That was never our intent, and I hope that the new clause makes it perfectly clear that we recognise the very important role that local authorities play in enforcing labelling rules. However, our concern is about the present labelling rules. Fundamentally, the new clause would address the weakness in the present rules that govern labelling.

An important opportunity will be missed if the Food Standards Agency does not, once and for all, crack the problem of the weakness in the present arrangements for food labelling in this country. The duty of labelling, although mentioned in the explanatory notes, does not appear in the Bill. We do not intend, in this guillotined discussion of the new clause and the subject, to revisit arguments that took place in Committee. I know that hon. Members diligently read the *Hansard* of the proceedings of the House and of Committee.

I have tried very hard to bring some fresh points to the discussion of the very important issue of food labelling. In last night's edition of the *Evening Standard*, an extract was printed from Sue Dibb's book, "What the label doesn't tell you", which makes cautionary reading for the consumer. It lists a series of meaningless or misleading terms that are currently used in the labelling of food. For example, what are called "low fat sausages" may contain less fat than sausages not labelled "low fat" but are not necessarily low in fat. The terms "lean" or "extra lean", often used in relation to meats, can mean whatever one wants. They are essentially meaningless.

Mr. John Bercow (Buckingham): I am very grateful to my hon. Friend for giving way because I am spurred by the motive force of self-interest. As a keen consumer of beef, and specifically of minced beef, my ears pricked up when my hon. Friend referred to "lean" and "extra lean". That is a source of concern to me because I often buy "extra lean" minced beef, thinking that I am being thoroughly healthy in the process. Is my hon. Friend seeking to disabuse me of that hope?

Mrs. Spelman: I thank my hon. Friend for his intervention. Obviously, we sincerely hope that, in future, it will be the role and responsibility of the Food Standards Agency to define precisely what "lean" and "extra lean" mean. Some retailers supplement the information on the label by stating the percentage of fat, but there is no clearly defined standard for what is meant by "lean" or "extra lean". In case my hon. Friend should be tempted to try other cuts of meat, they, too, suffer from a similar problem, because I should tell him that the word "trimmed" has no specific definition either.

Another example is to be found on pre-packed, carton-packed fruit juices. The term "pure juice" is often used. In fact, that applies to concentrated fruit juice which has been shipped, diluted and heat treated. That is distinct from the term "juice drink", a product which contains as little as 5 per cent. juice. These terms are misleading, but not always after the consumer has tasted the product. At that stage some of the differences become much more apparent. At the time of purchase, however, things are a little unclear.

Another example of a misleading product might affect the consumption patterns of my hon. Friend the Member for Buckingham (Mr. Bercow). The term "smoked bacon" would probably lead hon. Members to envisage a traditional smoke-house for the production of rashers of bacon to be consumed at breakfast. I regret to inform the House that in many instances the smoked flavour is an added solution in the production process.

Another misleading term is "light beer". We often think of "light" in terms of a reduced calorie product. In this instance, however, it means lighter in colour, and has nothing to do with alcohol or taste.

There is misleading labelling of fruits. For example, the term "strawberry flavour" has nothing to do with strawberries. It may be a completely artificial flavouring. However, the term "strawberry flavoured"—everything is in the "ed" at the end—makes all the difference. It means that the flavouring has come from real strawberries.

Dr. Ian Gibson (Norwich, North): The hon. Lady is talking about misnomers, and I notice that the new clause includes the term "genetically-modified". Is that not a misnomer? We have been genetically modifying food crops for years and years. Indeed, we eat lots of foreign DNA every day. Whenever we have an apple we eat some DNA. Is there not a dreadful misnomer in the new clause?

Mrs. Spelman: I shall be talking at length about genetic modification and labelling. The Food Standards Agency could begin by providing a proper definition of genetic modification. I think that that is the hon. Gentleman's point.

I learned a thing or two from the guide to misleading labelling. New to me was the fact that bottled water that is labelled "spring water" could be tap water. Only bottles that are labelled "mineral water" strictly contain mineral water from a source as defined by the law.

I have taken some of the time of the House by reading into the record some examples of present problems with labelling. I have done so because it is my sincere wish that the FSA will get to grips with precisely these misleading terms as soon as the provisions come into force.

We might think quite lightheartedly of examples of foods and beverages that we have known and consumed, and perhaps we have learned to live with some misleading terms. However, the extent of misleading labelling may have serious consequences. I am sure that all hon. Members would join with me in extending condolences to the family of Ross Baillie. He suffered from a nut allergy and was unaware, on consuming a packet of coronation chicken sandwiches, that that product contained the very ingredient to which, regrettably, he was fatally allergic. There is a serious side to misleading labelling.

The new clause highlights the need to specify the country of origin of each major ingredient and the system of production used. As a result of food scares, consumers have become anxious about methods of production used. Present labelling is unhelpful in that respect. I shall cite the example of eggs, a product that has been at the centre of controversy in the past. The consumer can be easily confused. Upon entering a supermarket, he or she will find an array of egg boxes on the shelves, which can be labelled in a variety of different ways. For example, boxes may be labelled "farm fresh eggs". The consumer may be led to think that these eggs have been produced in a free-range style. However, farm fresh eggs can be laid by battery hens. The same is true of the term "country fresh

[Mrs. Spelman]

eggs". Those also can be laid by battery hens. Barn eggs are laid by hens that are not caged, but may well still be enclosed in a barn. Only the term "free range eggs" provides an assurance that the hens have continuous access to outdoors.

How the chickens are kept matters to many consumers. They believe that that may affect the safety of the product and/or the welfare of the bird. Unless they go shopping with a glossary of the terms used to label food, consumers may easily think that they have bought a product from a production system that is entirely different from the reality.

5.15 pm

Mr. Gordon Prentice (Pendle): I have seen the term "organic eggs". Can the hon. Lady help me by defining an organic egg?

Mrs. Spelman: The term "organic" is much more precisely defined. Organic producers in agriculture have a vested interest in making sure that the term is used strictly, only in relation to organic means of production, and as the House knows, they are extremely concerned when there is any possibility that their organic methods of production may have been contaminated. Like the term "mineral water", "organic" is one of the terms used in the labelling of food products in which the consumer has learned to have more confidence. However, that confidence can be sustained only if the organic nature of the production is truly protected.

British food producers and retailers have had to pay dearly for past food crises. The Minister said in Committee that producers in this country have had to be doubly or trebly careful about their production methods in order to restore confidence in British produce. It is not difficult to understand producers' desire for the word "British" on a food product label to be associated in the consumer's mind with a premium product, in which the consumer can have more confidence than in an imported product, whose method of production may not have been as strictly controlled as in this country.

The industry may reasonably expect careful production to be a plus point attributed to British food, yet the labelling of country of origin remains elusive. Beef labelling is a case in which some progress has been made. The beef industry particularly has had to go the extra mile to restore confidence in its product. It has done so to good effect, leading to restored levels of beef consumption.

It is permissible for the country of origin of beef to be stated on the label. It remains unclear to members of the Standing Committee why that does not apply to pigmeat, sheepmeat and poultry produced in Britain. Consumers want to see the country of origin on the label of the meat that they purchase, for good reason—their confidence in the safety and public health aspects of the domestic product.

Consumers have a right to such information in order to make an informed choice. That is the essence of clause 7. Concern about the system of production has become more acute in the case of imported produce. As a result of the unfortunate British experience of food scares, we have stricter controls on our methods of production than some of the countries from which we import food.

The use of prophylactic antibiotics, which has been banned in production systems in this country, is still allowed in some countries from which we import meat. Yet the consumer has no way of knowing whether a product comes from a domestic source, where the restrictions are tighter, or has been imported.

There is growing concern that antibiotic resistance in humans may be linked to the use of prophylactic antibiotics in rearing animals. That is undoubtedly why limitations have been imposed in Britain. The consumer rightly does not wish to expose himself or herself to that risk if at all possible. But under the present labelling rules it is not possible for the consumer to determine whether a product has been imported.

The strongest argument against labelling food with the country of origin is that it would lead to protectionism. But, in truth, the consumer simply wants to know where his or her food has come from to protect public health. The failure to label food by country of origin will make the agency's role of advising the public all the more difficult in the event of a foreign food scare.

Take the recent example of products from Belgium which may have been contaminated with dioxin. Initially, the Ministry advised consumers that there had been no imports of poultry and eggs from Belgium which may have been contaminated—only to be corrected, rather embarrassingly, by the supermarkets, which said that some might have come in.

That very week I showed my nanny the problem. A pack of chicken breasts that she had purchased from the local supermarket had no clue as to their origin. There might have been a label on the shelf that made it clear that they had come from British hens, but a few days on, and to me as a secondary consumer, there was no way of knowing from where the products had come. The advice at the time from the Ministry was, "When in doubt, bin it", so bin it we did.

Dr. Desmond Turner (Brighton, Kemptown): I am interested to hear an Opposition Front-Bench spokesman advocate the advance of the nanny state. That is quite unusual. Given the deficiencies that the hon. Lady is pointing out in labelling legislation, will she remind us of its history?

Mrs. Spelman: The hon. Gentleman might have misunderstood my reference to my nanny. I was obviously talking about an employee of my own. Far from being an advocate of the nanny state, I am saying that the whole point of the clause is to provide information to ensure that the consumer can make a well-informed decision. It is not a question of taking a decision on behalf of the consumer, but allowing the consumer to decide. That is our strongest argument for ensuring that some misleading labelling terms are corrected.

With the vast growth in the range, quality and sophistication of food retail products, the need for labelling has become all the more imperative.

Mr. Christopher Gill (Ludlow): Does the hon. Lady agree that, where the product in question comes from outside the EU, within which we are assured that all the rules and regulations are enforced in an equal and even-handed way as compared with the United Kingdom, there is perhaps an even greater need for it to be labelled.

For example, as I am sure the hon. Lady knows, it is possible that the chicken that she binned came from Thailand.

Mrs. Spelman: I am coming to chicken from Thailand next. My hon. Friend reads my mind. But before we leave the EU, there is a problem in relation to labelling a product with its country of origin, even within the EU. For example, the term "made in Italy" can be misleading. That term means that Italy was the last place where the product underwent substantial change. For example, a jar of olives may be labelled "Made in Italy", but the olives could have been grown in north Africa and the finished product assembled in Italy.

A little closer to home, anticipating this morning that I might have to forgo a regular lunchtime refreshment because of the modernised hours during which the House sits on Thursdays, I sought a product that would be easy and convenient to eat. I purchased a Cornish pasty, but I was dismayed to find that all the label told me was that the product had been produced in the United Kingdom. I could not be sure that the beef in the product had not been imported and, as a consumer, I have concerns about the relative safety of imported beef.

Mr. Andrew George (St. Ives): The hon. Lady has introduced the magnificent Cornish pasty to the debate.

Mr. Mike Hancock (Portsmouth, South): The oggie.

Mr. George: The Cornish oggie, as my hon. Friend says. Does the hon. Lady agree that it is important that products described as Cornish or Yorkshire should be made in or derived from that place, otherwise they would not be legitimate?

Mrs. Spelman: I agree with the hon. Gentleman that it is absolutely essential to preserve the integrity of national and regional products.

Mr. David Maclean (Penrith and The Border): I am grateful to my hon. Friend for giving way. Although I should hate to disagree with her and the hon. Member for St. Ives (Mr. George), and although I agree entirely that there has to be food integrity, the Cornish pasty is but one example of a food that might not necessarily require a geographical description. Any piece of pastry wrapped round meat of a certain type might be described as a Cornish pasty, which is a generic rather than a geographically based food.

Mrs. Spelman: My right hon. Friend makes a helpful intervention. He spent many hours with us in Committee and referred to many examples of the way in which the integrity of traditional products should be preserved by accurate labelling.

Chicken Kiev is another classic example of a modern convenience food. Obviously, its main ingredient is chicken. Very often, the harassed housewife, who combines work and running her home, will aim to buy precisely such a convenience product at the local supermarket. The label may say, "Made in Britain", but she may be completely unaware that the chicken may have been imported from Thailand. Chicken production in Thailand is not subject to the same strict regulations as poultrymeat production in this country. Indeed, substances that are banned from use in poultrymeat production in this country are used in Thailand.

When such simple examples are given to ordinary consumers, they lose faith in the term "Made in Britain" because they cannot read the label with any confidence and reassure themselves that they are protected from a risk that they have read or heard about. They cannot be sure that reading the label on a product will enable them to take the preventive measures necessary to minimise the risks to themselves. The consumer can be easily misled in that way.

Numerous examples were referred to in Committee and one of the most notable was the fact that it is possible to import live animals to this country. The Minister is aware that French pigs are imported to Suffolk and turned into bacon labelled "British". The hon. Gentleman expressed his intention to clamp down on such misleading labelling, but that example shows that the food labelling regulations are seriously lacking.

5.30 pm

The concern about misleading labelling and the future role of the Foods Standards Agency reaches a topical and controversial point when we come to the labelling of genetically modified material in food. I understand that today's Food Commission report draws attention to the risk of labelling foods "GM free" while accepting a variable tolerance level for some genetically modified ingredients.

That will do nothing to help to inspire consumer confidence in foods that are produced with that new technology. It may be every bit as bad as the previous problem—now stamped on by the Government—of using the catch-all, throwaway disclaimer, "This product may contain genetically modified material" when, often, in practice, it did not. I am pleased that the Government have clamped down on the easy disclaimer route for the labelling of food, but they may run into another problem if the term "GM free" is loosely used.

The mere fact that there is discussion of what would be a tolerable level of genetically modified ingredients within any food product—it was reported in yesterday's edition of the *Evening Standard*—is a warning to the consumer already to have doubts about the phrase "GM free". The consumer cannot be sure that, in reality, the food is as it is described. The supermarket chain Sainsbury's says that it is working with a tolerance level for GM ingredients of 0.1 per cent., but, according to press reports, the European Union is preparing to allow food to be labelled "GM free" even if as much as 3 per cent. of its contents are GMO derived.

Some retailers claim they will require zero tolerance; others say that they will simply aim at that. The truth is that, if we want to eat GM-free food, it will be remarkably difficult to be sure. The British Retail Consortium has said that it will approach the matter on a de minimis basis, under which ingredients that are present in minute quantities—0.01 per cent. of the total—do not need to be acknowledged.

The Food Standards Agency is to be set up as a regulatory authority for GM food. There is an immediate and urgent task: to get to grips with the labelling of GM food. That is why we call for that to be made explicit in the Bill.

[Mrs. Spelman]

Incidentally, where does it leave the powers and influence of the Food Standards Agency when the Welsh Assembly is already addressing the issue of the genetic modification and the necessary powers to manage its own control and labelling? We discussed at length the implications of devolution for the Food Standards Agency. I have no wish to reiterate the debate in Standing Committee, but that precise example shows that our concerns about different standards arising in the United Kingdom are at risk of becoming a reality.

We welcomed the Minister's confirmation in Committee that the Food Standards Agency would have the power to act throughout the United Kingdom, without intrusive Government intervention, or its authority being weakened by the piecemeal, devolutionist thrust of the Bill. That final practical example, however, presents a good case for coming back to the question of how to resolve the problems involving the devolved relationship and the Foods Standards Agency.

I impress on the House how great the demand is for accurate food labelling to be achieved once and for all. Consumers have a right to be accurately informed about the content, origin and method of production of the food that they eat. I draw the Minister's attention to an article on the front page of last week's edition of the *Farmers Guardian*, which reports that its "Let's have it labelled" campaign has won massive support throughout the farming industry, with more than 5,000 signatures collected at agricultural shows throughout the country. At one show alone, the great Yorkshire show, 500 signatures were collected. They report the demand from local and county shows that imported food should be clearly labelled so that consumers at least have the option to buy British.

In calling for food labelling to be a duty of the new Food Standards Agency explicitly set out in the Bill, our paramount aim is to protect public health. To achieve that, consumers must be able to read food labels with confidence. We therefore strongly commend the new clause.

Dr. Peter Brand (Isle of Wight): I support the spirit behind the new clause, which was moved so comprehensively and at such fascinating length. The examples used by the hon. Member for Meriden (Mrs. Spelman) demonstrate clearly that people need nutritional value advice as well as food safety advice. I welcome the conversion of Conservative Front-Bench Members on that point.

Mr. Gill: That is not what my hon. Friend was saying. She was saying that we want information on the label so that consumers can choose. We do not want the Government or any other body to say what people should eat because of its nutritional value. That would be acting as a nanny state, and we do not agree with that.

Dr. Brand: That is not what I would suggest, either. Consumers need information that is scientifically well founded so that they can make up their minds about what to do. In that sense, I welcome the new clause.

I was slightly confused about the discussion on the use of antibiotic growth promoters, as it seemed to run counter to amendment No. 10, which we are unlikely to reach if we continue at this rate. That amendment would decouple the FSA from the Veterinary Medicines Directorate, which clearly makes no sense whatever.

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): Perhaps the hon. Member for Meriden (Mrs. Spelman) will explain that.

Dr. Brand: Yes. It would be helpful if the hon. Member for Meriden could explain that later in the debate.

We await with great interest the Minister's response to the new clause. I shall be extremely brief on all the amendments, because it is important that we have an opportunity to speak on every amendment, rather than having them rushed through at the end.

Mr. Maclean: I rise to support the new clause—*[Interruption.]* I appreciate the welcoming chorus from Labour Members. It is interesting that they make the effort to speak in this debate when they were remarkably silent in Committee.

The new clause has considerable merit. It is important that consumers can make an informed choice but, at times, it is important that they can make an ignorant choice, in the proper sense of the word. We make such choices all the time, but at least we have that choice. We often look at the labels on food and make decisions that may not be based on the best science or rationale.

Sometimes, our choice is based on the product's price. At other times, it is based on our perception of the product. We may sometimes feel that only a bottle of French wine will suffice, but on other occasions we may prefer Australian wine.

Mr. Peter Luff (Mid-Worcestershire): English wine.

Mr. Maclean: There are some good English wines, although I have never found a good red English wine. No doubt that comment will result in more death threats next week. However, there are some quite good white English wines. I can make that choice because the country of origin is on the label.

The problem with food labelling is that the country of origin is put on the label when it suits the producer or retailer. It is included on all products where the retailer or producer thinks that it is a selling bonus. That happens in the wine business. Stilton cheese is another example—there is an added premium if the country of origin is on the label. If a producer thinks that his product will have a certain cachet because it is American or German, he adds the country of origin to the label. When the consumer does not see the country of origin on a label, he can always resort to the golden rule that the producers or manufacturers of that product are not as proud of it as they should be. There must be some good reason for the country of origin not to be specified; it is easier to persuade the consumer to purchase by making other claims on the label.

All food labels make claims of some sort. They may not make claims in the technical MAFF sense—claims, for instance, that products contain low cholesterol or low fat—but, by its very nature, labelling is intended to summarise the nature of a product for advertising purposes. It is a selling mechanism in itself.

The producers of food, even more than the producers of other materials, try to convey the key messages that they consider to be the strongest selling points.

Naturally, Governments have traditionally insisted that labelling—not necessarily labelling on the front of products, but certainly labelling on the back of such products as the Cornish pasty mentioned by my hon. Friend the Member for Meriden (Mrs. Spelman)—should include descriptions that, at times, food manufacturers may not wish to include. I am thinking of, for instance, nutritional content, fat content, and other important information that the consumer wants.

I merely say this: why stop at the present amount of information on the label? Of course we want to know about the energy content, the fat content, the salt content and the sugar content. The labels give us the nutritional information. It is sensible to want to know whether a product is gluten free, and whether it is suitable for people with a nut allergy. We will want to know whether the product has been approved as being genuinely organic, but we can only go by some of the approved standards. If there is a symbol on the product saying that it has been approved by the Soil Association, we cannot be sure that it is "perfectly" organic—I do not think that there is any perfectly organic foodstuff in the world—but we can at least know that it has crossed a certain threshold of organic production, and has been approved by the Soil Association or some other organisation.

Mr. Lindsay Hoyle (Chorley): Will the right hon. Gentleman give way?

Mr. Maclean: I am happy to give way to the hon. Gentleman at any time. I rather enjoy his interventions.

Mr. Hoyle: I am very worried by what the right hon. Gentleman is saying. I think that he is discrediting all organic farmers, and that he should withdraw his comments. He is making a very irrational point, and there is a grave danger that he could put a lot of people out of business.

Mr. Maclean: The hon. Gentleman is becoming increasingly ridiculous as the day goes on. Obviously he is not deaf this time—

Mr. Hoyle: What?

Mr. Maclean: It must be the stupidity that is cutting in on this occasion.

It is impossible to describe any product as "perfectly" organic, just as it is impossible to describe any product as "perfectly" safe. If someone proves to me that a product is 100 per cent. organic, I shall be happy to endorse it; but does the Soil Association claim that all products featuring its logo saying that those products are organic according to its standards are 100 per cent. perfectly organically produced? Of course not. Those whose products qualify for the Soil Association logo have crossed the quality threshold, which is very high. That gives the consumer an idea of the nature of the product concerned.

We are merely suggesting an addition to existing information on labels, which many consumers find helpful, although some will find it irrelevant. Some people who want to buy a Cornish pasty will use criteria other than the nutritional information on the back of the packaging. Some will want to know the proportion of meat in relation to the proportion of pastry; some will want to know whether the pasty has actually come from Cornwall; others will not care about those things, but will want to know the country of origin. Not every consumer reads everything on the label, and makes an informed choice after taking all that information into account. If every consumer did that, the queues in supermarkets would be even longer. When the Minister studies the food surveys that MAFF has produced, he will see that consumers sometimes make irrational choices. Indeed, according to the dietary experts, they sometimes make wrong choices. Nevertheless, the choices are theirs, based on the information on the labels.

The new clause suggests the inclusion of information that most consumers will find handy and interesting: whether products are genetically modified, the country of origin, and the system of production. I think that, in regard to the system of production, the Government could be in a strong position in the future. Our production systems are one of Britain's strongest selling points, and we need to market that better on labels.

5.45 pm

I suspect that the Minister would confirm that any survey of consumers asking, "Do you prefer buying food produced in factory or less humane systems"—however those may be described; whatever may be the current politically correct term for such systems—"or those produced in totally humane systems", consumers will certainly say, "We want products from totally humane systems—the best that there are." One could have disputes on what constitutes humanity or inhumanity in food production, or on which systems are best for food safety and animal welfare, but that is not the point of my speech.

The point is that consumers say that they are interested in purchasing products from systems that are more humanely organised. At times, however, those very same consumers may not be willing to pay the premium of such systems. Nevertheless, generally—the Minister rightly boasts about this—whether in pigmeat production, free-range chicken meat or in future battery cages, Britain leads the world in systems of animal husbandry and animal welfare. I think that the Minister would also say that Britain leads the world in checks on veterinary products and on residual veterinary contaminants in meat.

Therefore, identification as "British produced" would be a very great selling point to those concerned about animal welfare, and I hope that we shall be able to take that route. I appreciate that the Minister would have enormous difficulties in persuading his European Union partners to establish such a system and in insisting that foreign food should be so labelled. However, it is certainly within his gift to encourage British producers of quality products to adopt country of origin labelling, and I urge him to do so today.

Mrs. Ann Winterton (Congleton): I am pleased to have the opportunity to speak briefly on Report—which I, like my hon. Friend the Member for Meriden (Mrs. Spelman), think is an extremely important part of a Bill's passage. Report and Third Reading provide many hon. Members—who, for one reason or another,

[Mrs. Ann Winterton]

have been unable to speak on a Bill on Second Reading, or to play their part in Committee—with an opportunity to comment both on a Bill's provisions and on amendments made in Committee.

I comment on behalf of my constituents, who consist not only of farmers and growers, but of consumers. To all those who might have criticised me in the past, saying that I was too much on the side of farmers, I point out that I have many more consumers than farmers in my constituency. Nevertheless, I believe that, on the whole, farmers work very hard to produce wholesome foods and other products. I also follow in the footsteps of my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) in all that he said about British produce—to which I shall return later in my speech.

One of the difficulties of a shortened Report stage is that many excellent amendments on important provisions may not be debated—and I am referring specifically to the important provision of a right of appeal. I had always believed that we in the United Kingdom believed in justice and that, if a Government agency ruled on a certain matter, producers would always have a right of appeal against that ruling. Amendment No. 1 would reintroduce such a right of appeal, but we may not be able to consider it, and that is a pity.

I acknowledge that the Government went to great trouble to introduce an innovative way of ensuring that the draft Bill was scrutinised, and that the results of that process have been widely acclaimed on both sides of the House. Moreover, proceedings on the Bill in Committee were very amicable, and that is also to be welcomed. Members of the public do not always realise that, whichever party is in government, there is often much common ground between the Government and the Opposition on matters of common sense. Therefore, I commend what has gone on.

The Government are concerned about the wholesomeness of food and the health of the nation. Perhaps it is pertinent to reflect that although the agency to be set up by the Bill will ensure that food produced in the United Kingdom is produced to the highest standards, it will omit the most important part, in that it does not relate, nor could it relate, to food produced on the continent and elsewhere, because of the rules of the EU. These rules always seem to me to be ridiculous, and I cannot understand why neither the previous Government nor this one have tackled the problem with more enthusiasm and energy.

There is no doubt that for beef, pigmeat or lamb—as well as eggs—the animals have been raised to the highest welfare standards. Farmers in my constituency are proud of the way in which they raise and care for their stock, and they send their stock to market in the best possible condition. We all know that that cannot be said of many countries in the EU. It is essential, for that reason, that British products are properly labelled—by that, I mean not labelled in a misleading way. For example, "British bacon" often comes not from pigs raised in this country, but from meat imported and processed in this country. That is dishonest, to say the least. If new clause 1 were accepted, it would be a major step forward.

We are to provide more labelling of the nutritional element of food, and other information for the consumer—such as labelling of the country of origin. We must recognise also that these provisions equate with further regulations and added costs to producers, and therefore to the consumer. Many will consider the extra cost worth while, but we must recognise that we are placing added costs on our industry which will not be placed on industries in other countries from which we import food.

Food labelling is here to stay and is welcomed by many consumers. However, much can be misleading, and the information given must be accurate. My hon. Friend the Member for Meriden listed a range of foods and products which were not as they appeared to be. However, organic products in this country—when they are approved by the Soil Association—are recognised as being of high quality.

Mr. Hoyle: Hear, hear.

Mrs. Winterton: The often rather belligerent hon. Member for Chorley (Mr. Hoyle) agrees with me, no doubt because he has organic producers in his constituency. When I served on the Agriculture Committee, we undertook an inquiry into these matters. With others, I visited Blagdon farms, where Yeo Valley yoghurt is produced, and we were given samples. I hasten to add that I did not feel that I had to include them in the Register of Members' Interests. Since then, I have bought nothing other than Yeo Valley organic yoghurt. It is excellent, and we ought to be promoting it throughout the EU as something that is produced in a wholesome and—I believe—old-fashioned way.

I have always sought positively to buy British in everything, but especially in food, not least because I come from a farming and country background from way, way back. I have never, never bought French apples and I have no intention of doing so. When our apples and pears are not in season, I am more than happy to buy them from Commonwealth countries such as New Zealand or South Africa, but I am damned if I will buy those ghastly things that look perfect, but taste of nothing. That brings me to another subject.

Mr. Luff: New Labour?

Mrs. Winterton: No, something much more important than that. I am talking about British produce. We need to have British produce labelled as such, because it is the best marketing tool that we have. Sadly, many consumers buy on the basis of price rather than on the basis of quality. I always try to buy the best quality, and if necessary, I will buy less. It is essential to market our quality food. I hope that that message will go home and that we will be able further to promote the excellence of our produce.

Sir Geoffrey Johnson Smith (Wealden): I welcome the Bill. New clause 1 would require that

"all food products are accurately labelled with a complete list of ingredients",

but that is already done. I assume that that is the law. However, ingredients are often listed in a way that is very difficult to comprehend or even to read.

I gather from the gossip in the Chamber that if we require country of origin labelling we may run up against European Union law. I hope not. Perhaps the Minister can

tell us. Will he let us know whether we cannot compel people to label food as made in this country because we will run up against Brussels?

Mr. Rooker: I did not want to intervene, because of the time constraints, but if the hon. Gentleman will sit down I will answer him. He does not seem to want me to do that.

Sir Geoffrey Johnson Smith: I was making the point that labelling food as British is important as a marketing tool. We are moving towards having fewer and fewer subsidies, and we are encouraging our farmers to market quality products that should be better known by the public, such as Southdown lamb or York ham.

I am not sure whether we can implement the requirement to include the system of production on the label, but the aims of the new clause should be studied seriously.

Mr. Rooker: I shall do my best to respond to some of the issues raised, but I shall be brief and I apologise to the House for that.

On virtually every issue about which it has been said during the past hour that the agency should do something, I can honestly say that the agency will act. I can say that because it is being done now to a greater or lesser extent within the joint food safety and standards group under existing law. However, there is always room for improvement—I would not argue about that.

6 pm

There are good reasons for my asking the House not to accept new clause 1. The key reason is that it would make matters worse than they are now. The Bill is drafted in general terms, and the powers of existing legislation are being transferred to the Food Standards Agency. If we started listing in the Bill specific duties such as food labelling but did not list, for example, food composition, food authenticity, food additives, food hygiene and chemical contaminants, it would be argued in a court that those issues were less important than food labelling because Parliament had listed food labelling in the Bill. Yet they are all equally important. What is more, they are all covered by the agency's powers. That can be said without any qualification whatever.

Naturally, some matters can be dealt with to a greater or lesser extent. The right hon. Member for Wealden (Sir G. Johnson Smith) invited me—indeed, he almost pushed me—to intervene, but when I stood up he did not sit down. To a certain extent, we are governed by European Union laws on labelling. It is not possible for us to go off on our own and invent a labelling regime. As I said recently at Question Time, there is nothing to stop British supermarkets and food producers putting the country of origin on all their food products, so long as the labelling does not mislead the public. They do not need a law or authority from this House; they can do it. We have to ask ourselves why they do not do it more often. Perhaps they are a bit ashamed of the origin. People should assume that if a product does not say it is British, it is not British. Some smaller supermarkets are going out of their way to label products as British or Welsh, particularly in respect of lamb, and others should be encouraged to do so.

Mr. James Paice (South-East Cambridgeshire): Will the hon. Gentleman give way?

Mr. Rooker: No, I must cover various points, and time is limited.

The hon. Member for Meriden (Mrs. Spelman) mentioned the beef labelling scheme. It is a Europe-wide scheme which is voluntary now but which will be compulsory in due course. It is governed by a quite separate set of powerful rules and the independent audit of those who use it, even down to the method of slaughter and the sex and tag number of the animal if the person chooses to sell on that basis. That is important. In due course, that kind of scheme will undoubtedly be extended to other meat areas.

I thought that the hon. Lady would not have the brass neck to mention GM foods but she did. It is worth putting on record again the fact that the Government inherited a policy not to label GM ingredients in foods. On 7 June 1997 we announced the change.

Mr. Paice: May I lay to rest the absurd criticism that the Minister keeps coming up with? The previous Government voted against introducing labelling for GM foods because, as he said, at that time there was no way of testing for them, so the law could not have been enforced. As it was not possible to test for GM ingredients, it would have been a stupid law. Yes, the technology has moved on and it is now right to do that.

Mr. Rooker: That is not the reason. The reason for the policy not to label those foods was specifically because they were not technically or nutritionally different. The previous Government's policy was to label those foods if they were technically or nutritionally different. They were following to the letter the American system of not labelling food unless it was technically or nutritionally different. Soya and maize are not technically or nutritionally different; therefore the policy was not to label them. That is why we had to pass separate rules for labelling. The previous Government approved the EC's novel food regulations so that in future any new GM food would automatically require labelling. They approved that before we came to power, so the hon. Gentleman's argument is blown out of the water. They were content for future GM foods to be labelled. That was agreed in 1996, but the regulations did not cover maize and soya—the only such foods that were being imported other than tomato paste, which was always labelled.

The hon. Member for Meriden also mentioned an issue that has been reported in the press in the past few days. I went to a public meeting just like anyone else. The people from Nestlé told the audience that they supplied Iceland under a commercial contract ingredients that included up to 1 per cent. GM ingredients for Iceland to sell as GM-free. I have disclosed that in the past, and I have been criticised by Iceland for doing so. Nestlé did not exactly boast about it, but it was part of the commercial contract. That was a matter of public knowledge. I was a member of an audience at a public meeting.

The hon. lady also mentioned the important issue of antibiotics. As the hon. Member for Isle of Wight (Dr. Brand) said, under amendment No. 10, the

[Mr. Rooker]

Opposition do not want the Food Standards Agency to have anything to do with veterinary medicines. That does not square with what the hon. Lady said about antibiotics.

Production methods and welfare-friendly labels are also important. The Food Standards Agency will have the power to investigate claims on labels that products are welfare friendly. If people misleadingly label something as welfare friendly and the agency checks on the files and finds that it is not, it will have the power to go on to farms to ensure that welfare-friendly methods are used. The issues raised in the new clause are covered by the Bill.

My final point relates to imports. There has been a touch of xenophobia in some of the speeches, but I understand the concern. Many years ago, before I came to the House, I wrote a piece in Birmingham. I had gone to buy a rotor arm for my old banger in the days when we had rotor arms. I picked up a product labelled as a Lucas rotor arm in a shop—it may have been Halfords, I do not know. It was vacuum packed and all that the label said was "Printed in the UK". I thought, "I'm an engineer. You don't print a rotor arm, you make it." It turned out that it was made in the Lucas factory in Brazil.

Labels can give a false impression by putting perhaps only the country where the packaging was printed or where the last part of the process was carried out. There is no doubt that they can be misleading. More work needs to be done and more pressure needs to be put on the suppliers. As I said, there is nothing to stop suppliers insisting that the country of origin is labelled on their produce. We ought to do more to encourage our constituents to demand that. Legislation is not necessarily required to make it effective.

The hon. Member for Meriden also mentioned imports. We do not always know what is going on and there will not be time to discuss all the amendments, but we are able to turn back imports or check them if there is a problem because they are labelled and we can take them out of the food chain if necessary. We recently picked up some problems with imports of beef carcases from the Republic of Ireland, which had to be labelled. Specified risk materials are found in imports. I understand that one lot was found today; so the checks are going on.

Reference was made to Belgium. We were able to check pork and poultry consignments from Belgium. They were all impounded and returned to Belgium or destroyed. An enormous amount of work is therefore being done to check these things. Labelling of country of origin or code numbers is important in that connection.

To accept the new clause would be to make it more difficult for the Food Standards Agency to deal with the issues that I have raised, where problems arise. Those issues are not written into the Bill, but the agency will deal with them. They include contamination, adulteration and food composition. It is important that we leave the agency with as much general power as possible to carry on work that is already taking place. The thrust of the demands of hon. Members who have spoken are covered in the Bill and the powers that the House is giving to the agency.

Mrs. Spelman: I have listened carefully to the Minister's reply. He clearly stated, as he did in Committee, that a clear transfer of power to the agency is taking place to enable it to take over the role of enforcing labelling rules. That is what he says the agency will be doing. However, we really did want that to be included in the Bill. We are left to fall back on the explanatory notes. I am disappointed that, after we had provided so many examples of the current inadequacy of the rules, we do not seem fully to have made the point that we did not want to transfer the power under the existing set of rules. However, given the Minister's comments, we hope that the agency will take a proactive stance in addressing some of those confusing points.

I certainly want to dispel any idea that xenophobia lay behind our desire for clear labelling of the country of origin—quite the opposite. The Minister will recall that, in Committee, we heard a good example of why the consumer might want to buy a foreign product. My right hon. Friend the Member for Penrith and The Border (Mr. Maclean) referred to the cachet of a foreign product; he gave as an example the contrast between Somerset and French Brie. As the two are largely indistinguishable, they would need to be labelled accurately with their country of origin in order to enable consumers to buy the foreign product if they wanted to do so. That is not xenophobia; it has a great deal to do with choice, but more important—in relation to what lies at the heart of the Bill—it would protect food safety.

My hon. Friend the Member for Congleton (Mrs. Winterton) referred to organic standards. If the Government are unwilling to accept the new clause, we want to press the Minister and—through him—the new agency to consider the problem posed by the fact that organic standards are not common throughout the European Union. The standard set by the Soil Association in this country is much higher. Indeed, that is why my hon. Friend has such confidence in the organic products that she buys. However, her point illustrates the weakness of the rules that the Food Standards Agency will inherit. We should like the agency to do something about that.

Somewhat reluctantly, we take the Minister at his word. He assures us that all the powers for the enforcement of food labelling will be transferred lock, stock and barrel. We urge him to ensure that the Food Standards Agency considers thoroughly the inadequacy of the set of rules with which it will have to work, but, based on what we have heard, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 3

EXERCISE OF FUNCTIONS IN WALES

'(1) This section applies if the National Assembly for Wales passes a resolution expressing the view that the functions of the Agency ought not to be exercisable in or as regards Wales.

(2) The National Assembly for Wales shall—

(a) consider the matters referred to in this Act, and

(b) within three months of a resolution of the sort referred to in subsection (1) above, make provision for the functions of the Agency provided for in this Act to be carried out in ways other than those provided for in this Act.'.—*[Mr. Ieuan Wyn Jones.]*

Brought up, and read the First time.

Mr. Ieuan Wyn Jones (Ynys Môn): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this, it will be convenient to discuss the following amendments: No. 17, in clause 24, page 13, line 10, at end insert—

'(7A) If the Agency fails to comply with directions under subsection (1) in a case where the power under subsection (1) has been exercised by the National Assembly for Wales, the National Assembly for Wales may—

(a) remove from office the member of the Agency appointed by it, and

(b) remove from office any members of the advisory committee for Wales,

and until new appointments are made, may itself make provision for the carrying out of the Agency's functions.'.

No. 13, in clause 33, page 17, line 43, at end insert

'; or—

(c) the National Assembly for Wales passes a resolution expressing the view that the functions of the Agency ought not to be any longer exercisable in or as regards Wales.'.

No. 14, in page 18, line 5, at end insert—

'(aa) modifying this or any other Act as She considers necessary or expedient in consequence of a resolution of the National Assembly for Wales of the sort referred to in subsection (1)(c) above;'.

No. 35, in schedule 4, page 36, line 5, at end insert—

'Government of Wales Act 1998 (c. 38)—

. In Schedule 5 to the Government of Wales Act 1998 there shall be inserted—

"Food Standards Agency.

Food Standards Agency advisory committee for Wales."'.

Mr. Jones: It is a pleasure to speak to the new clause and the amendments. The spirit of these matters was discussed in the National Assembly for Wales when the Health and Social Services Committee considered whether there should be a separate agency for Wales. Clause 33 in particular makes one realise that the House is already paving the way, under the devolved provisions, for the possibility of separate agencies for Scotland and Northern Ireland, whereas no such provision is being made for Wales. That is a mistake. If Wales wants to pursue separate policies on food standards and wants the same flexibility as Scotland and Northern Ireland, it should have that opportunity.

I have considered the advice given to the Committee of the National Assembly on why a separate agency might not be appropriate for Wales. I confess that I do not find it very convincing. For example, it says that a separate agency for Wales would require separate scientific advice. I do not see why that should be so. If scientific advice is available to the agency in England, it could be provided to an agency in Wales.

6.15 pm

For example, the Welsh Assembly received scientific advice from the Spongiform Encephalopathy Advisory Committee when we conducted our inquiry into beef on the bone. It was not necessary for the Welsh Assembly to have separate scientific advice. It was perfectly proper for it to accept SEAC's advice on that occasion, so I see no reason why the situation should be different with the Food Standards Agency. The Bill should allow the Welsh Assembly to have the same flexibility as Scotland and Northern Ireland in developing policies and, in the interests of consistency, we should have similar provisions.

Amendments Nos. 13 and 14 should be viewed in the context of our argument in support of new clause 3. I therefore move quickly to amendment No. 17. It would give the Assembly the power to remove the agency member for Wales who is appointed by the Assembly under clause 2, and any member of the advisory committee for Wales. That would be a useful addition to the powers conferred on the Welsh Assembly by this legislation. Although I hope that we will never have to call for the removal of appointees, it is important to ensure that the Welsh Assembly has that sanction.

In the interests of brevity, I shall move on to amendment No. 35. As the House will know, the schedule to the Government of Wales Act 1998 lists several bodies that the Assembly can call to give advice to it and evidence to its Sub-Committees. The Welsh Assembly has been working for only a matter of weeks, but I think that subject Committees are an excellent concept. The Committees are doing excellent work and providing good information to the people of Wales. I strongly urge the Minister to accept this amendment because I think that the Food Standards Agency should be called to give evidence to the appropriate Sub-Committee which will want to consider a range of issues in the interests of probity.

On that basis, I hope that the Government will feel minded to accept at least some of the amendments.

The Parliamentary Under-Secretary of State for Wales (Mr. Jon Owen Jones): Hon. Members will want to debate several important amendments and new clauses later this evening. Therefore, I intend to deal with these amendments quickly, unless I am pressed.

I thank the hon. Member for Ynys Môn (Mr. Jones) for the brevity with which he explained his amendments, and I shall deal rapidly with new clause 3 and speak to amendments Nos. 17, 13 and 14. The hon. Gentleman has done what I have come to expect from a member of Plaid Cymru when we consider Bills that involve Wales as well as England: he has tried to rewrite the Government of Wales Act 1998 by giving primary legislation powers to the Welsh Assembly.

Mr. Ieuan Wyn Jones: Quite right.

Mr. Jon Owen Jones: I understand the hon. Gentleman's point of view. Nevertheless, even if I were persuaded by his argument, I am sure that he will agree that this is not the right vehicle through which fundamentally to redraw the Government of Wales Act, which the people of Wales accepted in the 1997 referendum. I must therefore reject the amendments.

The intention behind amendment No. 35 is to give the National Assembly for Wales power to require attendance and production of documents by any person who is a member or a member of staff of the Food Standards Agency and its advisory committee for Wales. Having considered that amendment, I think it appropriate that the power of summons should apply to the agency and the advisory committee. Although the agency will be a Crown body, there are no close parallels operating in Wales. The agency will have the full range of policy

[Mr. Jon Owen Jones]

responsibilities on food safety, which is a devolved area, and it is appropriate that the Assembly should be able to summon agency members, staff and the advisory committee when it deems necessary. We are, therefore, minded to accept that amendment.

The other amendments, however are not appropriate because they require primary legislation powers. The National Assembly for Wales will have important secondary legislation powers to determine regulations governing food safety in Wales. As the hon. Gentleman will know, those powers allow the Assembly to determine policy on matters such as beef on the bone, the licensing of butchers' shops, codes and practices governing how local authorities enforce food laws, infant food regulations, food additive regulations and food labelling regulations. It is not appropriate to extend those powers to primary legislation within the Bill.

Mr. Robert Walter (North Dorset): I was a member of the Special Select Committee that considered the Bill, but I was not a member of the Standing Committee. I shall dispel a myth that has pervaded the debates on this Bill. Rather than analysing the Bill clause by clause, the Select Committee considered its general provisions. We did so in a short time, and with some confusion of evidence, because those who were presenting evidence were not sure whether they were doing so to us, as a Select Committee of the House, or to the Government.

The Select Committee considered the subject of this new clause and amendments, the consequences of devolution and the problems of a UK-wide agency that would be answerable to four different independent bodies: the Department of Health, the Scottish Parliament, the Northern Ireland Assembly and the Welsh Assembly.

There is today a supreme irony in the amendments moved on behalf of Plaid Cymru by the hon. Member for Ynys Môn (Mr. Jones) because they undermine the spirit of the devolved Welsh Assembly, which does not, as the Minister stated, have primary legislative functions. They would also take Wales out of the Food Standards Bill altogether, or, as I suspect the hon. Member for Ynys Môn desires, create a separate Welsh food standards agency.

The irony of that is demonstrated on the front page of today's *Western Mail*, which carries the headline, "Fury as beef on the bone ban stays", following the announcement yesterday at a press conference in Cardiff of what had been the worst-kept secret in Welsh agriculture for the past week. Meeting in private last week, the Agriculture Committee of the National Assembly for Wales voted to forgo its existing powers in an important area of food standards—the beef-on-the-bone ban. Members of that Committee had earlier said that they would vote to lift the ban, but have now changed their minds.

Mr. Jon Owen Jones: I am not a spokesperson for the National Assembly for Wales, but I can tell the hon. Gentleman that it did not vote to forgo its powers; it simply decided not to lift the beef on the bone ban now. The purpose of devolution was to allow the devolved powers to decide for themselves. The fact that Assembly Members—in their wisdom, I believe—decided that they would not, for the time being, take a decision that was different from this body's decision does not remove the fact that they were allowed to do so, and they decided not to.

Mr. Walter: In his interpretation—that Assembly Members were not forgoing their powers but deciding not to do something—the Minister is playing with semantics.

The key point that I wanted to make is that the three Opposition parties in Wales—the Conservatives, the Liberals and Plaid Cymru—had campaigned strongly for an early and unilateral lifting of the ban. That was a pre-election pledge of all three parties. Today's *Western Mail* article points out that

"It emerged that those on the agriculture committee who changed their minds were largely Plaid Cymru members"—

a stance which, to some extent, makes nonsense of the amendments in the name of the four Plaid Cymru Members of this House.

If the ban had been lifted, it would have made nonsense of the Government's desire, to which I believe the Minister alluded just now, for a United Kingdom Food Standards Agency with UK-wide powers and UK-wide implementation—a concept which the Opposition support.

I should like to examine for a moment the nonsense of the amendments. I shall ignore amendment No. 35, which the Minister has said he is prepared to accept, but I shall focus on new clause 3 and amendments Nos. 13 and 14, which would effectively give the Welsh Assembly the power to opt out, if it so desires, of the new food standards regime completely, or to set up its own regime, with a Welsh food standards agency.

The Minister mentioned the process that took place in the National Assembly for Wales. The Health and Social Services Committee of the Assembly considered that matter on 23 June 1999.

Mr. Ieuan Wyn Jones: I shall not pass comment on the hon. Gentleman's mischievous earlier remarks; I may refer to them in passing when I reply to the Minister's speech. However, will the hon. Gentleman read the Bill, and will he make specific comments about Wales? Clause 33(1)(a) says that the Scottish Parliament can pass

"an Act providing for any functions of the Agency to be no longer exercisable in or as regards Scotland".

What is the difference?

Mr. Walter: The difference is that the Scottish Parliament was set up with primary legislative powers but the Welsh Assembly was not. The Welsh Assembly was never envisaged as such and, in the referendum on setting up the Welsh Assembly, there was never any suggestion that the Assembly would have those powers. They are not in the Government of Wales Act 1998. The amendments would move us on a ratchet or two, by giving the Welsh Assembly those powers. That was never the intention of the House or of the people of Wales.

The Health and Social Services Committee of the Assembly was advised to support the proposal in the Bill

"that the Food Standards Agency should be a UK-wide body, advising and reporting to the Assembly in relation to Wales, and carrying out the food safety and standards functions currently discharged by Assembly staff as well as the new UK functions proposed in the Bill.

To ensure that the Welsh dimension is appropriately covered, the arrangements for the Food Standards Agency's operations in respect of Wales will include a Welsh Executive; an advisory committee for Wales; and sole appointment by the Assembly of a board member with special responsibility for Wales."

There has been general support in Wales for the principle of a UK agency. That approach was recommended by the Government on the grounds of consistency and cost. As food safety and standards are tightly constrained by the European Union legislative framework, there seems to be little scope for variation in secondary legislation.

6.30 pm

I shall refer to two items contained in the recommendations to the Health and Social Services Committee on 23 June, which are important to the new clause and the amendments. The committee was told that food safety

"is an issue of great public concern."

We would not object to that. The document continues:

"The need for consistency of policy and advice to the public is therefore a key consideration. Were there to be a separate Agency for Wales, it would need access to separate scientific advice from that which will be provided by existing committees to the Agency in England. There would therefore be a real danger of conflicting advice being made available, which would cause public confusion. In addition, since the scientific advisory committees which currently advise the Government are made up of the highest calibre independent scientists, it would be difficult to find sufficient independent scientists of high enough standing to advise a separate Welsh Agency."

That was the first part of the recommendation to the National Assembly. The separate point is that the cost

"of establishing a completely separate Agency in Wales would be far greater than the Welsh share of current costs. This additional cost would have to be met from within the Assembly's current budget at the expense of other priorities. Historically the Welsh Office has relied on expertise in the Department of Health and Ministry of Agriculture, Fisheries and Food in many areas. For example, the Welsh Office has no trading standards advisers. It will be far more cost-effective for the Welsh Executive to use the central services provided by the Agency's headquarters, for example for financial services and I.T. support, than to seek to duplicate these functions in a separate Agency. The Bill provides for arrangements which will make the Agency properly accountable to the Assembly; will ensure that the Agency takes account of Welsh issues in advising the Assembly on legislation and in advising the public; and will allow the Assembly to monitor the Agency's performance and propose changes to its priorities and functions."

That was the evidence that the Health and Social Services Committee considered. I have read through the committee's minutes and I will refer to a couple of items. It is stated in the minutes that

"it is also important for Wales to maintain access to the best scientific advice . . . A separate Welsh Agency would lead to an unnecessary duplication of work."

That is repeated by the members of the committee.

The minutes continue:

"The costs of setting up a separate Welsh Agency were estimated"—

this was during the meeting on 23 June—

"to be approximately £6 million, whilst funding a Welsh Executive would require less than £1 million."

Therefore, ensuring that Wales maintains a strong and distinctive voice within the United Kingdom Food Standards Agency is somewhat more important than having a separate Welsh food standards agency, which would be constrained both in its scientific advice and its financial resources. The minutes record that

"the Committee accepted the proposal for a UK Food Standards Agency."

The Minister of State may recall our exchanges in the Select Committee on green top milk, which is banned in Scotland but freely available in England and Wales. We also discussed the beef-on-the-bone ban, even before the Bill was introduced. As has been said, the Welsh Assembly could have lifted that ban this week. Consumers in Chester, Hereford or Bristol could have made the short trip over the border and bought products banned in their local shops. Smuggling would have taken on new connotations in a UK context.

It is possible, even without the amendments, that the FSA could recommend lifting the beef-on-the-bone ban. That advice could be accepted by the Welsh Assembly but rejected by the Department of Health. However, the consequences of the amendments go beyond those deficiencies of the Bill. The amendments drive a coach and horses through the concept of a UK-wide Food Standards Agency. Separate arrangements for Wales would lead to confusion among consumers. A separate Welsh food standards agency would do a great disservice to the Welsh consumer and to the Welsh taxpayer.

The cost, as we know, would be at least £6 million, just to create the separate administrative structure. I would be interested in any advice that the Minister could give about the cost of a separate meat hygiene service for Wales, if that were bolted on to a Welsh food standards agency.

A more important objection to the amendments must be on the grounds of safety and science. The original arguments for creating the agency were that it would be able to call on the best scientific advice available, and would have the resources to pay for it. Separate scientific advice available to a smaller, less-well-resourced Welsh food standards agency could only be inferior.

I heard the comment of the hon. Member for Ynys Môn that a separate agency could receive the same advice but, if it came to different conclusions, the Welsh consumer might suffer. Welsh consumers deserve the same superior scientific advice as their English and Scots cousins enjoy.

The fundamental objection to the amendments is constitutional. They are a clear attempt by the Welsh nationalists to move the goalposts in respect of the powers of the Welsh Assembly. The amendments would enable the Welsh Assembly to pass primary legislation. That was never the Government's intention in the Government of Wales Act 1998, and nor was it the will of the Welsh people in the referendum. It would certainly have been opposed by Conservative Members. On those grounds alone, regardless of the scientific and the cost grounds, we have no reason to support the amendments.

Dr. Brand: It is interesting to follow the hon. Member for North Dorset (Mr. Walter). I now understand the motivation of the hon. Member for Ynys Môn (Mr. Jones). We have just heard a trainee colonial governor's announcement of what should happen in one of our dependencies. *[Interruption.]* It is well known that I represent an offshore dependency.

We welcome the ministerial decision on amendment No. 35. There might have been less support in Wales for the amendments moved by the hon. Member for

[Dr. Brand]

Ynys Môn if the Government had been less opaque about the functioning and reporting of concordats. I hope that we will have an assurance from the Government that the Welsh Assembly will be an active participant in the drawing up of concordats, and that Assembly Members will be able to discuss them openly and publicly.

Mr. Ieuan Wyn Jones: The speech of the hon. Member for North Dorset (Mr. Walter) made the case for devolution better than any argument that I have ever heard. It was paternalistic and arrogant, and the hon. Gentleman failed to understand the concept of devolution. It is little wonder that his party's vote collapsed in Wales during the recent elections to the National Assembly. On that performance, it will never rise again.

All that we seek to achieve through the amendments is to enable Wales to be treated in the same way as Scotland and Northern Ireland. I would have listened to the hon. Gentleman's remarks much more carefully if he had read the National Assembly's report on beef on the bone. He quoted selectively from the *Western Mail*, but he failed to tell the House that, in that same report, is a quote from the Conservative Member of the Committee, saying in terms that he accepted that the issue of lifting the beef-on-the-bone ban was not as simple as he had originally thought.

The National Assembly has decided not to abrogate its responsibility but to listen to the medical advice. When that becomes available in August, we shall reconsider the matter. The hon. Gentleman quotes extensively from some Assembly documents to support his case, but simply ignores others.

Having put on the record the correct position with regard to the National Assembly, I am sure that the Minister will be pleased to know that, on the basis that he accepts amendment No. 35 and that a quarter of a loaf is better than no loaf at all, I shall not press the three amendments that he was unable to accept, and that I also beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 6

DEVELOPMENT OF FOOD POLICY AND PROVISION OF ADVICE, ETC. TO PUBLIC AUTHORITIES

Mr. Chris Mullin (Sunderland, South): I beg to move amendment No. 11, in page 3, line 19, at end insert—

'(1B) Without prejudice to the generality of subsection (1), the Agency has the function of—

(a) investigating and monitoring the effect on food safety of—

(i) animal husbandry systems and practices with inadequate standards of animal health and welfare;

(ii) the routine use of antibiotics on farm animals for growth promotion or prophylactic purposes; and

(iii) slaughterhouse systems and practices with inadequate standards of hygiene and animal welfare; and

(b) developing policies relating to any matters identified during the investigation and monitoring mentioned in sub-paragraph (a) which the Agency considers have a significant effect on food safety.'.

The amendment would include among the agency's functions a duty to examine the effects on human health of farming systems with low standards of animal health and welfare. It extends the agency's remit in three areas, each of which has implications for human health—first, the conditions in which animals raised for their meat are reared; secondly, the routine use of antibiotics for growth or the suppression of disease, and, thirdly, conditions in slaughterhouses. I shall deal with each in turn.

I make it clear at the outset that I do not wish to see the principal responsibility for the welfare of farm animals taken away from the animal welfare division of the Ministry of Agriculture, Fisheries and Food, which, by and large, does a fine job. I simply argue that the Food Standards Agency needs to be able to address all the elements that jeopardise food safety, and those clearly include poor animal welfare.

I make it clear, too, that I do not suggest that intensive animal husbandry is responsible for all or even most of the threats to food safety. Obviously, there are many other factors, including the way in which food is stored and prepared in the catering industry and at home. However, we cannot ignore the fact that the growth of industrial farming has coincided with a dramatic increase in food poisoning—by more than 450 per cent. during the past 15 years. No doubt, there are many explanations for that, but I should be surprised if that was not in some way connected with the appalling conditions in which so many farm animals are reared.

Most pigs, chickens and turkeys are intensively farmed. Broilers—chickens reared for their meat—are kept for their entire lives in huge windowless sheds, which are so overcrowded that, as the birds grow, the floor is scarcely visible. The birds are kept on litter, usually wood shavings, which is often never changed throughout their short miserable lives. Those birds often literally live in their own excrement. It is hardly surprising that bacteria flourish in such conditions.

Three years ago, the Advisory Committee on the Microbiological Safety of Food concluded:

"Poultry meat continues to be a significant route for the transmission of salmonella and campylobacter into industrial, domestic and catering environments."

The committee drew attention to a 1994 survey by the Public Health Laboratory Service, which found that 41 per cent. of UK-produced frozen chickens and one third of chilled chickens were infected with salmonella. Those figures may be coming down, but they are far too high. Supermarkets find that around 10 per cent. of the 720 million chickens slaughtered each year are infected—that is, 72 million chickens infected each year.

A 1994 European Community survey found that 44 per cent. of UK-produced chickens are infected with campylobacter. I believe that those remarkably high levels stem in part from unhealthy farming and slaughter practices. My amendment would give the agency power to address that issue.

6.45 pm

The second part of my amendment deals with the routine use of antibiotics artificially to suppress the diseases caused by intensive animal husbandry. That must also have implications for human health. For many factory farmers, antibiotics have become a substitute for hygiene and good practice and they are also used to promote growth. Quite apart from the moral issues involved, that gross misuse of drugs is bound to have implications

for human health. I am not a scientist, but it seems to me that one inevitable consequence of that will be the encouragement of the growth of bacteria that are resistant not only to antibiotics used on animals, but to those used by humans. In my view, human and animal welfare are inextricably linked.

When I intervened on my right hon. Friend the Minister of Agriculture, Fisheries and Food on Second Reading, he told me that the use of antibiotics as growth promoters would be within the remit of the agency. My amendment makes that explicit and goes a little further: it would enable the agency to address the misuse of antibiotics for veterinary purposes—that is, as a substitute for humane conditions.

Finally, my amendment would give the agency power to take an interest in conditions in slaughterhouses, where they are relevant to human health. Modern abattoirs are capable of slaughtering as many as 300 pigs or 8,000 chickens an hour. At that rate, even with the best will in the world—that is not always present—it will be nigh on impossible to safeguard either the welfare of animals or the hygiene of the meat. I shall leave to one side for the purpose of this debate the unspeakable cruelty to which industrial killing on such a scale gives rise and focus instead solely on the implications for human health.

The 1996 report of the Advisory Committee on the Microbiological Safety of Food identified slaughterhouses as a significant contributor to the high levels of salmonella and campylobacter found in poultrymeat. The Committee said:

"Slaughter and processing operations give rise to a very wide range of practices which can have a serious effect on the spread of microbiological contamination".

My amendment would bring slaughterhouses within the remit of the agency. I appreciate that it may be argued that there are other agencies with responsibility for the regulation of factory farming and slaughterhouses. I wish them well in their work and I have no desire to diminish their powers. In the interests of joined-up government, which we are all in favour of these days, the Food Standards Agency will no doubt want to work closely with them in any case, but I do not see why slaughterhouses, where relevant, should not fall within the remit of the agency. I commend the amendment to the House.

Mr. Paice: I want to put on record a few of the Opposition's thoughts on the amendment. We sympathise very much with a number of the points made by the hon. Member for Sunderland, South (Mr. Mullin) about the objective of ensuring that our food is humanely and hygienically reared and hygienically slaughtered and processed. However, we have some real doubts about some of those points and the way in which the amendment could operate.

First, the word "inadequate" appears twice in the amendment. I suggest that what is and is not inadequate welfare is a highly subjective matter, and that word in itself would cause major legal problems of interpretation. Secondly, I should put it on record that I think it is very unwise to suggest or imply that different systems of animal welfare automatically bring with them different hygiene and food safety issues. There will not necessarily be such a conjunction. The example of eggs was mentioned in Committee and there is evidence that eggs produced in well-managed battery cages are probably more hygienic and less likely to carry salmonella than free-range eggs. The difference is not the system of welfare and of keeping animals, but the standard of husbandry, the management and the human aspect. The point is not whether chickens, pigs or whatever are kept in a particular system, but whether they are managed effectively.

The hon. Member for Sunderland, South referred to broilers kept in their own excrement. Such an emotive statement belies the truth entirely. Yes, they are kept on wood shavings, but, as he said, they are there only for a short period and it is not necessary to replace them. Indeed, it would be physically impossible to replace them without huge welfare implications—moving the birds off the shavings so that new ones could be put in would have huge welfare implications.

To suggest that systems of welfare carry different food safety implications is to ignore the reality. Good farmers will produce safe food in any conditions. Bad farmers—we have to admit that there are some examples—will produce unsafe food whatever the conditions, including free range; the sort of conditions that the hon. Member for Sunderland, South probably espouses. It is the quality of the management that matters.

Dr. Brand: Is not the purpose of the Food Standards Agency to establish whether there is a link between animal welfare, the methods of rearing animals and producing food and food safety? We can all make assumptions from different perspectives in the animal welfare sector, but we need scientific evidence, such as that quoted by the hon. Member for Sunderland, South (Mr. Mullin), to ensure that we are protecting the public.

Mr. Paice: I am putting forward reasons why the Government would be ill advised to accept the amendment. We do not support it, although it is not out of lack of sympathy. If he looks at the Bill in its entirety, the hon. Gentleman will find that there is plenty of scope for the agency to examine the issues to which he refers. My point is that implicit in the amendment is the suggestion that different animal welfare systems automatically carry with them different food safety implications. I reject that contention.

Mr. Maclean: The hon. Member for Sunderland, South (Mr. Mullin) said that changes in agricultural practices since the war are responsible for increased food poisoning, but the greatest changes have taken place in methods of food storage and preparation, in the types of food available and in cooking methods—microwaves and all the other food technology—plus a changing population eating on the hoof and not cooking food in the old-fashioned way, when everything was roasted or boiled to extinction.

Mr. Paice: My right hon. Friend makes the point that I was going to make in my next sentence. In the past two or three decades, we have moved from the situation where the housewife—usually the person in the house, although I shall try to avoid sexism—purchases the raw materials and prepares a cooked meal. Nowadays, that is much less often the case. Therefore, a raft of changes could have brought about hygiene problems.

Mr. Mullin: I am sure that the hon. Gentleman will remember that I acknowledged that point, and said that

[Mr. Mullin]

animal welfare systems were just one of the factors. I did not claim even that they were the greatest factor. I accept his argument.

Mr. Paice: I accept that.

The positive side of the amendment, which does not outweigh the negative side—which is why we cannot support it—is that it would allow the Food Standards Agency to emphasise what the Opposition contend are already high welfare standards in this country. There will always be room for improvement. The hon. Member for Sunderland, South would probably disagree about aspects of that improvement, and no one would pretend that there is not always room for some change. However, the Minister of State rightly praised our standards of welfare. This country has already taken steps to outlaw veal crates, sow stalls and tethers.

We have higher welfare standards than many of the countries from which we import food. Ministers have rightly spoken about the welfare premium. However, that is made at the retail end; it is important that it is reflected in the extra costs incurred by producers. For example, our pig producers, who produce pigs without using stalls or tethers because those are illegal here, must compete with producers of pigmeat produced in countries that use those systems.

In the previous debate, my hon. Friend the Member for Meriden (Mrs. Spelman) referred to the importance of ensuring that labelling included the system of production and the country of origin, so that consumers could bear those in mind in making a choice. If a housewife wants to buy foreign pigmeat, she should be able to do so in the full knowledge that it might not have been reared to the standards which we expect to be used in this country.

Mr. Gill: I happen to know that, yesterday, my hon. Friend met the chairman of Assured British Meats. Does he agree that many of the points that the hon. Member for Sunderland, South (Mr. Mullin) made are covered by the scheme of policing, controlling and monitoring all the processes in the production of British meat, which is partly funded from public money? Does not that answer many of the criticisms that the hon. Gentleman made?

Mr. Paice: My hon. Friend, with his immense knowledge of the meat industry, is entirely right. Assured British Meat, set up and partly funded from public money, is doing a fantastic job in ensuring that our meat is produced to the highest standards, and that that is used as a marketing tool so that the public are aware of it.

We sympathise with the objective of ensuring that those matters are taken into account—I have not mentioned slaughterhouses as I am sure that the Minister will pick that point up—but we have serious doubts about the phrasing of the amendment. We shall therefore not support it, should it be pushed to a vote.

Mr. Luff: I share many of the doubts and reservations expressed by my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) about the amendment. The hon. Member for Sunderland, South (Mr. Mullin) and I had an opportunity to discuss these issues, and I understand and respect his concerns. He may be partly right and partly wrong about this issue, but in a sense that does not matter in terms of his proposals because the Bill fully addresses all the concerns that he has expressed.

The amendment would not extend the Bill, as he suggested in his opening remarks, but would lead to overdue specification of one aspect of the concerns and issues that the agency will address. Clauses 6, 7, 8, 9 and 10 deal with the agency's functions. They deal with developing policies for food safety or other consumer interests in relation to food. Clause 7 provides advice and information to the general public. Under clause 8, the agency has the function of obtaining information on those issues. Clause 9 deals with animal feeding stuffs—which, at least in part, deals with the hon. Gentleman's concern about antibiotics. Crucially, clause 10, on the powers of the agency, says:

"The Agency may, for the purpose of carrying out its function under section 8 or . . . 9, . . . with a view to obtaining information about . . . any aspect of the production or supply of food or food sources",

seek information, including observations about

"agricultural premises, agricultural businesses or agricultural activities".

The Bill therefore contains a comprehensive range of provisions, which fully deal with the hon. Gentleman's concerns. Whether his concerns are legitimate or not is irrelevant. The agency has those powers.

I repeat the concern expressed by the Minister about new clause 1. He said that to accept new clause 1 would be to distort the purpose of the agency. Accepting amendment No. 11 would have the same effect: it would distort the purpose of the agency by putting undue focus on specific activities, concerns and issues in the food chain, when there are so many others that should worry us.

If the hon. Member for Sunderland, South wanted to highlight one priority, it should have been that which he just mentioned in passing. It is one that he and I discussed, and which was raised by my right hon. Friend the Member for Penrith and The Border (Mr. Maclean): the priority of hygiene in the kitchen.

7 pm

If I were asked which of all the concerns about food safety was the most important, I would say it was hygiene. To make the issues raised today by the hon. Member for Sunderland, South a priority would be to detract from what I consider to be the priority. It is clear that most instances of food poisoning occur after the food has left the farm, and after it has left the factory, and that it tends to occur in catering establishments more often than in the home. In saying that, I do not intend to excuse poor standards earlier in the food chain. It is crucial for our farmers to produce food to the highest possible standards, and there is no excuse for sloppy practices.

Dr. Gibson: One of the problems in kitchens now is that some utensils are coated with antibiotics. That is relevant to some of the points raised by my hon. Friend the Member for Sunderland, South (Mr. Mullin). Antibiotic resistance is being passed on to the human population. You win some, you lose some.

Mr. Luff: I do not think that we need to debate the merits of the issue. I have a good deal of sympathy with

what the hon. Gentleman has said: issues do arise from antibiotic resistance. I think that most of them arise from overuse of antibiotics in human medicine rather than animal medicine, but that is not to deny that antibiotics in animal medicines and practices pose a problem. My Select Committee expressed concern—albeit perhaps a little too simply—in its report on food safety, which was published more than a year ago.

I share the doubts expressed by my hon. Friend the Member for South-East Cambridgeshire about the definition of "inadequate". The definition itself is inadequate. Two sub-paragraphs in amendment No. 11 use that word, referring to

"inadequate standards of animal health and welfare"

and

"inadequate standards of hygiene and animal welfare".

I agree with my hon. Friend that "inadequate" is a very subjective term, and I think that that in itself is a good reason for us to doubt the merits of the amendment.

I am also worried about the highlighting of "slaughterhouse systems and practices". I respect the concerns that were in the mind of the hon. Member for Sunderland, South when he tabled the amendment, and I do not know the views of other Conservative Members, but I believe that, if anything, slaughterhouses are already over-regulated. Some of the most animal welfare friendly slaughterhouses in Worcestershire have been forced to close as a result of over-regulation, and I think that the Government are doing a tremendous job in monitoring the standards of the abattoirs that remain. The hygiene assessment score system is working extremely well, and I think that it deserves our support.

The requirement that the amendment imposes on slaughterhouse systems suggests the existence of a worry that the House ought not to have. The Minister of State should be congratulated on what he is doing to drive up standards, but that has already been at some cost. Some of the best slaughterhouses have already gone, and those that remain are paying a heavy price for the privilege of this system of regulation.

The amendment might have a particularly heavy impact on domestic production, and no corresponding impact on imported products. I think that my hon. Friend the Member for South-East Cambridgeshire made that point. Many of our greatest concerns are not about British systems, which are generally the best in the world, but about foreign systems, which clearly are not. My hon. Friend rightly spoke at length about pigs. That is a classic example of our standards being the highest in the world, but I fear that the amendment could send a signal to the contrary.

I am also worried about the fact that the amendment deals only with livestock. Many food poisoning issues have nothing whatever to do with livestock; they relate to a range of other foodstuffs. I do not think that it is helpful to highlight livestock as being a particular problem.

It is understandable that the hon. Member for Sunderland, South should feel as he does about intensive farming, but disease control is often easier in intensive farming systems than in non-intensive systems. The incidence of, for example, salmonella is often a great deal higher in the case of free-range chickens and free-range eggs, and—ironically—badly managed free-range chicken production is often less welfare friendly than well-managed intensive systems. That, however, is a separate issue.

The House should reject the amendment because it is unnecessary. It adds nothing to the Bill and it gives priority to the wrong set of issues. I hope that the Minister will invite the House to reject it.

Sir Geoffrey Johnson Smith: I want to follow the comments of my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) and echo his hope that the Minister, in his reply, will not look with favour on amendment No. 11.

The Minister will be aware that, earlier this year, the Agriculture Minister announced a programme of increased inspections which, if implemented, would have cost the abattoir industry an extra £20 million. However, I am glad to say that as a consequence of representations, he announced a complete deferral of specified risk material inspection costs for that financial year. Subsequently, we have learned that, in the past few years, there has been tremendous improvement—and rightly so—in the United Kingdom's abattoirs.

The risk that we run now is that, by imposing so many extra costs and regulations, we shall close down the abattoirs and cause something that I am sure that the hon. Member for Sunderland, South (Mr. Mullin) would not like at all: longer journeys, at great expense, for animals on the way from farms to the slaughterhouse. Although it is very much better to have those facilities close to farms, in my own area, for example, we have only two small abattoirs left.

The head of the farm animals department of the Royal Society for the Prevention of Cruelty to Animals said that the originally proposed additional costs represented a serious economic threat, and that there was no doubt that the current proposals would result in the closure of some small abattoirs. We therefore believe that the extra burdens proposed in amendment No. 11 would be counterproductive. If we are to maintain standards and have the farming communities on our side, and in the light of action already taken, we must be very careful to avoid imposing further burdens that will have a counterproductive effect.

Mr. Andrew George: In supporting the purpose of amendment No. 11, I should like also to draw attention to the significance of small businesses and low-throughput abattoirs in meeting high animal welfare standards.

If we had had sufficient time, amendment No. 11 could and should have been debated in relation to amendment No. 32—which I had hoped we would be able to debate. However, as we are now entering the third hour of a three-hour debate, but have reached only the third group of amendments, it is becoming clear that we shall not reach the ninth group, which deals with the fact that—for the reasons already given by the right hon. Member for Wealden (Sir G. Johnson Smith)—small businesses and low-throughput abattoirs meet very high animal welfare standards. I think that the hon. Member for Sunderland, South (Mr. Mullin) would accept that, because of shorter travel times and a quieter and less stressful environment inside the abattoirs themselves, low-throughput abattoirs meet high animal welfare standards.

As the hon. Member for Mid-Worcestershire (Mr. Luff) correctly said, on any objective assessment, inspection levels at small, low-throughput abattoirs are

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excessively high. Just last week, for example, one small abattoir in my constituency complained that it had four inspectors watching one person work. The week before, the ratio was three inspectors to two workers. Such an inspection level, and the charges consequently imposed, is a burden on small businesses.

An important aspect of the Bill is its provision for both high animal welfare standards and protecting the interests of small businesses. As I said, I had hoped that, were it not for the antics largely of Conservative Members, we would have an opportunity to consider fully all of the amendments tabled on Report, so that we might be able to consider the very deep and serious concerns of small businesses about the Food Standards Agency's impact on them.

Mr. Deputy Speaker: Order. The hon. Gentleman cannot speak to a specific amendment and then lament the fact that he cannot go on to further amendments.

Mr. George: I appreciate that, Mr. Deputy Speaker, but you will understand the frustrations felt by Liberal Democrats at the lack of progress.

Having expressed that frustration, I wish to say to the hon. Member for Sunderland, South that there is a crucial link between the importance of meeting high animal welfare standards and protecting the interests of small businesses. It not just a question of low-throughput abattoirs. I hope that the Minister will take account of the impact of the Food Standards Agency on small businesses, because small producers, processors and retailers need advice and help, as well as a recognition that they do not want disproportionate charges laid upon them. Such charges could put them out of business and result in lower animal welfare standards all round and a considerable diminution in the fabric of rural life, severely damaging the economy of rural areas.

Mr. Hancock: The House is well aware of my hon. Friend's championing of the small business man, and of business generally. However, surely he is not suggesting that the Minister should look sympathetically at proposals which would in any way lower standards of animal welfare, as well as those standards that the public would require from small businesses to remain confident that they were supplying a product which was good enough for them to eat and for their families to enjoy.

Mr. George: I am grateful to my hon. Friend—I want to emphasise, as I have done before, that it is not a question of lowering standards for small, low-throughput producers: it is quite the opposite—small producers usually meet high standards of hygiene. We must take into account the effect of the operation of the agency on small businesses; otherwise it will damage the rural economy and the rural way of life, and jobs will be lost. Through that, the quality of animal welfare will be reduced.

Mr. Rooker: I welcome the amendment tabled by my hon. Friend the Member for Sunderland, South (Mr. Mullin), in that it has provided us with this debate. I recall my hon. Friend's contribution at Second Reading, and he has referred to an aspect of the Bill that is in the shadows and does not have as high a profile as some other issues. Nevertheless, it is an important matter. I hope that I can assure my hon. Friend that the thrust of the issues that he has raised will be taken on board in the Bill.

The Bill extends the scope of the Food Safety Act 1990 to cover production of food sources. That means that the regulation-making powers of the 1990 Act could, if necessary—for food safety reasons—be used in relation to husbandry matters. There is no question about that. The lead role in the use of antibiotic growth-promoters in farm animals will continue to fall to the Veterinary Medicines Directorate, an agency of MAFF. However, the Food Standards Agency will have an effective veto on the regulation of veterinary medicines. A member or placeperson of the agency will be on the Veterinary Products Committee, which gives independent scientific advice to the Government. The agency will be involved closely in any matters concerned with antibiotic resistance, which is clearly a public health matter and goes beyond my Department.

I understand the issues touched on in relation to slaughterhouses. Hon. Members know that, because of the time allocation, they have used up too much time on that subject, and they cannot debate the Meat Hygiene Service.

Mr. Paice: There is still time.

Mr. Rooker: The hon. Gentleman does not know when I am going to sit down.

7.15 pm

Legitimate points have been made and I understand the frustrations. I want to make it abundantly clear that the Food Standards Agency will have direct and specific responsibility for both policy and enforcement in all abattoirs. The Meat Hygiene Service will be part of the agency and accountable to it. There will be separate arrangements for auditing, which we discussed in Committee but will not have the chance to debate today.

The hygiene and animal welfare rules for slaughterhouses are a direct responsibility of the Food Standards Agency. There is no question whatever about that. That is important because the meat industry is big business. We slaughtered 10,000 cattle today for food. We did the same yesterday and we will do the same tomorrow. There are huge factory abattoirs and small abattoirs where slaughtering may occur only one day a week.

We slaughtered 2 million broiler chickens today; we did it yesterday, and we will do it tomorrow. The hygiene conditions must be tightly controlled and I make no apology for the actions that we have taken in the past two years to drive up standards in the meat industry. I made my own modest contribution by going through a small part of the modules of the Meat Training Council. I got nowhere near slaughtering, of course, but I wanted to show that we are mustard keen on better and more training for everyone throughout the industry. I did not see why a Minister should be kept out of that if I could do something to contribute.

Mr. Gill: As president of the Meat Training Council, I want to tell the House that we are all in this together. We all want to raise standards and improve training,

hygiene and efficiency in the industry. We are most grateful to the Minister for having submitted himself to the course that he underwent.

Dr. Gibson: The running dogs of the pig industry.

Mr. Rooker: No, no. Hang on. In the days when we had them, the hon. Member for Ludlow (Mr. Gill) was my pair, so leave him alone.

The Food Standards Agency will be able to go anywhere in the food chain—there are no no-go areas in the food production system—and it will interfere or regulate to a greater or lesser extent at different parts of that chain, hardly touching some and getting actively involved in others. If there are arguments about the quality of welfare-friendly meat and mis-labelling, it will certainly have the powers to get that sorted out.

I have been to nine abattoirs—I visited one pig abattoir with the hon. Member for Ludlow—to see matters at first hand. Welfare conditions at slaughter are crucial, not only because of our respect for animals but because meat from happy animals tastes better. A happy pig is a tasty pig. There are chemical changes in animals slaughtered in stressful conditions. That is a plain fact. We must treat such issues extremely seriously.

The amendment is not necessary. The wholly legitimate issues raised by my hon. Friend the Member for Sunderland, South are covered in the Bill, as the agency will have powers throughout the food chain and in relation to the Veterinary Medicines Directorate. The Meat Hygiene Service does not currently set its own policy—the policy is agreed between the Department of Health and my Ministry in the joint food safety and standards group—but the Food Standards Agency will take that role and will be able to deal with clean cattle policy and hygiene rules at slaughtering. So these matters are central to the Bill; they are not outwith it.

Salmonella was mentioned. In the coming weeks and months we shall be discussing performance targets for the agency—how we can check whether it is doing the job that the House intends it to do. One such measure would not be simply to reduce food poisoning because we do not know its cause. It is multifaceted, so difficult to set as a performance target. However, the eradication of salmonella and campylobacter in the flock could be looked at over a period of years because there are techniques known to do that. One factor in the assessment of the agency's success could be just that. If those bacteria can be eliminated at the beginning of the chain, there are less likely to be problems caused by people handling food incorrectly in the home or the retail and catering trades.

The agency will be actively involved in animal husbandry and welfare. I hope that I have said enough to give my hon. Friend the encouragement and comfort he needs. I thank him for raising these issues and hope that he will not press his amendment.

Mr. Mullin: I am grateful to my hon. Friend for the positive tone of his reply. I acknowledge the good work of his Department in raising farm animal welfare standards. Much more progress must be made to eliminate the worst excesses of factory farming, about which we have been complacent for far too long. I appreciate that we can move only at the speed at which we can convince our EC partners to move, but I recognise that the Government are doing their best in this area.

We have had a useful little debate. The Bill should not pass without some reference to the welfare of the millions of farm animals that are slaughtered every week. It is an issue of great concern to our constituents and to many of us on both sides of the House.

To take up a point made by the hon. Member for Mid-Worcestershire (Mr. Luff), I am a little nervous when I hear people say that we have the best standards in the world. Over the years, I have heard that applied to our police force, our judges and, with rather more accuracy, to our armed forces—indeed, to a whole range of our institutions. It smacks slightly of complacency, if he will forgive my saying so, and we should never be complacent.

I acknowledge the points made by the right hon. Member for Wealden (Sir G. Johnson Smith) and the hon. Member for St. Ives (Mr. George) about the need for local abattoirs to be properly regulated to prevent stressful lengthy journeys to slaughter. I am grateful to the Minister for his assurances and clarifications. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mrs. Spelman: I beg to move amendment No. 2, in page 3, line 25, at end insert—

'(4) Any authority making such a request shall immediately publish its reasons for so doing.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 12, in clause 21, page 10, line 43, at end insert—

'(4) The Agency shall make a report to Parliament on the exercise of its powers under this section in each calendar year.'.

Mrs. Spelman: It is my pleasure to speak to these amendments. I intend to be as brief as possible in the interests of reaching some of the meatier subjects, if the House will forgive the pun, further down the amendment paper in the restricted time available.

The purpose of amendment No. 2 is to add a duty to any authority which makes a request to the agency to exercise its powers. The principal reason behind it goes back to one of the core themes of many of our amendments, which is to preserve the independence and ensure the transparency of the agency.

I pay tribute to the work of my hon. Friend the Member for Cotswold (Mr. Clifton-Brown), who has been present throughout much of the debate and who has been a watchdog for this whole question of independence and transparency for the agency. At many points in the Standing Committee *Hansard* he pointed out the need to try at all costs to preserve the independence of the agency. That is why we believe that it is imperative that when a request is made for the agency to exercise its powers, the reasons should be stated immediately. In that way, consumers, producers and retailers will be able to see the open working of the agency. We feel strongly that if there is any delay in giving the reasons, or if the reasons are not given, for requesting the agency to exercise its power, its independence will be undermined.

On other clauses, we have called for the reasons for the exercise of power to be clearly stated. For example, in clause 11 the power of entry to premises comes without the agency's having to state the reasons for going in. We understood the reason for the random visiting by foods standards officers and why the reasons could not be stated

[Mrs. Spelman]

in that instance, but we believe that it is imperative that the reasons are published immediately where another authority—a Minister, a Department or a devolved authority—makes a request.

We were pleased that amendment No. 12 was selected on Report because it deals with the huge powers contained in clause 21. We christened clause 21 the Martini clause. Anyone familiar with the advertising will know that the slogan for Martini was "Any time, any place, anywhere". We have some concern that the agency has been granted sweeping powers.

My hon. Friend the Member for Ludlow (Mr. Gill) has wisely spotted the need to introduce some constraints and has succeeded in having the amendment selected. That gives us another chance to restrain the huge powers in clause 21. The Chartered Institute of Environmental Health has expressed to me its concern that no clear explanation of clause 21 was given in Committee. Perhaps we may hear from the Minister that some restraining powers will be imposed in connection with clause 21 that would give us some comfort.

Amendment No. 12 would require the agency to make a report to Parliament on the exercise of its powers in each calendar year as part of its annual report. If it were accepted, it would bring greater accountability to the otherwise sweeping powers contained in the clause.

Mr. Gill: Amendment No. 12, which is tabled in my name, would amend clause 21, to which my hon. Friend the Member for Meriden (Mrs. Spelman) has just referred as the Martini clause. The Minister of State spoke earlier about the quality of the legislation that had gone through the House. He went so far as to say that some legislation that had reached the statute book was abysmal. I am anxious that we do not put on the statute book legislation that could be described as abysmal. We are all concerned about the amount of legislation that is reaching the statute book and, as a consequence, the amount of regulation to which business in this country is subject. We all want less regulation.

We need to deal with the problem. The problem is that the Bill is another enabling Bill, despite all its good features. Whenever we put a Bill that can be described as enabling on the statute book, we open the floodgates of regulation from successive Ministers and Departments. Although the Bill is generally accepted to be good in many ways, it is yet another enabling measure, which will give future Ministers—indeed the present Minister—wide powers. Incidentally, I am sure that the House would want to pay tribute to the Minister for the way in which he has steered the Bill through the various processes that he described earlier. We give him credit for the fact that he has used new procedures to ensure that there has been the fullest consultation at every stage. That is much appreciated. However, despite all the consultation and the Minister's best offices, this is an enabling Bill, which gives the Government enormous powers to do almost whatever they want.

7.30 pm

The Minister is aware that, on Second Reading, I was critical of the fact that the Government were taking those unnecessary powers. I pointed out that it would be undesirable because the measure gives MAFF a blueprint to come back with further measures at any stage—"any time, any place", as my hon. Friend the Member for Meriden says. Those measures will not be subject to the same scrutiny as the Bill.

On Second Reading, I quoted the opening sentence of clause 21, which states:

"The Agency has power to do anything."

I criticised that. The Minister responded by saying, in effect, that it was grossly unfair of me to have quoted only the first part of that sentence. However, if I now quote the full sentence, the Minister will agree that the sense is not changed in any way. It states:

"The Agency has power to do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of its functions."

For the sake of brevity on Second Reading, I did not use the whole sentence, but whether one uses only the first seven words or the whole sentence, it makes no difference. Obviously, if the agency has powers to do anything, such powers must be within its remit. I was not pretending for one moment that the Bill enabled the Government to do anything in any matter. It stands to reason that the provision applies only to the Bill. The Minister was being too sensitive in his winding-up speech on Second Reading, when he referred to my criticism of the fact that the Government had taken so much power.

At this late stage in the Bill's proceedings, it will be difficult—if not impossible—to persuade Ministers to renounce or limit the Bill's powers. However, it is not unreasonable to ask the Minister to consider my amendment, which would provide for the Government to make a report to Parliament about the powers that they exercise under clause 21. The Minister should be sympathetic to the amendment; he is a democrat, and he shares our concern about the plethora of legislation that emanates from Government. This is not a party political point; during the past decade or so, Governments of all persuasions have been equally guilty in passing enabling legislation, which has triggered the plethora of regulation to which we all object.

I hope that the Minister will consider accepting the amendment. It is supported by the Food and Drink Federation—the recognised umbrella organisation for many trade associations in the food and drink industry, although not all of them belong to it. In a circular letter, which I imagine has been sent to all Members of Parliament who are interested in the Bill, the federation says that it supports the objective of the amendment in seeking an annual report on the exercise of the agency's powers under clause 21 and believes that that should be included in the annual report that the agency is required, under clause 4, to make to Parliament.

The Minister is a reasonable man and I know that he takes great pride in the Bill. It has been his baby and he has steered it all the way through its parliamentary process. He was there at its inception and, God willing, he will be there when it reaches the statute book. Such things as reshuffles intervene, but I hope that the Minister will survive the next reshuffle in his present office where, within the constraints that the overall direction of his Government impose, he has done a very good job.

On behalf of my industry, I compliment the Minister on taking the time and the trouble to understand the industry. We do not underestimate his achievement. The Minister represents an urban constituency and it is unlikely that he knew much about agriculture, livestock and all the processes associated with them when he assumed his present role. However, the Minister has learned about them and the industry is grateful to him for doing so.

With that background of knowledge and understanding and as a result of the educational courses he has undertaken, the Minister must recognise that the Government are taking unlimited powers that they currently do not need. If such powers were necessary, presumably they would be spelt out in the Bill. However, the Government have not done that. As they are taking draconian powers for reasons that are not obvious, the Government should return to the House at some stage—once a year is suggested—to report what has been done under this particular clause.

On Second Reading, I was critical of other clauses in the Bill for exactly the same reason. It is hypocritical for politicians to sympathise with our constituents about the burden, cost and nuisance of legislation when we participate in debates on legislation such as this which will open the floodgates to even more regulation. On Second Reading, I referred to my support for the Food Safety Bill in 1990.

Mr. Deputy Speaker: Order. The hon. Gentleman's remarks must be more specific and remain within the terms of his amendment. In some respects, he is making a Second Reading speech. Perhaps the hon. Gentleman should remind us of the content of his amendment.

Mr. Gill: I shall come directly to the point, Mr. Deputy Speaker. Members of Parliament may consider legislation such as the Food Standards Bill but we do not always examine, scrutinise and criticise it in the way that we should. That is particularly true of new Members of Parliament. I was a new Member myself once, and I have kicked myself for not being more diligent in respect of the 1990 legislation to which I referred a moment ago that led to other legislation—to much of which I and others would have objected.

That is a most important point for the House to understand. If we pass general legislation and put enabling Bills on to the statute book, we should not be surprised and should not complain if Departments then introduce many regulations that we had not foreseen.

In conclusion, I make a final plea to the Minister to act with his characteristic even-handedness, fairness and understanding and accept the amendment.

The Minister for Public Health (Ms Tessa Jowell): As the hon. Member for Meriden (Mrs. Spelman) said, we had much debate in Committee about the independence of the agency as a non-ministerial Department. It might help the House if I reiterate the rules under which the agency will operate.

In its day-to-day operation, the agency will be at arm's length from Ministers, and staff will be accountable to its chairman and members. It will have the unprecedented independence to publish the advice that it gives to Ministers. However, it would be wrong to suggest that the agency should be wholly independent of democratically accountable Ministers. Ministers will retain ultimate responsibility for policy and legislation, and it is right that they should do so, but they will turn to the agency for policy advice. The agency will be the Government's primary source of advice on food safety and standards.

I am not convinced that the amendment is helpful, because Ministers will naturally explain to the agency why they are asking for advice, and the agency will have powers to publish any information in its possession, unless that is specifically prohibited by an enactment or Community obligations, or unless publication would make the agency in contempt of court. It would, therefore, be able to publish information about requests from Ministers.

It is not, however, appropriate to place on Ministers of the Crown, Government Departments, the National Assembly for Wales, Scottish Ministers and Northern Ireland Departments the extra duty to publish immediately the reason why they are asking for advice. In sensitive matters, such as negotiations or legal proceedings, publication of the reasons for requesting advice might be premature. As we reflected in Committee, it might also be socially embarrassing. A Minister might seek advice from the agency about whether to attend a particular function, and if the answer were blunt, clearly embarrassment could result.

Although the power can be used to ensure that advice is given, there is no way in which it can be used to dictate the content of that advice. It will be left to the agency to decide how to respond to requests for advice, information and assistance from Ministers. Records of the agency's decisions and the information on which they are based will be publicly available, which means that information about Ministers' requests to the agency and how those requests were dealt with will become publicly available.

It is very important that we do not make Ministers' dealings with the agency so constrained that they simply find alternative sources of advice within existing Departments. Clearly, that would undermine one of the important purposes for which the agency is being established.

7.45 pm

I turn now to amendment No. 12. I hope that I can reassure the hon. Member for Ludlow (Mr. Gill) and put to rest some of his worst fears.

I reiterate a point that was forcefully made in Committee by my hon. Friend the Minister of State—that the clause does not give the agency unusual powers. The agency has only the powers given to it by the Bill, but it is very important technically and legally that the agency has the powers that it is given by the clause so that it can, for instance, enter into contracts to have its offices cleaned and arrange for stationery supplies. Everything that the agency does will obviously be constrained by the extent of its powers, which are clearly set out in the Bill, and the very important qualifications about the exercise of its powers, especially in relation to the assessment of risk and proportionality.

The agency will publish an annual report, which will be laid before Parliament. We have made clear the importance that we, as Ministers, attach to the annual report, but I think that if we were to publish in the annual report a list of photocopying contracts and stationery orders, it would make dull reading.

[Ms Tessa Jowell]

I finish by saying that, far from being anything as exotic as the Martini clause, clause 21 is the stuff of basic departmental and agency housekeeping. I assure the hon. Member for Ludlow that the Food and Drink Federation has contributed its views freely throughout a long process of consultation, and where appropriate, the Bill has been improved as a result of its representations. However, if we were to put on the face of the Bill the terms under which the agency would order its pencils and monitor its paper supplies, it would diminish the enormous importance that we attach to its overriding task of protecting public health and improving standards of food safety. I therefore very much hope that the hon. Member for Meriden will withdraw the amendment.

Mrs. Spelman: I have carefully listened to the right hon. Lady's explanation. She stated the circumstances in which it might not be appropriate for reasons to be published immediately when the agency was requested to exercise its powers, and I can envisage circumstances in which that would be true. It was a bit of a let-down to hear the rather benign examples of purposes for which the exotically titled clause 21 would be used but, having listened to those explanations—

Mr. Gill: I wonder whether my hon. Friend thought, as I did, that the Minister trivialised clause 21 by referring to the unnecessary procedure of having to report matters relating to office cleaning, stationery supplies, pencil orders, paper supplies and so on. However, clause 21(2)(d) talks about the instituting of criminal proceedings. We are not talking only about trivial items such as the ordering of pencils. This is a very serious point.

Mr. Deputy Speaker: Order. The hon. Gentleman cannot make a speech during an intervention; that is just not on.

Mrs. Spelman: Obviously, I appreciate the concerns of my hon. Friend the Member for Ludlow (Mr. Gill) because we approach the point from the same direction, but in Committee, we received an explanation of the circumstances in which it might be necessary for the agency to institute criminal proceedings, and I refer him to *Hansard* on that point. The wording of clause 21 is difficult for a reader coming to it for the first time, but we accept that, as the Minister said in Committee, it should be read in conjunction with the other clauses.

It is interesting to note, and worth placing on the record given the likelihood that we shall not reach Government amendment No. 28, that that amendment requires the Secretary of State to publish reasons for giving directions to the Food Standards Agency in the event of a breach of duty. We welcome that amendment. It shows that the Government are sensitive to the point that there are times when it is paramount to make the reasons explicit and publish them. We accept that there may be other times when it is inappropriate—in particular, the timing may be inappropriate—to publish the reasons for requiring the agency to exercise its powers. For these reasons, I beg to ask leave to withdraw the amendment.

Mr. Gill: I am grateful to my hon. Friend for giving way. I, too, listened carefully to the—

Mr. Deputy Speaker: Order. Is the hon. Lady giving way?

Mrs. Spelman: I have withdrawn the amendment.

Amendment, by leave, withdrawn.

Clause 11

POWERS OF ENTRY FOR PERSONS CARRYING OUT OBSERVATIONS

Ms Jowell: I beg to move amendment No. 19, in page 5, line 3, leave out from 'out' to end of line and insert

'any observations under section 10 specified in the authorisation.

(1A) No authorisation under this section shall be issued except in pursuance of a decision taken by the Agency itself or by a committee, sub-committee or member of the Agency acting on behalf of the Agency.'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 20 to 27.

Ms Jowell: We had a full and detailed debate in Committee on the operation of clauses 11 and 14, to ensure specifically first, that only the agency, or one of its committees or sub-committees, or a member acting on behalf of the agency, authorised the use of powers of entry. Secondly, the Committee wished to ensure that the authorisation would be limited to a particular purpose if it was issued under clause 11—in relation to carrying out observations—which would be stated in the authorisation itself. We agreed that receipts for samples or copies of documents would be given on request.

Clause 11 deals with powers of entry for the purposes of carrying out observations, and clause 14 deals with monitoring the performance of enforcement authorities. The amendments bring the improvements that we debated in Committee in line with the powers set out in clauses 11 and 14.

When considering clause 11, we explained in detail the way in which we expected the powers of entry to be used. We stressed that they were not to be used for enforcement purposes, but were about information gathering to inform the agency's policy development role.

Mr. Paul Tyler (North Cornwall): The Minister will be aware of my interest in the case of her Department *v.* Aldridge, involving Duckett's cheese. Can I be reassured that the evidence that has been revealed through that long saga has been taken into account in drawing up the details of clause 11? The right hon. Lady will be aware that there are real concerns in the industry about the way in which enforcement powers in previous legislation have been used. I think that most people recognise that big sledgehammers were used to crack small nuts.

Ms Jowell: The hon. Gentleman will know that the Department of Health won the recent appeal following the

judicial review. The judgment reflected the fact that there had been an imminent risk to health, and that the application of the powers that the Department and I took were proportionate in light of the degree of risk. Given that it was the first time that the power had been applied and that it has major consequences for businesses, we have sought to examine the effects of its operation.

Let no one be in any doubt about the risk to health that was posed by the contamination of cheese by E. coli 0157—contamination that left a 12-year-old boy on dialysis and seriously ill in hospital. We acted, and we were right to act. The experience of operating the power informed our consideration of the way in which the agency should carry out observation as part of its surveillance function.

I shall deal briefly with the amendments relating to clause 14. Authorisations issued under clause 14 do not need to state the purpose, because the power of entry is already clearly limited to monitoring the performance of enforcement authorities. Amendments Nos. 21 and 25 meet our commitment that receipts for samples or copies of documents should be provided on request.

Amendments Nos. 23 and 24 to clause 11 and amendments Nos. 26 and 27 to clause 14 are minor drafting changes. I explained in Committee that we would introduce drafting changes to clarify ambiguities. On several occasions in Committee, the Opposition proposed a code of practice governing the exercise of the powers. It was agreed that there should be clear rules governing the behaviour of authorised persons exercising powers of entry.

With these Government amendments, the Bill will provide rules, which we expect to be supplemented by general guidance. In light of that, we do not see the need for a statutory code of practice. We agree that there should be guidance, and that that should be available to members of the public.

Mrs. Spelman: I shall be brief, as we are keen for discussion to proceed to the next set of amendments, which are a significant group.

We welcome the Government's amendments, which respond to some of the concerns that we raised in Committee about the powers of entry. We are pleased that the ambiguities that we pointed out in the original drafting of clauses 11 and 14 will be resolved satisfactorily. The Government's amendments improve on the proposal for a code of practice. The Bill itself will make it clear how Food Standards Agency officers should conduct themselves upon entering commercial premises.

It would be right to record the residual concern of the Food and Drink Federation about the confidentiality of information that might be collected when the officers enter premises. The fact that a receipt will be given, as we requested in one of our original amendments, should allay some of the fears about transparency. We are grateful for the Government's concessions and take some pride in having had a hand in amending the Bill to ensure that the powers being granted to the FSA are less likely to be abused in relation to commercial interests.

Ms Jowell: May I clarify that point? It was one of the issues that we took on board following the Special Select Committee. Unofficial disclosure of commercially sensitive information collected in the course of observation will be an offence. That is clearly stated in the Bill.

8 pm

Mrs. Spelman: We perfectly understand that, and we are pleased that that requirement extends also to anybody who might now accompany the authorised FSA officer. We asked for that and we are glad to see it.

For the sake of total transparency in all our doings, I should like to record that, in expressing our gratitude for these concessions, we pushed our luck quite far in Committee. It was suggested by my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) that the Government's recognition of that might extend to inviting us to the party that traditionally follows the passage of a Bill through the House. I take this opportunity to record our gratitude for having received invitations to that party. It may be quite an historic occasion, and we record our thanks.

Dr. Brand: I rise briefly to welcome the amendments and say that they have made worth while the many hours—occasionally not very interesting hours—that we spent in Committee.

Amendment agreed to.

Amendments made: No. 20, in page 5, line 7, leave out from 'out' to end of line and insert

'the observations specified in his authorisation'.

No. 21, in page 5, line 18, leave out from 'shall' to end of line 19 and insert 'on request—

(a) produce his authorisation before exercising any powers under subsection (3); and

(b) provide a document identifying any sample taken, or documents copied, under those powers.'.

No. 22, in page 5, line 29, leave out from beginning to 'any' and insert

'If an authorised person who enters'.

No. 23, in page 5, line 31 leave out from 'secret' to 'guilty' in line 32 and insert

'he is, unless the disclosure is made in the performance of his duty.'.—*[Ms Jowell.]*

Clause 12

MONITORING OF ENFORCEMENT ACTION

8 pm

Mr. Paice: I beg to move amendment No. 3, in page 6, line 21, at end insert—

'(6) In any case where the Agency itself or a body for which it is accountable is the enforcement authority, subsection (1) shall not have effect and the function of monitoring enforcement shall be held by the Secretary of State.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 9, in schedule 3, page 27, line 27, leave out from beginning to 'and' in line 28.

No. 18, in schedule 4, page 32, line 35, leave out from 'omitted' to end of line 37.

Mr. Paice: The Minister of State suggested that we might not reach this group of amendments, but I am

[Mr. Paice]

pleased that we have, as it enables us primarily to discuss the Meat Hygiene Service. I shall not take a long time rehearsing the arguments because we spent some time on the matter in Committee. However, I have taken the opportunity to look again at what the Minister said in reply to that debate, and I have tried to address the issue in amendments Nos. 3 and 9. I shall come to amendment No. 18 in a moment.

Amendment No. 3 turns on its head the approach that the Opposition previously adopted, which was to prevent the FSA taking over the MHS. The reason we do not want the two to be in cahoots is quite clear. We want a clear distinction between enforcement and the monitoring of that enforcement. We recognise that there will be times, in extremis, when the FSA will have to take on enforcement measures—if, for example, another authority fails in its duties; that is in the Bill and we accept it—but to take it on in that situation for, one assumes, a temporary period, is different from its being part and parcel of the agency's usual functions.

In Committee, the Minister clearly said:

"The chief executive"—

of the MHS—

"does not create policy; he receives policy instructions from MAFF. Likewise, he will receive them from the FSA staff".

That clearly indicates to me that there is a problem.

The Minister went on to refer to the idea of the FSA being

"born out of the suspicion that the Ministry should not ride two horses and the paradox of a regulatory Ministry sponsoring the food and the farming industries."

I accept that in the way in which he said it, but that paradox applies equally to the idea of the FSA setting some regulations, enforcing them through the MHS and then monitoring their enforcement.

There are not many other walks of public life in which both the enforcement and the monitoring of the effectiveness of that enforcement are done by the same body.

Mr. Rooker: There is not much time to put this on the record, but the auditing of the MHS goes beyond the FSA. The EU Commission's Food and Veterinary Office and the state veterinary service, which is not part of the FSA, will all be involved in this function.

Mr. Paice: The Minister makes precisely my next point. In Committee, he said:

"the MHS is accountable to EU inspectors, who can arrive with no warning. The inspections will be audited by the state veterinary service as well as by the veterinary public health unit of the joint food safety and standards group".—[*Official Report, Standing Committee B*, 13 July 1999; c. 299-300.]

If all those bodies monitor the MHS, why on earth do we need the FSA as well?

Mr. Rooker *rose—*

Mr. Paice: I shall give the Minister time to reply; he does not need to intervene.

I do not understand why it is necessary for the FSA to fulfil that role. The Minister worried members of the Committee when he said that the Government were still exploring the management arrangements between the FSA and the MHS. He spoke about Chinese walls of separation. We are not at all convinced that they will be as effective as they ought to be.

Amendment No. 9 was effectively given to us by the Government in Committee when the Minister pointed out the implications of another amendment that I had tabled. He now has two opportunities to accept our argument in two different ways. If the Government are obsessed with pursuing the idea of putting the MHS with the FSA, they can do so as long as they leave the monitoring of enforcement with MAFF and with those other bodies to which he has referred. Amendment No. 3 would allow them to do that.

Amendment No. 18, which relates to schedule 4, is designed to control the overweening power of the agency. The Minister for Public Health, who seems to have evaporated from the Front Bench, said that we have spent a lot of time talking about the independence of the agency. She is quite right: there is no contradiction between seeking to establish an independent agency and ensuring that it does not have excessive power. That amendment is designed to ensure that, in at least one area, the agency's power would be constrained. It would not be given the powers that Ministers have under the Food Safety Act 1990.

Other brief contributions may be made, but I am sure that the Minister will have a moment or two to reply before we run out of time.

Dr. Brand: The hon. Member for South-East Cambridgeshire (Mr. Paice) has told us that he was riding two horses; I believe he has jumped on the wrong one.

We have supported the Conservatives in their contention that it is not appropriate to site the Meat Hygiene Service with the Food Standards Agency because its size is disproportionate to that of the agency, but I firmly believe that the FSA ought to have a role in monitoring and policy setting for all the enforcement agencies. If the FSA had been in existence a few years ago and had done the job properly, the MHS would never have had to be set up. It would not have to be taken away from local authorities because there would have been a mechanism in place for intervention, short of the nuclear option, as described by the Minister, of direct ministerial intervention. We cannot support the amendment because it takes the wrong direction.

In time, if not tonight, I hope that the Minister will be able to describe how he has worked through the concept of separating the policy-setting function of the agency and the semi-autonomous role of the MHS in the execution of that function.

It is absolutely vital that the FSA sets clear criteria for what it considers to be failure by an enforcement authority. It would be quite wrong for it to have powers that could be applied quite arbitrarily to, for example, a local standards agency or other enforcement agencies that are under local authority control. The criteria on performance must be clear, and one would expect warning systems so that an agency does not suddenly come down like a ton of bricks on an unsuspecting small district council that does not realise that it is under-performing.

We cannot support the amendment although the spirit behind it was right, separating the Meat Hygiene Service from the Food Standards Agency. The hon. Member for South-East Cambridgeshire has taken the wrong horse of the two that he might have taken.

Mr. Rooker: I should like to make a serious attempt to respond to the debate. This is one of the most important groups of amendments, which we started on, if I recall correctly, at 8 o'clock. *[Interruption.]* Oh, the hon. Member for New Forest, West (Mr. Swayne) is back. We have had the debates without him and made reasonable progress.

There is no way I can do justice to the issue, which is important. I do not criticise the Opposition for raising their concerns, but I can make only general, rather than specific, comments.

The prime reason for the Meat Hygiene Service and, indeed, the Dairy Hygiene Service being, effectively, an integral part of the agency is that they are 100 per cent. concerned with food safety, whereas the other agencies under MAFF, including the Veterinary Medicines Directorate and the Pesticides Safety Directorate, are not exclusively related to food safety. They are out. They will remain as executive agencies, but with all the links to the agency.

Mr. Gill: Will the Minister give way?

Mr. Rooker: No.

The other thing that I want to make clear—I have lost count of how many times I said it in Committee, but it has to be said so that it is taken on board by those who look at our proceedings—is that there are no plans or agenda to create a national enforcement authority. That is the position. The Bill does not allow one to be set up. One could argue that if a local authority failed in its enforcement duties the powers are in the Bill to have that dealt with. That is not envisaged. It is not part of any hidden agenda, whatever anyone might say about how the Meat Hygiene Service was formed in the first place.

In Committee I discovered that, in some quarters, there is an abiding hatred of the Meat Hygiene Service. As someone said a couple of days ago, there is a romantic attachment to the good old days, when 300 separate local authorities checked the abattoirs. At that time, there were 900 abattoirs. We inherited only 300—a few closed in the 18 years of Tory rule.

As we saw in the public hearings of the Phillips inquiry, during those halcyon, romantic days of local authorities checking meat hygiene in abattoirs, there was an abject breakdown in the controls, which led to BSE infectivity going into the food chain, so it is not true that things were 100 per cent. perfect when 300 local authorities were dealing with the matter.

With hindsight, I accept that the actions of the previous Government in setting up the Meat Hygiene Service were totally correct. There are no plans to devolve it back. Nevertheless, there is no agenda to take local authorities' role at any level—that of environmental health officers or trading standards officers. They are the front-line police throughout the food chain. We want to work in partnership with them. That is the way in which the Bill has been set up.

We will make separate arrangements for the management reporting of the Meat Hygiene Service within the Foods Standards Agency and for the audit. I am convinced that we can do that. If it can be done in the private sector, with audit companies both carrying out internal and external audits of their clients and maintaining Chinese walls, we can do it here. If I had had more time, I could have put on the record some of the management mechanisms that we propose to introduce, but perhaps that can be done in another place.

The genuine concerns that have been raised have been met by the content of the Bill and the way in which we intend the structures to operate in practice. There is still some work to do, but there are a few months in which to do it.

It being six hours after the commencement of proceedings on consideration of the Bill, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Amendment negatived.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 14

POWER OF ENTRY FOR MONITORING ENFORCEMENT ACTION

Amendments made: No. 24, in page 6, line 42, at end insert—

'(1A) No authorisation under this section shall be issued except in pursuance of a decision taken by the Agency itself or by a committee, sub-committee or member of the Agency acting on behalf of the Agency.'.

No. 25, in page 7, line 24, leave out from 'shall' to end of line 25 and insert 'on request—

(a) produce his authorisation before exercising any powers under subsection (3); and

(b) provide a document identifying any sample taken, or documents copied, under those powers.'.

No. 26, in page 7, line 26 leave out from beginning to 'any' in line 27 and insert

'If a person who enters'.

No. 27, in page 7, line 29 leave out from 'secret' to 'guilty' in line 30 and insert

'he is, unless the disclosure is made in the performance of his duty,'.—*[Mr. Rooker.]*

Clause 24

DIRECTIONS RELATING TO BREACH OF DUTY OR TO INTERNATIONAL OBLIGATIONS

Amendment made: No. 28, in page 12, line 29 at end insert—

'(2A) Directions under subsection (1) must include a statement summarising the reasons for giving them.'.—*[Mr. Rooker.]*

Clause 39

FINANCIAL PROVISIONS

Amendment made: No. 29, in page 21, line 20 at end insert—

'(6A) Schedule (*Accounts and audit*) (accounts and audit) has effect.'.—*[Mr. Rooker.]*

Schedule 1

CONSTITUTION ETC. OF THE AGENCY

Amendment made: No. 31, in page 25, line 32, leave out from 'affect' to end of line 33 and insert

'the rule of law by virtue of which functions of the Agency may be carried out through members of its staff'.—*[Mr. Rooker.]*

Schedule 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 30, in page 33, line 45, leave out '4' and insert '6'.

No. 35, in page 36, line 5, at end insert—

'Government of Wales Act 1998 (c. 38)

. In Schedule 5 to the Government of Wales Act 1998 there shall be inserted—

"Food Standards Agency.

Food Standards Agency advisory committee for Wales.".'—*[Mr. Rooker.]*

New Schedule 1

ACCOUNTS AND AUDIT

1. For the purposes of this Schedule—

"relevant authorities" means the Treasury, the National Assembly for Wales, the Scottish Ministers and the Department of Finance and Personnel for Northern Ireland;

"relevant bodies" means the House of Commons, the National Assembly for Wales, the Scottish Parliament and the Northern Ireland Assembly;

"the Department" means the Department of Finance and Personnel for Northern Ireland.

Appropriation accounts

2.—(1) Where any appropriation accounts of the Agency or report of the Comptroller and Auditor General on such accounts are laid before the House of Commons under the Exchequer and Audit Departments Act 1866, the Comptroller and Auditor General shall send copies to the relevant authorities for Wales, Scotland and Northern Ireland.

(2) The Scottish Ministers shall present documents received under this paragraph to the Scottish Parliament and the Department shall present such documents to the Northern Ireland Assembly.

Accounts of Agency relating to sums paid or appropriated under s.39(3)

3.—(1) The Agency shall prepare separate accounts for each year of its expenditure in relation to each of the following descriptions of sums, that is to say—

(a) the sums paid by the National Assembly for Wales under section 39(3)(a);

(b) the sums paid out of the Scottish Consolidated Fund under section 39(3)(b); or

(c) sums appropriated by Act of the Northern Ireland Assembly under section 39(3)(c).

(2) Any sum received by the Agency which it applies by virtue of any relevant provision (within the meaning of section 39) shall be regarded as falling within paragraph (a), (b) or (c) of sub-paragraph (1), as the case may require.

(3) Accounts required under this paragraph relating to sums of any description mentioned in sub-paragraph (1)—

(a) shall be prepared in such form, and

(b) shall be sent to the Comptroller and Auditor General, and to the relevant authority for the accounts, before such time,

as the relevant authority for the accounts may direct after consulting the Agency and the other relevant authorities.

(4) The Comptroller and Auditor General shall examine any accounts sent to him under sub-paragraph (3) on behalf of the National Assembly for Wales, the Scottish Parliament or the Northern Ireland Assembly (according to the description of sums to which the accounts relate).

(5) In carrying out his examination of any such accounts the Comptroller and Auditor General shall, among other things, satisfy himself that the money expended by the Agency has been applied to the purpose or purposes for which the sums in question were intended to provide.

(6) When the Comptroller and Auditor General has certified and reported on any accounts under this section, he shall—

(a) send the accounts and report to the relevant authority for the accounts; and

(b) send copies to the other relevant authorities.

(7) The Treasury shall present documents received under sub-paragraph (6) to the House of Commons, the Scottish Ministers shall present such documents to the Scottish Parliament and the Department shall present such documents to the Northern Ireland Assembly.

(8) In this paragraph "the relevant authority for the accounts" is—

(a) in the case of accounts relating to sums within sub-paragraph (1)(a), the National Assembly for Wales;

(b) in the case of accounts relating to sums within sub-paragraph (1)(b), the Scottish Ministers; and

(c) in the case of accounts relating to sums within sub-paragraph (1)(c), the Department.

Consolidated accounts

4.—(1) The Agency shall prepare consolidated accounts for each financial year showing its income and expenditure and its overall state of affairs for that year.

(2) Accounts under this paragraph shall—

(a) be prepared in such form (and include such documents), and

(b) be sent to the Comptroller and Auditor General and to the Treasury before such time,

as the Treasury may direct after consulting the Agency and the other relevant authorities.

(3) The Comptroller and Auditor General shall examine any accounts sent to him under sub-paragraph (2) on behalf of the House of Commons.

(4) When any such accounts have been certified and reported on by the Comptroller and Auditor General, he shall—

(a) send the certified accounts and the report to the Treasury who shall lay them before the House of Commons; and

(b) send copies of those documents to the other relevant authorities.

(5) The Scottish Ministers shall present documents received under sub-paragraph (4) to the Scottish Parliament and the Department shall present such documents to the Northern Ireland Assembly.

Accounts under s. 5 of the Exchequer and Audit Departments Act 1921

5.—(1) Any functions of the Treasury under section 5 of the Exchequer and Audit Departments Act 1921 shall, subject to

sub-paragraph (2), be exercisable in relation to the Agency with the consent of the other relevant authorities and after consulting the Agency.

(2) The consent of a relevant authority is not required if the operations concerned do not include operations carried out in or in relation to the jurisdiction for which it is the relevant authority.

(3) If a direction under section 5 of that Act is given in respect of the Agency, that section shall have effect as if any reference to Parliament or the House of Commons included a reference to each of the other relevant bodies, other than the relevant body for any jurisdiction referred to in sub-paragraph (2).

Functions of Comptroller under s. 9 of the National Audit Act 1983

6.—(1) The power of the Comptroller and Auditor General to make reports to the House of Commons under section 9 of the National Audit Act 1983 includes power, in relation to any examination of the Agency under section 6 of that Act, to make reports to any of the other relevant bodies.

(2) If the Comptroller and Auditor General makes a report to one or more of the relevant bodies under section 9 of that Act in relation to such an examination, he shall lay a copy of the report before each of the other relevant bodies.'—*[Mr. Rooker.]*

Brought up, read the First and Second time, and added to the Bill.

Order for Third reading read.

Question put, That the Bill be now read the Third time:—

The House proceeded to a Division:

MR. GRAHAM ALLEN *and* MR. KEITH HILL *were appointed Tellers for the Ayes; but there being no Tellers for the Noes,* MR. DEPUTY SPEAKER *declared that the Ayes had it.*

Question agreed to.

Bill accordingly read the Third time, and passed.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Local Government Finance

That the Local Government Finance (England) Special Grant Report (No. 48) on 1999–2000 Special Grant for developing new approaches to commissioning services for drug misusers (HC 513), which was laid before this House on 6th July, be approved.—*[Mr. Allen.]*

Question agreed to.

PETITIONS

Coleridge Community College

8.18 pm

Mrs. Anne Campbell (Cambridge): I am proud to present a petition—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I remind hon. Members that an hon. Member is presenting a petition. They must leave the Chamber quietly.

Mrs. Campbell: Thank you, Mr. Deputy Speaker.

I am proud to present a petition signed by 21,400 residents of Cambridge, opposing the closure of Coleridge community college on the grounds that its closure would mean the loss of an excellent school and a well-used community college, and increasing congestion as the children are bussed across the city.

The petition states:

The Petition of residents of Cambridge and elsewhere declares, that we totally oppose the closure of Coleridge Community College, Radegund Rd, Cambridge.

The petitioners therefore request that the House of Commons urge the Secretary of State for Education and Employment to do all in his power to prevent Cambridgeshire County Council from closing the College.

And the Petitioners remain.

To lie upon the Table.

West Midlands Special Needs Transport Ltd.

Mr. Robin Corbett (Birmingham, Erdington): It is my pleasure to present a petition signed by my friend Councillor Renée Spector and more than 10,000 other users and supporters of West Midlands Special Needs Transport Ltd., otherwise known as Ring and Ride.

The petition states:

That the present system of rebates of fuel duty paid to Commercial Passenger Transport Companies, who operate scheduled public transport services, is not paid to "Ring and Ride" or "Dial a Ride" type services. We consider that this system unfairly discriminates against persons with mobility difficulties to whom these services are the equivalent of normal bus services, which they are physically unable to use.

To lie upon the Table.

Hunted Animals

Miss Ann Widdecombe (Maidstone and The Weald): I have pleasure in presenting a petition signed by constituents who are members of the Campaign for the Protection of Hunted Animals.

The petition reads:

To the House of Commons. The petition of residents of the constituency of Maidstone and the Weald declares that we believe that hunting with dogs is cruel and unnecessary and has no place in a modern Britain. The petitioners therefore request that the House of Commons calls on the Government to act on the overwhelming mandate it has received from MPs and the public to end hunting by making a clear commitment by the year 2000 to legislate for its abolition. And the petitioners remain etc.

To lie upon the Table.

Elderly (East Sussex)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Allen.]*

8.22 pm

Mr. Nigel Waterson (Eastbourne): The Government appear to be obsessed with youth. They are keen on cool Britannia, and the so-called rebranding of Britain. Yet, as a country, we are getting older—some of us faster than others. I am constantly amazed by the number of 100th-birthday parties to which I am invited in Eastbourne. I see from a newsletter issued recently by the Debate of the Age that Posh Spice can expect her new baby, improbably named Brooklyn Adams-Beckham, to live to the ripe old age of 130. It sometimes seems, however, that the Government are oblivious of those simple facts, and even that their policies, taken together, are designed to disadvantage older people. I think that I can claim to know what I am talking about: roughly 40 per cent. of my voters are over retirement age, and I am co-chairman of the all-party group for older people.

Almost the Government's first act was to abolish tax relief for retired people who had private medical insurance. I received many letters on the subject. For many such people, who had been in corporate schemes when they were working, tax relief was what made maintaining their health cover in retirement just possible. As a result of the Government's action, many had to give it up, or reduce the extent of their cover. I even initiated a debate on the matter, but the Government were deaf to all entreaties.

Then the Government reneged on their clear pre-election pledge to legislate against age discrimination. We all know from our experience as constituency Members how often able older people aged 50 or even younger are tossed on the scrap heap. We have a voluntary code of conduct; no doubt good employers are already following it, but bad ones will not.

Nor has the Chancellor been kind to older people. In his first Budget, he ripped off pension funds to the tune of £5 billion. Then we had the abolition of dividend tax credits, which directly prejudices 600,000 mainly elderly non-taxpayers. The married couples allowance was removed for couples who will be under 65 in April 2000. Widows have lost their bereavement allowance, which has a particular effect on older widows. Moreover, 250,000 women will be losers under the new rules for widows benefit.

Many older people in Eastbourne and elsewhere are very dependent on their cars, but this Chancellor is trying to tax them off the road. Now, we hear that the Government are intending to abolish concessionary television licences. What next, I wonder—especially when the BBC is seeking to raise the fee to well above £100?

The Government are moving towards a two-tier, means-tested state pension system that will penalise those of my constituents who have been thrifty during all their working lives. The so-called minimum pension guarantee is a fraud on pensioners, as more than 1 million pensioners will simply not be eligible for it.

Then there is the state earnings-related pension scheme scandal. As from April 2000, widows and widowers will be able to inherit only half of their late spouse's SERPS entitlement. Despite the fact that the change was made as long ago as 1986, until relatively recently, the Benefits Agency was misleading my constituents, and those of many other hon. Members, who have been affected by the change. In common with other hon. Members, I referred cases to the ombudsman. I am pleased that Ministers now accept that the problem must be examined, with a view to compensation being paid. I do not know whether the Minister will be able today to shed any light on the matter.

When in opposition, Labour said that things could only get better—but surely it could not have been speaking about our national health service. After a recent debate that I initiated, the Minister ordered an urgent inquiry into nursing at Eastbourne district general hospital. Our local NHS has also had cuts—in chiropody services, for example—that cause great distress to many of my elderly constituents. In all, about 300 people were thrown off podiatry waiting lists.

The royal commission on long-term care deliberated for 18 months, but its conclusions have now effectively been shunted into a siding by the Government. While the commission deliberated, an estimated 75,000 people had to sell their homes to pay for care. When will Ministers tackle the very real problems of funding long-term care for the elderly?

As the Minister knows, many older people are cared for, or are carers themselves. I have had letters from constituents in their 70s and 80s who have taken on the role of carer, often for a spouse suffering from Alzheimer's or another condition. Hard-pressed health services and social services departments are struggling to help when they are able, and I know that the Minister has taken a close personal interest in carers' issues. Although some of the Government's proposals on the matter deserve a cautious welcome, the extra funding announced recently works out at an additional 15p a week—which is hardly enough to recognise the billions of pounds saved to taxpayers each year by the estimated 5.7 million voluntary carers in the United Kingdom.

Taking all those factors together, one could be forgiven for asking: what do the Government have against the elderly?

Mr. Charles Wardle (Bexhill and Battle): My hon. Friend is analysing accurately the damage that the Government are doing to elderly people. Is it not also true that people who have fought for the United Kingdom, and lived long lives here, resent the Government for putting the euro ahead of the pound sterling and for selling our gold reserves at knock-down prices?

Mr. Waterson: My hon. Friend makes a very cogent point on a view that is held by many of my elderly constituents.

The most important and pressing issue that I should like to raise today affecting the elderly in East Sussex is the plight of independent residential care homes, which face two major problems: a Labour Government, and a Lib-Lab pact running the county council.

I recently addressed a meeting, in Eastbourne town hall, of more than 100 worried care home operators. Some of them had already gone out of business, whereas others were under pressure from their banks. They told me that they were facing a triple whammy. East Sussex pays the lowest fees to the private sector of any county in the

United Kingdom. The current rate is £209, which is made worse by the fact that the county council pays its own homes the equivalent of £402 per person per week—an incredible difference of almost £200. The situation is rightly perceived as unfair by the private sector.

Furthermore, by insisting on keeping its own homes open, the county is wasting millions of pounds that could be better spent in the private sector. That is partly a matter of political dogma. I pay tribute to the dedication of staff in the county council-run homes. However, there is no less commitment in private homes, where the facilities are often more modern and more comfortable. It is therefore all the more distasteful when local Liberal Democrat politicians try to make political capital by claiming that residents of those homes would not receive treatment at least as good in the private sector.

Indeed, it is interesting that, in principle, the ruling group seems to have accepted the wisdom of disposing of the county's homes, despite what is said in its focus leaflets from time to time. As Councillor Peter Jones pointed out in a letter to me the other day, in 1998–99, the group tried to sell three homes as going concerns—those that were most non-compliant with current minimum standards.

The Conservatives on the council warned that the poor state of the homes meant that the group would almost certainly fail. Indeed, after some months, the group had failed to find a single credible buyer. There is a real problem here, with the county homes—despite the best efforts of staff—falling below the standards required in this modern age.

This is nothing new. I drew attention to the problem in a debate before the last election. On 19 February 1997, in an Adjournment debate, I said that

"even if the Government could be persuaded to give a few million extra pounds to East Sussex, there would be no guarantee that the money would find its way through the system to independent care home owners."

I regret to say that nothing has changed. The same bunch of Liberal Democrats are, in effect, still running the county.

I pointed out in the 1997 debate that the disparity between what the council spent on its own homes and that spent in the private sector was £150. The gap has widened in the intervening period. The then Minister, my hon. Friend the Member for West Chelmsford (Mr. Burns), said that East Sussex was spending £5 million more than it needed. He went on to say:

"When a local authority is complaining that it does not have enough money, I cannot understand how it can justify spending about £152 a person a week extra just by placing them in its own homes."—[*Official Report*, 19 February 1997; Vol. 290, c. 890-898.]

Does the Minister agree with his Conservative predecessor? Has he an up-to-date calculation of the money being wasted in this way by the county council? Does he agree that the council is in danger of abusing its dominant purchasing power in this instance? Will he initiate an urgent inquiry into the policy of the county council?

The council claims, with some justification, that it does not get enough funding from the Government. We know that the Government have cut grants for areas such as East Sussex. They have also rigged the calculation of grants, so they no longer fully reflect the effect of large numbers in our elderly population locally. Will he try to justify the level of funding for East Sussex?

We are dealing with Liberal Democrats, so they must look for someone else to blame. It is a bit difficult when they are, effectively, in a coalition with Labour, both locally and nationally. They are talking to Ministers about an all-party approach, but the harsh reality is that they are part of the problem, not part of the solution.

The owners of homes are threatened with over-regulation, and they have the working time directive and the minimum wage to contend with. It is a matter not just of the rules themselves, but of the extra record-keeping that is involved.

As if that were not enough, we have the Government-sponsored report from the Centre for Policy on Ageing, which calls for some nationally required standards, including those relating to room sizes. This is all very well in an ideal world, and we should all aspire to ever-higher standards. However, the plain fact is that many existing homes would have to close if those proposals were implemented. The physical standards proposed are a major problem, but so are the proposals about staffing, sharing rooms and so on. This could be the final straw for many homes. We recently debated that worrying development—at my instigation—in the all-party ageing and older people group.

I am pleased that Ministers confirmed to me recently that the proposals would be subject to proper consultation later this year. Will the Minister outline his plans for the consultation and confirm that he has a genuinely open mind? I am particularly indebted to Terry Fribbens of the East Sussex Independent Care Group and Carole Alford of the Registered Nursing Home Association for bringing this dreadful state of affairs to my attention.

I have heard also from many individuals—too many to name here. Here are some examples of the authentic voice of the independent care sector in my area. A letter from a lady who runs a residential home in my constituency said:

"The private sector providing Residential Care Homes have been persecuted for too long . . . What we want to know is why we the private sector are paid almost half the fees that the Councils pay themselves. This is grossly unfair."

A lady from another home who attended a meeting that I addressed recently complained about the 1 per cent. or thereabouts increase given by the county to the private sector when it increased the fees for its own homes by 6 per cent. She talked about people in the sector being caused real difficulties by the squeeze from the county council.

I can tell the Minister without fear of contradiction that there is a major threat hanging over the independent care sector in East Sussex. At least 24 homes have closed in East Sussex, Brighton and Hove in the past year. That is extremely worrying, because they provide more than 90 per cent. of the care home rooms in East Sussex. If they are driven out of business, where are the people in need to be looked after? Certainly not in the public sector.

In our area, the residential care sector is a major part of the local economy, employing about 10,000 people. They are victims of the attitude of the Lib-Lab pact at county hall: a mixture of dogma and incompetence. The Government have promised that this is the year of delivering on their election promises across the board. What will they do to help?

8.36 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Hutton): I congratulate the hon. Member for Eastbourne (Mr. Waterson) on raising these important matters. He spoke about the Government's policy towards older people and how we are going to tackle hardship and poverty among them. I rebut his allegation that we are indifferent or have not developed effective policies for tackling those issues, because I strongly believe that we have.

If we are to succeed in tackling poverty and the social exclusion that is its direct consequence, we have to take effective action right across Government. That is exactly what we are doing. Past attempts to deal with these issues—including those by the Government of whom the hon. Gentleman was a supporter—have principally focused on short-term alleviation and very little has been done to prevent problems occurring in the future.

Our approach is radically different and dynamic. It is based on tackling the causes of poverty and social exclusion, not merely alleviating the symptoms. We are determined to create a fairer society in which all our citizens have opportunities to maximise their potential. Fundamentally, our strategy is about investment in individuals and communities to equip them to take control of their own lives and to get out of dependency and deprivation.

The hon. Gentleman has understandable concerns about hardship and poverty for older people in and around his constituency. Our policies will directly benefit those people. For many people, retirement is a time of opportunity, fulfilment, and contribution to the family and society, but for too many it can still be a time of financial insecurity, isolation and poor access to services.

Our policy priorities are to ensure that more of tomorrow's pensioners can retire on a decent income, and to tackle the problems of low income and social exclusion among today's pensioners, while improving opportunities for older people to live secure, fulfilling and active lives.

We are reforming pensions to give people real opportunities to save for their retirement. Our Green Paper "Partnerships in Pensions" set out our proposals for a new contract for pensioners, including dramatic improvements in state second pensions for low earners, carers and disabled people, and a better deal for middle and higher earners through new low-cost stakeholder schemes.

The hon. Gentleman failed to mention the fact that we have announced a £4 billion package, over the lifetime of this Parliament, to support our poorest pensioners. We have introduced a more generous minimum income guarantee for pensioners provided through income support and we announced in the Budget the introduction of a minimum tax guarantee to take 100,000 pensioners out of tax altogether.

Mr. Michael Jabez Foster (Hastings and Rye): That policy has been well received, certainly in less well-heeled constituencies than that of the hon. Member for Eastbourne (Mr. Waterson), such as mine. More than 10,000 of my constituents have had the benefit of the minimum pension guarantee and more than 20,000 have benefited from the winter fuel payment. That has made an enormous difference, particularly in view of the Government's agreement that that minimum pension will be increased in line with wages, not just inflation.

Mr. Hutton: I am grateful to my hon. Friend for helping to correct the misleading impression that the hon. Gentleman has tried to give. The Government are clear that we intend to be fair to all our pensioners. That is precisely what our policies will do. My hon. Friend referred to winter fuel payments. We are giving every pensioner £100 to help with winter fuel heating costs. We have put in place a more generous home energy efficiency scheme and have ended VAT on domestic fuel which, I understand, the hon. Gentleman and his hon. Friends voted for during the last Parliament—not a popular policy with pensioners.

The hon. Gentleman referred to the Government's general approach to older people. In addition to the hardships endured by older people because of their circumstances, many are not helped by the fragmentation of, or lack of access to, local services. The hon. Gentleman himself referred to some of those problems.

The Government are fully committed to providing better services that can better meet the needs of older people. We shall do so by listening to and consulting older people themselves. This summer, as part of the international year of older persons, Ministers have been setting up and participating in a string of listening events up and down the country. They are organised by local organisations and attended by older people, who have the chance to put their views directly to Ministers. I am attending two of these events. I and other Ministers will listen very hard to what is said. At local level, the Government are supporting the better government for older people programme. This involves local agencies working together on behalf of older people, consulting with them, and ensuring that services are appropriate and convenient.

I now want to focus on this Government's record on health and social care services for older people, to which the hon. Gentleman referred. We have achieved much in the short time that we have been in office. Much of what we have set in train will benefit older people throughout the country, including those who are fortunate enough to live in East Sussex.

The Government's polices centre on a number of key themes. Foremost is promoting the independence of individuals and listening to what they say they want from local services. We want to give older people more say in and control over the services that they receive, and we want to ensure that they have access to services when and where they need them. I shall briefly mention just some of our initiatives. The hon. Gentleman referred to the royal commission which we set up in 1997 to look into options for the funding of long-term care. That fulfilled a manifesto commitment. The report of the commission was published only in March 1999, and the Government are carefully considering their response to the proposals of both the majority and minority of commissioners, and the many comments that have been made on the report by a variety of organisations. I remind the hon. Gentleman that the report contained 24 main recommendations and a host of other minor recommendations, too. It is right, therefore, that we spend an appropriate time on developing our response.

The hon. Gentleman expressed his concern about the existing rules which, he felt, were harsh and unfair. I hope that he will not mind my reminding him that the rules he was describing were the rules that he voted for and sustained in Government over many years.

We also introduced free eye tests for people aged 60 and over from April this year. We have spent significant amounts of new resources developing new health action zones. I know that the hon. Gentleman takes a close interest in the situation of carers. He will remember that in February this year we published, for the first time in this country, a new national strategy for carers, backed up with a new special grant of £140 million over three years to help local authorities provide a better and wider range of services to support carers. During the course of his remarks, the hon. Gentleman again failed to mention that the Government whom he supported had plenty of opportunities to introduce a similar mechanism of support for carers. Sadly, his Government never quite managed to get round to doing that.

Earlier this summer, we published a new charter, "You and Your Services", which local authorities are certainly consulting on now. We hope to see those new local charters introduced from April 2000.

Through a range of initiatives, we are getting health and social services authorities to work more closely and effectively together. For example, we have published new national priorities guidance with clear targets. In "Partnerships in Action", we set out a new range of operational flexibilities which will allow the NHS and social services to work more effectively together. Those proposals are now enshrined in new legislation and we expect to implement them as soon as possible.

We are also developing this year, for implementation next year, the new national service framework for older people, which will be issued to health and local authorities in April 2000. This framework will focus on those parts of the health service that are particularly important to older people; and, again for the first time, we will set new standards to increase the quality of local and health authority services and equity of access to them.

In summary, we are improving health and social care services by getting agencies to work more closely together and by ensuring that people receive services when and where they need them. The Government will achieve a great deal for older people, and lessen the hardships that many experience as they try to access local services.

The hon. Member for Eastbourne referred to some of the problems in his constituency and county, so I shall now address my remarks to his concerns. He said much about local authority finance. I should remind him that within the total amount for local government in the current financial year, the Government have provided a 6.3 per cent. increase for social services departments across the country. For the first time, we have guaranteed that national resources for social services will increase in real terms for each of the following two years, enabling social services departments to plan ahead, knowing that there will be increasing funding. In fact, social services will receive almost £3 billion more in total over the next three years.

This year, for example, East Sussex county council plans to spend £39 million of its £89 million social services budget on services for older people. East Sussex, Brighton and Hove health authority has £505 million at its disposal—3.76 per cent. more than in 1998–99. Its budget for services for older people currently exceeds £130 million.

The hon. Gentleman referred to our manifesto promises. We have honoured our election manifesto pledge to make the distribution system for local authority funding fairer by introducing some changes to the standard spending assessment formula. It is clearly for local authorities, not the Government, to decide on the local allocation of funding to services in accordance with local circumstances and priorities. That is a particularly pertinent point in this debate, as East Sussex has latitude to use its resources as it sees fit, in line with local needs, priorities and policies. Two of the SSA changes that we made this year clearly did not benefit East Sussex. There is no point pretending otherwise, but I am absolutely certain that we were right to make those changes.

In addition to resources delivered through SSAs, the Government have made additional resources available to local authorities. In addition to the carers' special grant, new special partnership and prevention grants are helping local authorities to work with health authorities to develop preventive and rehabilitative services for older people and other adults. These three new grants, totalling £890 million over three years, will help social services to promote independence and develop community-based services. Older people living in East Sussex will certainly benefit from the new grants, which amounted this year in East Sussex to £3.2 million, in addition to the total social services SSA.

The hon. Member for Eastbourne referred to his concerns about the commissioning of residential care in East Sussex. We certainly want local authorities to commission social care services that deliver best value. Best value is the key element in the Government's agenda to improve the quality of local authority services and the efficiency and economy with which they are delivered. Best value will help to ensure that local authorities commission fairly and openly on the basis of a full consideration of costs, quality and outcomes. A new performance management framework will support the delivery of best value services.

Intrinsic to our approach to the provision of services must be even-handedness. We are pragmatic, not dogmatic, over who should provide services. We have no ideological bias in favour of either independent sector or public sector providers. We want local authorities to have an even-handed approach to internal and external provision. Under best value we want decisions on services to be based on proper and transparent reviews of services and accountable decision-making, which reflects local objectives and is based on the aspirations and views of local people and their communities.

I understand that the relationships between the local authority and independent providers in East Sussex have caused some concern in recent years. As he reminded us, the hon. Gentleman brought those matters to the attention of the House in an Adjournment debate more than two years ago. I fully understand his concerns. However, I understand that the new director of social services is keen to improve relationships and I hope that that will lead to greater co-operation in the future. Relationships between local authorities and independent providers have certainly been improving elsewhere in the country.

[Mr. Hutton]

One problem in East Sussex to which the hon. Gentleman referred seems to be the large number of residential and nursing homes in that area. Although extensive use is made of the independent sector—89 per cent. of local authority residential care placements are in independent homes—the large number of homes means that fee rates for residential and nursing homes are depressed.

When it comes to the mechanics of contracting, we believe that the details of contracting arrangements between local authorities and suppliers are primarily matters for local decision. The Government do not set the rates at which local authorities should contract. We do, however, acknowledge that local authorities' commissioning activities need to improve, and we intend to assist that process of improvement. Strategic planning needs to pursue agreed strategic objectives, which are transparent to users and providers. Market management and contract setting should involve a variety of contract types, with contract prices that reflect providers' costs and planned outcomes for users. Local authorities need to ensure that services meet people's specific needs, and that groups with particular needs, such as ethnic minorities, are better served. We set out that agenda in more detail in our recent White Paper.

We are taking a number of steps to help local authorities and providers to develop those relationships, and to think through their social services agenda. For example, we have just completed a well-attended series of highly productive regional conferences, designed to improve the arrangements for commissioning and paying for those residential services. One of the conferences was held in Brighton, and was attended by officers from East Sussex social services department and representatives from some of the independent homes in the East Sussex area.

Finally, I reassure the hon. Gentleman that I, like my predecessor, meet representatives from the independent sector quarterly to share information, views and concerns. The hon. Gentleman asked me to take a close interest in—

The motion having been made after Seven o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at eight minutes to Nine o'clock.

House of Commons

Friday 23 July 1999

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Orders of the Day

Criminal Cases Review (Insanity) Bill *[Lords]*

Order for Third Reading read.

9.33 am

Mr. Chris Mullin (Sunderland, South): I beg to move, That the Bill be now read the Third time.

I need not detain the House long. This Bill has one simple purpose, which is to plug a small gap in the Criminal Appeal Act 1995. That Act set up the Criminal Cases Review Commission, which deals with alleged miscarriages of justice. The Bill empowers the commission to deal with cases—there are likely only to be a handful—in which a person has been found guilty but insane. That verdict was available to the courts until the 1960s, when it was replaced by a verdict of not guilty by reason of insanity.

The Criminal Appeal Act 1995 empowers the commission to deal with verdicts of not guilty by reason of insanity, but no one, myself included, foresaw that there might still remain a handful of disputed cases that dated from the earlier era when the verdict was guilty but insane. Consequently, the 1995 Act made no provision for such cases.

The case that brought the anomaly to light was that of Iain Hay Gordon who in 1953 was tried in Northern Ireland for the murder of a young woman. The case attracted enormous interest since the victim was the daughter of a prominent judge. There are good grounds for believing that Mr. Gordon was neither guilty nor insane, but those are not matters that need detain us—suffice it to say that Mr. Gordon, who is now frail and elderly and has long protested his innocence, applied in 1998 to the Criminal Cases Review Commission for his case to be re-examined.

The commission, after seeking legal advice, decided to refer back to the Northern Ireland Court of Appeal the issue of whether it was empowered to consider cases involving a verdict of guilty but insane. The Northern Ireland Court of Appeal ruled that it was not—hence the need for this Bill.

Lord Ackner first attempted to introduce a Bill for this purpose in July last year, but it unfortunately failed to become law for lack of time. In March this year, he introduced the Bill before us, and as he said at the time, the omission of a verdict of guilty but insane from the 1995 Act is an error that has created a "longstanding and tragic absurdity" in the case of Iain Hay Gordon. Such an outcome was never intended by any of those—and I was one—who played a part in the passage of the 1995 Act. This Bill seeks to rectify that.

Mr. Eric Forth (Bromley and Chislehurst): Can the hon. Gentleman tell us whether there is a significant number of other likely cases in this category? Are we dealing with only one known case, or does the hon. Gentleman believe that there might be others—perhaps only a small number—to which the benefits that he is claiming for the Bill would apply?

Mr. Mullin: I am aware only of the case of Iain Hay Gordon. Although I could not give the right hon. Gentleman details, I have heard that there is at least one other, but it is unlikely that there are more than three or four because we are talking about cases that date from before the mid-1960s.

Mr. Edward Garnier (Harborough): Even if the Gordon case is the only one which this Bill will correct, does the hon. Gentleman agree that that of itself is sufficient reason for passing it?

Mr. Mullin: I most certainly do. If Mr. Gordon is innocent, he has had hanging over him for more than 40 years a considerable burden. He wants to see that put right before he dies. The Criminal Cases Review Commission is extremely keen to deal with the case expeditiously, but cannot do so until the Bill becomes law. I therefore hope that everyone will co-operate towards that end.

I thank all those who have helped to address this problem, not least the Under-Secretary of State for the Home Department, my hon. Friend the Member for Vauxhall (Kate Hoey) and Home Office civil servants, for the constructive part that they have played in the drafting and passage of the Bill. I acknowledge, too, the helpful approach of the Criminal Cases Review Commission and thank the right hon. Member for Penrith and The Border (Mr. Maclean)—himself a former Home Office Minister—for the constructive approach that I understand he intends to take.

I hope that the commission will do all that it can when the Bill becomes law to expedite consideration of Mr. Gordon's case. I am aware that it has a large backlog of cases and a policy of not giving priority to those who are at liberty unless there are exceptional circumstances. As I said in response to the right hon. Member for Bromley and Chislehurst (Mr. Forth), there clearly are exceptional circumstances in this case: getting on for 40 years have elapsed since Mr. Gordon was convicted. Many of those who were directly involved in the case are already dead and Mr. Gordon is elderly and not in the best of health, and wishes to see the matter resolved in his lifetime.

I also gently draw the attention of the Criminal Cases Review Commission to recommendation 7 of the recent Home Affairs Committee report on the commission's work, which expressed the hope that, in the light of extra resources made available this year, some progress would be made on the backlog of cases involving persons at liberty.

I was glad to hear yesterday that the commission has started preliminary work on the Iain Hay Gordon case. I hope that the commission will regard the smooth

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passage that Parliament will, I hope, grant the Bill as a signal that we expect Mr. Gordon's case to be expedited. I, for one, will follow progress with interest.

I commend the Bill to the House.

9.40 am

Mr. Edward Garnier (Harborough): I am most grateful to be called to speak, not only because I wish to support the hon. Member for Sunderland, South (Mr. Mullin) in ensuring the Bill's passage but because, like him, I take a great interest in miscarriage of justice cases. The hon. Gentleman knows, as other Members of the House who were Members before 1992 may know, that my predecessor as Member for Harborough, Sir John Farr—now sadly dead—took a great interest, with the hon. Gentleman, in the case of the Birmingham Six.

I hope that I do not embarrass the hon. Member for Sunderland, South when I say that that was a most unusual marriage of minds. The hon. Gentleman is a radical journalist and a member of the Labour party and, apart from being a civilised person, has little in common with my predecessor—a farmer and a business man of the old school, who one might think would have no interest whatever in the misfortunes of the Birmingham Six. However, at least some of them ended up in Gartree prison for a while, which is in the Harborough constituency, and as a result of his going to meet and speak with some of the Birmingham Six, Sir John came to understand that there might well have been a miscarriage of justice in that case. Without the work of the hon. Member for Sunderland, South, with the help of my revered predecessor, the Birmingham Six might have been in prison to this day.

I come at this issue from a personal position of great interest in the justice system. I come at it as a practising member of the Bar—albeit I do not practise in the criminal courts except as an assistant recorder—and, I hope, as someone who generally is interested in injustice and putting right things that have gone wrong.

If the intervention that I made on the hon. Member for Sunderland, South does anything, it shows that if one man still lives who has or may have suffered a miscarriage of justice as a result of a drafting lacuna in the Criminal Procedure (Insanity) Act 1964—which changed the relevant verdict in matters such as this from "guilty but insane" to "not guilty by reason of insanity"—and has been denied a proper review of his case, it is right and proper that the House, irrespective of party differences about law and order and so on, if they exist, should give the Bill a Third Reading.

Mr. David Maclean (Penrith and The Border): Surely my hon. and learned Friend does not consider this case to be a priority for the Criminal Cases Review Commission? As the hon. Member for Sunderland, South (Mr. Mullin) said, Mr. Iain Hay Gordon is at liberty, whereas others whose cases need to be reviewed are still in prison. In those circumstances, does my hon. and learned Friend agree that this case, although deserving, is not a priority?

Mr. Garnier: I do not know whether our deliberations today will order the commission's priorities. However, if the Bill becomes law, it will allow the Criminal Cases Review Commission to consider the case. Despite the willingness of the Northern Ireland Court of Appeal to consider the verdict in the case of Mr. Iain Hay Gordon, it found that, by virtue of the drafting aberration in the 1964 Act, it could not do so. It is not for me, for the House or for the Minister to tell the Criminal Cases Review Commission the order in which to consider cases.

I have a particular interest in a case involving the M25 murders. Just as Sir John Farr, my predecessor, went to meet and had dealings with members of the Birmingham Six who were temporarily resident in Gartree prison, I have had dealings with Mr. Raphael Rowe, who is no longer imprisoned in my constituency but was for some little time during the previous Parliament. As a consequence of representations that his lawyers, he and his fellow defendants made to me and other Members of Parliament—I am thinking in particular of my hon. Friend the Member for Mole Valley (Sir P. Beresford) and my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe)—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I advise the hon. and learned Gentleman that he may be going wide of the Bill before us, because he is dealing with cases that would not be affected by the Bill.

Mr. Garnier: I apologise, Mr. Deputy Speaker. I was seeking to show that the Criminal Cases Review Commission may have to deal with a number of cases as a consequence of this legislation—although not many—but that it was not for us to order its priorities. I was merely illustrating that by mentioning the case with which I had to deal. I have approached the Criminal Cases Review Commission on behalf of Mr. Raphael Rowe, and I am happy to say that, at last, that case has been referred to the Court of Appeal. It is not for us to say to the commission, "Look at this case before another", and it is not for us to tell the Court of Appeal how to order the list of referred cases.

As the hon. Member for Sunderland, South said, the Bill comes to us with a good degree of all-party and non-party agreement from the other place. It was first introduced in 1998, but fell as a result of lack of time. Fortunately, Lord Ackner was able to reintroduce it in March 1999, and the record is there in the Lords *Hansard* for those who wish to see how unanimous was the support for this small but important Bill. I invite my hon. Friends to join the hon. Member for Sunderland, South in supporting it.

The Bill introduces an entirely necessary, but humane and civilised way of righting a wrong. The wrong revealed was that in the case of Iain Hay Gordon. He was caught by the drafting error or omission following the amendment of the Trial of Lunatics Act 1883 by the Criminal Procedure (Insanity) Act 1964, which simply changed the name of the verdict in cases such as this but had no real bearing on the stigma or status of the individual defendant.

For all I know, Mr. Hay Gordon may have killed the lady in question in the early 1950s. I believe that the hon. Member for Sunderland, South is one of those who think that he probably did not or may not have done. In any event, it seems wholly wrong that a person should be denied access to a review procedure by reason of an obvious drafting omission or error in the 1964 legislation.

The matter touches on the way in which we view the insanity defence. As I understand it, the vast majority of prosecuted mentally disordered offenders in this jurisdiction—England and Wales—are convicted rather than excused, and in most cases, mental disorder does not negate criminal responsibility, but instead may lead to treatment in the form of a hospital order. Moreover, the practice of punishment presupposes the very responsibility that the legally insane lack. Therefore, as none of the purposes behind punishment can be legitimately applied to the person who was judged to be insane at the time of committing the offence, exculpation should follow. Hospitalisation presupposes responsibility for the offence and brings with it the stigma of guilt.

For the past 45 years or so Mr. Hay Gordon has, in effect, had to live with the stigma of guilt. It is a matter of evidence and a matter of judgment whether he committed the act—of killing the young Miss Curran—in the 1950s. It is also a matter of evidence and a matter of judgment whether, if he did so, he was deficient in mental capacity when he committed the offence.

Mr. Forth: I wish to be clear in my mind, which will help me in my contribution if am able to catch your eye, Mr. Deputy Speaker. My hon. and learned Friend is not saying, is he, that we can or should make any presumption about the innocence or guilt of any individual? I would not expect my hon. and learned Friend to make any sort of assumption. As I understand it, any individual, including the one named, has gone through due process and regrettably—it may not be the position in the case of Mr. Iain Hay Gordon—is presumed to be guilty until due process demonstrates otherwise. Surely my hon. and learned Friend is not basing his case in any way on any presumption that there has been some sort of miscarriage of justice.

Mr. Garnier: My right hon. Friend is partly right. He is right not to assume that I am making a presumption. Instead, I am advancing an argument. I hope that it is one that commends itself to the hon. Member for Sunderland, South. It is my belief that Mr. Iain Hay Gordon is being denied access to justice. Those who post-1964 or 1965 who—I use the language loosely—committed the act but were insane at the time have access to the Court of Appeal criminal division. Now, since the passing of legislation under the Conservative Government, they have access to the Criminal Cases Review Commission. However, the defendant in the Northern Ireland case does not.

It seems unjust and unfair that as a result of a legislative error in 1964, Mr. Iain Hay Gordon, who I understand is in his early 70s—

Mr. Maclean: He is 66.

Mr. Garnier: I think that he was about 21 at the time. He has had to live right through to the end of the century believing in any event that he was innocent of the crime. On top of that, he has had to bear the baggage of being publicly considered to have been insane. It is bad enough to be unfairly convicted of a criminal offence as serious as murder. To be excused for what he did because he is said by the courts to have been insane must be doubly anxious-making. On top of that, this poor man has been denied access to appeal proceedings, simply because the 1964 legislation did not contain about half a dozen words.

In my view—my right hon. Friend may take an entirely different view for legitimate reasons that he may expound to the House—and from where I stand, I do not consider what has happened to be right, and I want to do something to correct the position.

Mr. Forth: My hon. and learned Friend has referred to the stigma of insanity. Surely we cannot have it both ways. If we assume—I may wish to challenge this if I am given the opportunity to do so—that insanity is an exculpatory or mitigating factor, which I have always had doubt about, and in a peculiar way the accused receives the benefit of that, which in the days of capital punishment would have been a benefit, very dramatically, can we at the same time regard insanity as a stigma? After all, it has been used as a reason for not blaming somebody. Is my hon. and learned Friend in any way trying to have it both ways?

Mrs. Maria Fyfe (Glasgow, Maryhill): On a point of order, Mr. Deputy Speaker. The purpose of the Bill is to put right an unintentional fault in the law. It has nothing to do with whether my constituent, Iain Hay Gordon, was guilty of the offence or whether he has or has not been insane at any time. The Bill will put right a fault in the law, and that is what we are trying to do. I look forward to our doing it.

Mr. Deputy Speaker: We cannot have a general debate about insanity. However, the case of Mr. Iain Hay Gordon has been referred to in the explanatory notes and the hon. and learned Member for Harborough (Mr. Garnier) is able to rebut or support the intervention of the right hon. Member for Bromley and Chislehurst (Mr. Forth).

Mr. Garnier: I can well understand the frustration of the hon. Member for Glasgow, Maryhill (Mrs. Fyfe). As she says, Iain Hay Gordon is one of her constituents, and I would think that the Bill is supported by the vast majority of hon. Members. It has been supported by all parties and by the retired Law Lord, Lord Ackner, in the other place. I know exactly where the hon. Lady is coming from. I entirely sympathise with the sense of frustration that I detect across the Chamber.

Mr. Forth: On that point, will my hon. and learned Friend—

Mr. Garnier: No. I would be most grateful to my right hon. Friend if he were a little patient. I want to deal with his point about stigma. I hope that my dealing with it will assist us in our deliberations and persuade those who are reluctant to give the Bill a fair passage that there are good grounds for taking a different view.

I do not want to go into general emotions or whether it is a proper matter for sympathy if someone is declared to be insane in respect of a criminal act. That is not my case. There are many things in this life that bring with them no moral opprobrium.

Let us assume that a woman is falsely accused of having been raped. Rape is a hideous crime and the woman can bear no blame. Yet if a woman is falsely accused of being the victim of rape, it is none the less defamatory. I have only to remind my right hon. Friend of the famous libel case in the 1920s of Princess Yusupov

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against MGM, in which the widow of the young Russian prince, who was falsely portrayed in a film about Rasputin as being defiled by him, recovered what in those days was a huge sum in damages.

If a constituent of the hon. Member for Maryhill, who is the human reason for the Bill, has been falsely accused of being insane and falsely accused of being responsible for the killing of Miss Curran, that is a stigma which he is entitled to see removed. If the Bill gives him access to the Criminal Cases Review Commission and to the Court of Appeal as a consequence of a referral by the commission, that seems a good end and one that the House should applaud. Indeed, it should seek to do everything in its power to bring about that end.

The hon. Member for Sunderland, South expressed a few misgivings about the speed with which the commission has been able to deal with cases. He mentioned a backlog. I know that the commission, in its submissions to the Home Affairs Committee, of which the hon. Gentleman is the Chairman, said that it needed a great deal more resources and more caseworkers so that it might speed up the work in which it is engaged. I think that it put in a bid to the Home Secretary for an extra £1.3 million. I understand that the Home Secretary scaled that down to about a third of a million pounds. I may be wrong about that, and the Minister or the hon. Gentleman may be able to correct me.

Mr. Mullin: After representations from a number of people, including me, the commission received a large part of what it was asking for. It is in the process of recruiting many extra caseworkers. It may not have everything that it wants but it should be able to make considerable process in reducing the backlog.

Mr. Garnier: I am pleased to hear that. The cases that will benefit from the Bill becoming law must be very few in number. There will not, therefore, be a long queue, at least in this discrete area of cases that may or may not need to be referred. Perhaps the Minister will be able to tell us. I apologised to the hon. Lady privately because I may not be present when she replies, if she is to do so, because of a constituency engagement in Leicestershire—quite near Gartree prison, as it happens—at midday. I apologise to her, to you, Mr. Deputy Speaker, and to the House if I am not in my place to hear the concluding remarks.

The additional money and caseworkers of which the hon. Member for Sunderland, South has spoken will be vital, but the requirement will not be much added to by the Bill. If my right hon. Friend the Member for Bromley and Chislehurst has so far heard only of the case of Mr. Iain Hay Gordon, and if he is complaining about these matters, he has little to worry about.

As at the end of April 1999, as I understand it, the Criminal Cases Review Commission had 444 cases under active review, but it still had 1,176 cases awaiting review. That is a bad set of figures. I hope that, with the Minister's agreement, the money to which the hon. Member for Sunderland, South, the Chairman of the Home Affairs Committee, referred will assist the commission in dealing with the backlog.

I am told that at the end of December 1998, the length of time that an applicant had to wait for a detailed review of his or her case averaged two years. Mr. Hay Gordon has been waiting since 1952 or 1953. 1952 was the year in which I was born—forty-six and a half years ago. If I were Mr. Hay Gordon, I would be the first to approach my constituency Member of Parliament and invite him or her to press for the Bill. I am delighted that the noble Lord Ackner in the other place was quick to take up that cause.

The House has a history of passing some legislation as a result of a knee-jerk reaction. I shall not list the Bills that the present Government or the Government whom I supported passed in response to press campaigns and single-issue pressure groups. There have been some good Bills that may seem to benefit only one individual. This is one such Bill. Whereas the other place allowed it to be properly considered, with all-party agreement, I trust that the House—

Mr. Maclean: I hate to correct someone as distinguished as my hon. and learned Friend, but the 15 or 20 minutes discussion in the other place was not quite full consideration. It behoves us today to give the Bill more time than that, as we are dealing with a crucial issue of justice relating to a human being. That is no criticism of the other place, which came to the correct conclusion in passing the Bill to us. We need to consider it properly.

Mr. Garnier: My right hon. Friend has his views on the matter, which he must defend if he catches your eye, Mr. Deputy Speaker.

On the question of time, I am bearing in mind the forty-six and a half years that Mr. Hay Gordon has awaited the opportunity to go before some form of appellate jurisdiction. I am bearing in mind, too, the other cases, about which we may not know, of people who were convicted of being guilty but insane between the end of the second world war and the enactment of the mid-1960s legislation. I am bearing in mind the ease with which Parliament, which is sovereign, should be able to pass a relatively self-explanatory, humane and civilised Bill.

I do not want to provoke my right hon. and hon. Friends into taking up more of the time of the House by intervening on me. I urge them to consider carefully what we are about, and the advice that we have received not only from the hon. Member for Sunderland, South, the Chairman of the Home Affairs Committee, but from the distinguished and learned Law Lord, now retired, Lord Ackner.

My right hon. and hon. Friends should consider also the words of our noble Friend Lord Taylor of Warwick, a barrister of some experience in the criminal courts, and of the noble Lord Thomas of Gresford, who has considerable experience both as a solicitor and as a barrister practising in the criminal courts. His remarks in the other place are particularly instructive. I trust that my right hon. Friend the Member for Bromley and Chislehurst, who looks a little puzzled, will study them carefully. There were other speeches there from a layman, our noble Friend the Earl of Portsmouth, who has followed the issue with considerable care.

I know that my right hon. Friend the Member for Bromley and Chislehurst, who is still looking puzzled, may not be a regular reader of *The Guardian*. I used to work for it; I declare an interest in that respect. My right hon. Friend will find that the issue is not just a lawyers' ramp. It is not just a matter of some half-baked

single-issue pressure group getting up and grabbing hold of parliamentary time and legislative power. This is a properly thought-out Bill which requires to be passed into law, and it commends itself to all hon. Members, regardless of their party allegiance.

Mr. Forth: I am grateful to my hon. and learned Friend for indulging me yet again. He is seeking to impress the House with a litany of very important people, and telling us that they think that this is a good Bill. If the matter is as important as my hon. and learned Friend has so eloquently argued, and if it has the support of so many eminent people, why has it taken to long to get here?

Mr. Garnier: My right hon. Friend has been in government. He knows that every Government will have one excuse or another for not finding it convenient to introduce a particular piece of legislation. If something needs to be done, a Government will find time for it to be done. If something does not need to be done, I have found, amazingly, that Governments will find good reasons for it not to be done.

Mr. Forth: Fox hunting.

Mr. Garnier: My right hon. Friend should not draw me on that—especially as I am about to head off for Leicestershire—or I shall be here for a good while yet.

It will be easy for my right hon. Friend, a man of huge Government experience in at least three Departments, to stand up in due course and explain why the Bill should not be given assistance by the Government. It is a private Member's Bill, but it has been given the assistance of Government—or at least, for once, a Government are not hindering a private Member's Bill. If that is the case, it will only add to the feelings of high esteem which I have for the Minister, my London Member of Parliament.

I hope that the hon. Member for Sunderland, South gets his Bill through this afternoon, and I hope that the hon. Member for Maryhill sees her constituent going into the offices of the Criminal Cases Review Commission and to the Court of Appeal and achieving justice. Whichever way that may mean the dice roll, I want him to achieve justice, and I want the hon. Lady to see him achieve justice.

10.8 am

Mrs. Maria Fyfe (Glasgow, Maryhill): As I mentioned earlier, Iain Hay Gordon is my constituent. His fight to clear his name has been going on for an extremely long time. That is most unfortunate, especially as he does not keep in very good health. He has been desperate to move matters forward so that he can try to clear his name, because he is afraid of going to his death without having managed to do so. That cannot be attempted until the Bill is passed.

The Bill seems to have the support of the entire House. It passed through the other place without difficulty. We are speaking of a minor amendment which arises because of an earlier error. It is clear that for the sake of justice and right, the Bill should go through today.

Having waited so long for Parliament to do what is right, we have a chance today to put right a grave wrong to my constituent. He will be extremely grateful to my hon. Friend the Member for Sunderland, South (Mr. Mullin) and to those who have taken up the matter in another place.

The Criminal Cases Review Commission has been in correspondence with me. I know that a large number of other cases are awaiting its attention, but I, too, appeal to the commission to get on with my constituent's case once we pass the Bill today, because of his age and the fact that he has had this hanging over his head for so many years. Today the House has a chance to unite and do the right thing. Let us get on and do it.

10.9 am

Mr. Peter Luff (Mid–Worcestershire): I pay tribute to the hon. Member for Sunderland, South (Mr. Mullin), the Bill's promoter, and to the hon. Member for Glasgow, Maryhill (Mrs. Fyfe), for the way in which she has come to this House on a Friday to defend the rights of her constituent. I have a great deal of sympathy with what has been said and I was intrigued to hear my hon. and learned Friend the Member for Harborough (Mr. Garnier), a distinguished Queen's counsel, setting out his thoughts in detail.

Nothing that I will say this morning signals a lack of support for the Bill, and my instinct is that it should pass. However, I am nervous about the lack of scrutiny that the Bill has received. In total, the report of its scrutiny in another place covered five columns of the *Official Report* of the proceedings on 23 March. No amendments were made and there was no further debate on Report there. The Bill came here and went through on the nod at the end of a Friday. There was no Committee stage—it was taken at the same time on the Floor of the House.

This morning is the first opportunity that the House has had to discuss the implications of the Bill. Therefore, my remarks on Third Reading might be longer than would normally be my practice. It is important that measures of this kind are properly tested, particularly when the House has had no opportunity to do so before. If we look at the Table, we see all the Bills lined up for consideration today. I have lost count of how many there are.

Mr. Forth: Too many.

Mr. Luff: My right hon. Friend may be right, although I do not have quite the antipathy towards legislation that he has.

Mr. Forth: Nobody does.

Mr. Luff: That is probably true. His antipathy comes from deeply held principles, which Labour Members may not understand. Those of us who have had the pleasure of sharing the Tea Room with him, will know how deep seated is his opposition to legislation. I do not have that opposition to legislation, but a Bill such as this deserves close scrutiny.

In the previous Parliament—for reasons that I perhaps should not discuss—I was invited to reflect at length in Committee on a one-clause Bill. It was a harmless, one-clause Bill, and the Clerks had suggested that no amendment was possible to it. I spent some time studying the Bill and developed a series of amendments, as a result of which the Minister clarified the law in a number of important areas. The lawyers and interest groups that I had consulted expressed their deep gratitude to me for clarifying the law. Even the most harmless and innocuous

[Mr. Luff]

Bill always gains from proper scrutiny. The House should be nervous of even the best-intentioned Bill being enacted without scrutiny.

Mr. Maclean: Is not another obligation placed on us this morning? We are to pass a Bill that nearly everyone says deals with one specific case—although, theoretically, there could be more. In such cases, we must be careful that we are getting the measure right.

Mr. Luff: Obviously, my right hon. Friend can read my mind. The very next point that I intended to make was that, as I read the Bill's proceedings in another place and the background information, one phrase kept recurring in my mind—hard cases make bad law. That is one of oldest saws in considering legislation.

I have no doubt that the case of Mr. Iain Hay Gordon is a desperately hard case, but this House must not rush—in a fit of perfectly understandable moral eagerness—to put right that case without being sure that we are not doing other injustices in the process. We must be clear about the implications for the bodies affected by the Bill. The Criminal Cases Review Commission lies at the heart of the debate.

Mr. Garnier: My hon. Friend said that we must be careful that the Bill does not produce an injustice in another case. What sort of injustice does he envisage?

Mr. Luff: My hon. and learned Friend invites me to anticipate remarks that I want to make later. In essence, I am asking whether the case that we are discussing is the only one. We have had assurances that it is. How many cases like it might there be in the system?

Mr. Forth: I am certain that I heard the hon. Member for Sunderland, South (Mr. Mullin) say that he thought there might be a few more cases. That is an important point for us all to bear in mind. I agree that if we were dealing with only one case, it would be worrying. There may be more cases, and that leads to the concern about the effect that the Bill might have on other cases—even though we do not know what they are. I hope that that is helpful to my hon. Friend.

Mr. Luff: It is genuinely helpful and that is an extremely important point. Exactly how many cases will be caught by the Bill? That is the injustice that I fear. Understandably, the hon. Member for Sunderland, South expressed the hope that the Criminal Cases Review Commission would give the case priority once the Bill had been enacted. However, the work load of the commission is increasing rapidly and to give this case priority over others—whose merit we simply cannot know—is a matter of concern to me. We are imposing a potentially heavy burden on the commission.

Mr. Mullin: No one is trying to impose a heavy burden on the Criminal Cases Review Commission. The commission wants the power to be able to deal with the matter and will decide the priority to be given to the case—not us. It will still be up to the commission. All that we can do is urge the commission to get on with it, on the grounds that the case has been around for 46 years.

Mr. Luff: The hon. Gentleman is right and I have no wish to argue on that point. The House has had his assurance that that is the case. How are we to know, however, that this case is the only one? Are there other similar inadequacies—

Mr. Deputy Speaker: Order. I remind the hon. Gentleman that we are on Third Reading and we should be discussing what is in the Bill. Perhaps these remarks should have been made in Committee or on Second Reading.

Mr. Luff: With the greatest of respect, Mr. Deputy Speaker, there was no Second Reading and no Committee. That is precisely the problem and that is why we must look at the Bill in a little more detail on Third Reading than would normally be the case.

Mr. Deputy Speaker: Order. I understand the hon. Gentleman's point that there was no Committee, but that is no fault of mine. I am guided by the rules of the House, which are clear. Third Reading is a narrow debate, based on what is in the Bill. What might crop up as a result of the Bill is another matter.

Mr. Forth: On a point of order, Mr. Deputy Speaker. Without wishing to challenge your ruling, you have the discretion to bear in mind that, through an act of good will, the House has rushed the Bill on its way to this stage. However, this is the only opportunity that the House has had to consider the Bill in any detail. Therefore, will you use your discretion and wisdom in allowing more of a debate than might otherwise be the case?

Mr. Deputy Speaker: I can tell the right hon. Gentleman that I always use my wisdom in matters relating to him. I am not saying that we cannot have a debate—far from it. However, the rules of the House tell me that the debate must be confined to what is in the Bill. If the rules of the House change, I—as the custodian of the rules—will look after them. At the moment, however, we must confine ourselves to the rules of the House.

Mr. Luff: You are an effective guardian of the rules of the House, Mr. Deputy Speaker. Perhaps I have been too generous in giving way to colleagues, which has led me down some alleys of which you may not approve. I will now try to return to my notes, which refer directly to what is in the Bill.

The Criminal Cases Review Commission is included in the Bill. Its task is to examine each case impartially and decide whether it would have a real possibility of succeeding if it were given a further hearing in an appeal court. On the basis of what we have heard about the case of Mr. Hay Gordon, there seems to be every chance that it would have a realistic chance of success. I have no doubt that what the hon. Member for Sunderland, South said about the wishes of the commission was accurate.

Helpfully, the Select Committee on Home Affairs—of which the hon. Member for Sunderland, South is the Chairman—has produced a report on the work of the Criminal Cases Review Commission. The report makes a number of recommendations, one of which refers directly to the Bill. As the Chairman of a Select Committee—I see in the Chamber the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, whom we seek to hold to account—I know there is always a temptation for a Committee to have it both ways and to wish contradictory things.

To an extent, I see that in the first report of the Select Committee on the work of the Criminal Cases Review Commission, which discusses at length the problems of the commission in prioritising its work and the pressure on its resources. Recommendation 6 states:

"We accept and support the basic principle that priority is generally given to applications from those in custody."

The case from which the Bill arises involves a gentleman who is not in custody. Mercifully, if the case has been mishandled, he is at liberty, albeit with the stain on his character described by my hon. and learned Friend the Member for Harborough. We have to ask whether it is right to pass the Bill, given the Select Committee's wise view that priority should go to those who are in custody and therefore still suffering the wrong of some miscarriage of justice.

The resources available to the CCRC lie at the heart of our consideration today. I freely admit that, until the hon. Member for Sunderland, South intervened, I was not aware that its resources had been increased. It would be extremely helpful to the House in respect of how it should approach its consideration of the Bill if the Minister told us exactly what resources are available to the commission. The notes on clauses—which have been prepared by the Home Office, not by the hon. Gentleman—show how important that consideration is. They tell us:

"Expenditure on reviewing such cases would have to be found within the planned funding of the Commission. Any expenditure elsewhere in the criminal justice system resulting from an application to the Commission under the Bill, or from a decision by the Commission to refer a verdict of guilty but insane to the Court of Appeal, would similarly have to be found within current planned provision."

We have to satisfy ourselves that the case in question, which goes back more than 46 years, is a one-off. Typically, the cases that will be brought before the commission will date back over such a period. Re-examining them at such a late stage would be particularly labour intensive. I am always reluctant to reopen cases of such antiquity. After nearly half a century, it is difficult to go through the background and the evidence to understand the circumstances with clarity. It would clearly be a time-consuming business.

Mr. Forth: Does my hon. Friend agree that not only does that matter have resource implications—that important point may have to be developed—but the relevant material, witnesses, evidence and so on will necessarily be that much less reliable, given the age of the cases? Is not that a factor that we shall all have to bear in mind as we consider the efficacy of the Bill?

Mr. Luff: Characteristically, my right hon. Friend makes a point that I was seeking to make rather better than I would have done. He is right and that is one of the central challenges for the House during its consideration of the Bill. The Minister must satisfy us that the case in question is one of only a very small group. Is her estimate of the number of cases three or four, which was the estimate made by the hon. Member for Sunderland, South when he opened his remarks? If her estimate is 10, 12 or 15, the nature of our consideration would have to change and a much sharper problem would be posed for the CCRC.

Mr. Mullin: I do not want to prolong this agony. I did not say that I knew of three or four cases; I said that I knew of one and that I had heard someone say that there might be two. It is very unlikely that there will be as many as three or four and it is perfectly possible that the case in question will be the only one. The hon. Gentleman talked about assurances that I have given. The assurances that I have given on miscarriages of justice over the years have largely proved reliable.

Mr. Luff: With characteristic modesty, the hon. Gentleman sets out for the House his track record on these matters; I think he has a great deal about which to be modest. He has a good reputation on these issues and I congratulate him on it, but the Bill has not been scrutinised thoroughly elsewhere, so we need to know what assessment the Government have made of the likely work load on the commission that will flow from the Bill. I am told that the commission is adamant that it will not sacrifice thoroughness for the sake of speed. It is right to take that view, but I fear that achieving thoroughness in such a case could be particularly demanding.

In November 1998, the Home Secretary rejected the bid for £1.3 million additional funding. We are told that additional money has been forthcoming, although my information was that the only money available was for information technology. It appears that, as well as capital funding, revenue funding will be available for additional caseworkers. That is good, because the commission is clearly doing important work. I would certainly want my constituents to have access to it in cases of miscarriage of justice. However, the statistics are quite alarming and it is important that the House is aware of them.

I think that my most recent information comes from a memorandum to the Home Affairs Committee from the CCRC; if that is not the case, I apologise to the House. The backlog of more than 1,000 cases is growing at a rate of more than one a day and, by definition, the cases that the commission consider[illegible] serious. The backlog is huge and each and every [illegible] is a matter of considerable concern to the individual affected by it. Standing here in the Chamber today, I have no way of prioritising the case of Mr. Iain Hay Gordon over those other 1,000 cases.

In its evidence to the Home Affairs Committee last December, the CCRC said:

"The October 1997 memorandum to the Committee noted the very severe problems that had been posed by the CCRC's initial caseload, but hoped that the case completion rate might soon reach the case intake rate."

In other words, the commission's waiting list—to use a topical term from another area of the public policy debate—is growing steadily. The CCRC went on to say that the

"CCRC casework experience to date, and caseflow analysis, combine to demonstrate clearly that the CCRC cannot achieve casework breakeven, and minimise the case accumulation, on any reasonable timescale unless substantially increased resources are allocated to it."

Mrs. Fyfe: The hon. Gentleman has already been advised that it is not our business to offer the CCRC any order of priority for its work. We are here merely to pass a necessary amendment to the Bill arising from an error that was made at an earlier stage. It is as simple as that.

Mr. Luff: I admire the way in which the hon. Lady is fighting for the interests of her constituent. I want to be persuaded that the Bill should be enacted because her constituent should have the justice that he is lacking and hear what she says, but the message sent out at the end of his speech by the hon. Member for Sunderland, South was that the commission should give that case priority. The nature of the case suggests to me that he may be right—I do not know enough about the cases before the CCRC to reach that judgment—but if similar cases arose, we would logically have to support the commission giving them priority over other cases, which may be of great importance.

Mr. Maclean: Surely there is another valid point. We are being asked to pass the Bill using a slightly expedited procedure. There has been no debate on Second Reading. The CCRC may not be able to consider the case for three years—when it has cleared its existing backlog—which is an argument for suggesting that the Bill's provisions could be part of a Government Bill next year. We would then have more time to consider such a Bill clause by clause.

Mr. Luff: I hear what my right hon. Friend says, but I do not share that view, although I understand why he has expressed it. I want the Minister to give a clear explanation of why my fears are misplaced. The House would then be able to give the Bill speedy passage, rather than delaying it unnecessarily. I am sure that the hon. Member for Maryhill does not want her constituent to wait another year, even for the opportunity to put his case to the commission. Subject to the assurances that we receive from the Minister, I hope that we can give the Bill speedy progress, but it is important that we understand the extent of the problems that the commission faces as we do that.

On 16 December 1998, *The Guardian* said:

"MPs who fear a repeat of the Child Support Agency shambles are to summon Home Office Ministers to explain why they refused a plea for an extra £1.3 million for the Criminal Cases Review Commission to attack the mounting backlog."

I do not know whether those words are a briefing from a member of the Home Affairs Committee or the florid prose of *The Guardian*, but this is clearly a matter of considerable concern to the Committee and it is right to be concerned.

The Bill centres on the Iain Hay Gordon case. We are informed that his may be one of two, three, four, or however many cases, and we have already debated that matter. I have looked at the background to the case and I understand why the hon. Member for Maryhill is so concerned about it. I shall not weary the House with an account of it, because that would clearly be an inappropriate use of our time. I was, however, slightly amused by an article in *The Herald* of 27 April last year, which states:

"A political row is brewing over the refusal of the Criminal Cases Review Commission to begin an investigation into an alleged miscarriage in the case of Glasgow man Iain Gordon, 66 . . . Mr. Chris Mullin, the veteran campaigner against injustice and chairman of the Commons Home Affairs Select Committee, has written to commission chairman Sir Frederick Crawford to demand an explanation for the commission's handling of the case . . . Mr. Mullin, Labour MP for Sunderland South, called for Sir Frederick's resignation when it was revealed last August that the £88,000-a-year chairman of the new body was a freemason in the Gordon case. Mr. Mullin has accused him of appearing to have taken 'a narrow view of your responsibilities and one that is certainly at odds with the intention of Parliament when the commission was established'."

Mr. Mullin: I cannot be responsible for what is in *The Herald*, but I certainly did not call for Sir Frederick's resignation. I did, at the time of his appointment, express surprise that a Birmingham freemason had been put in charge of this particularly sensitive commission, but Sir Frederick has done a pretty good job during his two years in office and I have no complaint about him.

Mr. Luff: I am not and have never been a freemason, but I am suspicious of the hon. Gentleman's suspicion of freemasons. I was, however, delighted to hear his tribute to Sir Frederick and I am sure that he will be pleased as well. A degree of guilt probably lingers in the hon. Gentleman's mind. It is excellent that he has sought to expunge it by presenting the Bill and recognising that the commission was not guilty of failing to do its duty, but simply did not have the statutory ability to perform that duty.

Let me return to the fundamental point. The Iain Hay Gordon case provides us with a useful example, but we should take it only as an illustration. We should not see it as our reason for acting; we must act on principle. The question of whether Iain Hay Gordon was or was not the victim of a miscarriage of justice is not for the House to consider. It is a matter for the due process that will follow if the Bill is passed. The question that we should consider is the question of access to the powers of the commission. I believe that the House should grant such access only if it is absolutely clear that an intolerable burden will not be placed on the commission.

Is this a single case? Single cases are regularly used to shape law in this place, but I feel that they should be used only to illustrate it. Another question—one that the Minister should answer—is this: what precedent are we setting if we pass the Bill? Are there other lacunae in the wording of the legislation that established the Criminal Cases Review Commission? Are there other issues that need to be addressed? Will passing the Bill give rise to a raft of private Members' Bills dealing with other inadequacies, or is this, as it were, a one-off case of a one-off case?

Mr. Maclean: Nearly everyone who has spoken today has said that the failure to include the terminology "guilty but insane" was clearly due to a drafting error. I have heard no evidence so far that that is so. Perhaps the omission was a deliberate act on the part of the draftsmen or the Ministers responsible. I hope that the Minister will be able to reassure us that it was a technical error and not a deliberate act on the part of this Parliament.

Mr. Luff: My right hon. Friend leads me neatly to my next and—the House will be relieved to hear—final point, which concerns retrospectivity. This is retrospective legislation. Just as hard cases make bad law and the House must be suspicious of them, retrospective cases often cause difficulty, for precisely the reasons that my right hon. Friend has just given. What was in the mind of Parliament when the legislation was passed? Was what it did intentional or unintentional?

Thornton's "Legislative Drafting" defines retrospectivity thus:

"It is desirable that wherever possible a statute should indicate in express and unmistakable terms whether (and, if so, how far) or not it is intended to be retrospective . . . Retrospective laws offend against the general principle that legislation intended to regulate human conduct ought to deal with future acts and ought not to change the character of past transactions carried upon the faith of existing law".

I know that the Home Secretary shares that view. Almost exactly 13 years ago, during a debate on the Rate Support Grant Bill, the right hon. Gentleman—then an Opposition Member—said:

"The Government have become slap happy in the use of retrospective legislation."—[*Official Report*, 23 June 1986; Vol. 100, c. 86.]

As my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) said, it must be clear that we are simply correcting an innocent drafting error, and that there is no matter of substance behind the omission that is identified by the Iain Hay Gordon case.

I expect the Bill to be given a Third Reading today. I suspect that the mood of the House is in favour of it, subject to the assurances that the Minister can give. Notwithstanding what the hon. Member for Sunderland, South said, however, the commission must set priorities for itself. However indignant hon. Members may feel about individual cases, it is for the commission to make the difficult judgments about how it should use its still limited resources in the face of a mounting case load.

10.35 am

Mr. Eric Forth (Bromley and Chislehurst): I shall continue in the spirit of the excellent speech of my hon. Friend the Member for Mid-Worcestershire (Mr. Luff). A number of points deserve our consideration, given the rather unusual route by which the Bill has reached this stage. If anything, it is even more incumbent on us than it might otherwise be to ensure that we are satisfied about those points before allowing it to proceed. Because it has come from the other place, this is the last opportunity for it to be scrutinised in a considered way and in detail, and for us to discharge our responsibility as one of the Houses of Parliament.

The Bill was considered briefly in the other place. That is no criticism—far be it for me to criticise the methods adopted in another place—but I think it fair to say that the consideration was fairly brief. I think that it is also fair to say that, even at this early stage, a number of important points have emerged. It may have surprised hon. Members that what at first blush appeared to be a Bill of modest scope is already raising significant issues of principle, and I think it incumbent on us to satisfy ourselves about those before we proceed too much further.

One of those points, which my hon. Friend the Member for Mid-Worcestershire touched on, has bothered me considerably. I refer to the vexed question of whether it is legitimate or desirable to legislate on the basis of one known case, or even a very limited number of known cases. It is an age-old question, which has confronted us as a legislature many times over a long period; but that does not diminished its importance. What we are really saying is that, if we are worried about a single case and the existing law does not cover that case adequately, we should—as the hon. Member for Sunderland, South (Mr. Mullin) put it, eloquently and, he thought, persuasively—move as quickly as possible to change the law in order to acknowledge the problem.

That is, in a sense, self-evident, as far as it goes. The danger is that, in some instances, changing the law to deal with one case could put at risk the principles of justice, access to justice and the balance of justice in other cases. We must satisfy ourselves beyond reasonable doubt that that will not happen.

Mr. Maclean: Is my right hon. Friend slightly mystified by the fact that the other place was keen for the Bill to proceed quickly, although it twice rejected a similarly retrospective measure involving only one or two individuals—the war crimes legislation? We had to pass it by means of the Parliament Act.

Mr. Deputy Speaker: Order. We should not start discussing other legislation.

Mr. Maclean: I was not—

Mr. Deputy Speaker: I was under the impression that the right hon. Gentleman was. I apologise. Let me, however, reinforce my ruling that we are not going to go into other legislation.

Mr. Forth: And I shall not answer my right hon. Friend's retrospectivity point now, Mr. Deputy Speaker. I shall deal with it in a moment. Looking at my notes, I find that that formed the second of the points that I wish to cover in my brief contribution, but I want to do justice to the earlier point that I was making. I do not want to weary the House with it, but it is important. I shall answer myself, in a sense, and therefore satisfy, I hope, other Members.

The question I pose is whether it is legitimate or desirable to make a change in the law based on a single known case. To my surprise, when the question was posed to the Library, we got back a considerable list of such cases. I shall not weary the House with the entire list; a few examples will suffice.

The one that all colleagues will remember with affection is the Peerage Act 1963, which arose from the battle of the right hon. Member for Chesterfield (Mr. Benn) to ensure that he was able to renounce his peerage and take his elected place in the House. That is one obvious case. I skip through some of the others. The law was changed in the Grant *v.* Borg case, which involved overstaying immigrants; after the House of Lords judgment in the Regina *v.* Preddy case, which involved mortgage fraud and acquiring credit by deception; and in the Thai Trading Company *v.* Taylor, case, which involved conditional fees.

I make that point only to dispel any doubts that colleagues may have about the respectability, if I may put it that way, of basing a change in the law on one single known case. Therefore, in that sense, I am persuaded, but there is a lingering doubt, which we should bear in mind before we finally dispose of the Bill: that there is no likely risk of the change proposed in the Bill having an adverse effect on our judicial system, access to justice or the probability of justice being done.

[Mr. Forth]

Given the particular circumstances of the Bill, its thrust and content, that risk is minimal, or probably zero—of that I am fairly satisfied. Given our duty and responsibility in such cases to consider whether there is a danger or risk, I am satisfied. I mentioned only a few of the precedents because I did not want to weary the House.

Mr. Maclean: I think that my right hon. Friend could be in danger of inadvertently misleading himself, not that he would ever mislead the House. I have studied the precedents, too. Some of the cases that he has mentioned have not resulted in specific legislation, Bills or Acts, but have merely hastened Governments to make amending clauses in other legislation that is going through the House. That happened with the Access to Justice Bill after the R.V. Khan case; it speeded up Government legislation. However, there are very few cases—I am familiar only with the Viscount Stansgate case—of an Act of Parliament being introduced for an individual.

Mr. Deputy Speaker: Order. We would extend the debate if we went into those matters.

Mr. Forth: I am grateful, Mr. Deputy Speaker. You have let me off the hook. When I am under scrutiny from my right hon. Friend the Member for Penrith and The Border (Mr. Maclean), I am always grateful for any escape route that is offered to me, which I gratefully accept. That brings me readily to the next point that I wanted to cover: retrospectivity. Again, one has to be careful, but there is a duty on us to consider how far one is entitled, or is under a duty, to seek to go back in terms of legislation.

Throughout my studies at university, as far as I can remember them now, and even on coming to the House, I was told that we did not legislate retrospectively here. That was my firmly held view. I clung to that. I thought it an important principle until I got here. Then I found, as one does with many things—I am sure that right hon. and hon. Members will share the experience—that those things that we thought were established, nay, almost sacred principles of the House of Commons and, indeed, of our unwritten constitution, were nothing of the kind, and that we live in a flexible and fluid world at Westminster.

So even the principle of retrospectivity, which I thought was the foundation stone of our constitution, unwritten as it is, is not quite what it seems. The principle that overrides even that one is pragmatism. The other, which I think is still the case, although even that is in doubt now, is that no one Parliament can bind another.

An interesting issue is raised by the constitutional changes that have just been made. There is a question as to whether—

Mr. Deputy Speaker: Order. The right hon. Gentleman will push the boat out a bit too far if he goes into constitutional matters. It is a Third Reading debate on the Bill.

Mr. Forth: I am grateful. I was getting a bit carried away with my argument about retrospection. I had better limit it, as you, Mr. Deputy Speaker, rightly point out, to the Bill itself.

Again, there are precedents. At the risk of provoking my right hon. Friend the Member for Penrith and The Border again, I asked for examples of retrospective legislation. I have a list, but I am now quite nervous about quoting from it in case he picks me up on it. Suffice it to say that the research that I have commissioned suggests that it is permissible, and there are precedents for a retrospective approach when it is deemed justifiable.

The promoter of the Bill said in his admirable speech that, in a sense, that was the whole justification for the Bill. It is based on, we think, a single case. We are not sure; there may be a few others. In a sense, the whole point of the Bill is to look back, to look at the particular circumstances that prevailed at the time, to identify the lacuna, and then to say, "We will now legislate in 1999 for something that happened a very long time ago and for a glitch, or gap in the law, which has only fairly recently emerged, to the disadvantage of one known individual, although there may be others."

Mr. Maclean: My right hon. Friend is correct. There have been numerous examples of retrospective legislation. I had the privilege of studying the list as well, but I could not find any examples relating to individuals. The examples related to teachers' pay and conditions, vaccine-damaged children and London Regional Transport—I could not find one case of retrospective legislation dealing with a single individual.

Mr. Deputy Speaker: Order. I keep coming back to it: we must concern ourselves with the Third Reading of the Bill.

Mr. Forth: I am grateful. That brings me neatly to the issue that was touched on by my hon. Friend the Member for Mid-Worcestershire, which I will characterise as antiquity and, therefore, efficacy. He touched on the point in a different way, admittedly.

Mr. Graham Brady (Altrincham and Sale, West): Before my right hon. Friend moves from the point about retrospection: I have listened to his arguments with interest, as I have to the arguments of other Conservative Members, but I am not really convinced. Surely any matter of law that deals with matters of appeal is, by its very nature, retrospective. In that instance, he cannot hold it against legislation dealing with appeal matters that it is retrospective. Is it not inevitable?

Mr. Forth: That is partly the case, but there is a problem, which I am coming on to; I hope that my hon. Friend will bear with me. Surely, there is one thing that we have to consider, because we are talking about a proper judicial process, not just a quasi-judicial process. One of the factors that it is incumbent on us to consider with great seriousness is the extent to which we think it efficacious and viable to allow a review to take place, when, by definition—we are defining it in this case, or it is defined for us—the material factors will be so far in the distant past as to be possibly unreliable. That is

beyond doubt. As the hon. Member for Sunderland, South pointed out, the Bill arose from events a very long time ago.

Mr. Desmond Swayne (New Forest, West): Is it not for the review to discover whether the facts are uncertain, or too long ago? It surely should not be denied the opportunity to consider that case.

Mr. Forth: I am grateful to my hon. Friend, but I do not think it is as obvious as he suggests. I had the same problem in respect of the war crimes legislation some years ago and I would contend that when one is dealing with events in the distant past, the evidence becomes less reliable. As my hon. Friend points out, there is an element of judgment and we are making precisely that judgment today. In making this proposed change in the law and inviting a review process which inevitably will have to deal with events in the distant past, we must consider how comfortable we are with the likelihood that that will lead to a proper process of justice.

I hope that the hon. Member for Sunderland, South will sum up the debate. I could almost write his speech for him now—or at least part of it. I suspect that he will say that he has been involved in a number of cases that deal with exactly this matter. That might set my mind at rest as it is an important factor.

Another point that I wish to make in my preliminary remarks involves money. I address these comments mainly to the Minister, who I hope will seek to catch your eye, Mr. Deputy Speaker. We look forward to her contribution as it will help to set in context a number of issues that have arisen in the debate, and no doubt will arise again. However, this is a particular matter for the Minister and I am alerting her and any others who may be in a position to assist.

A key element in the debate are the additional responsibilities that the Bill places on the Criminal Cases Review Commission. It has been admitted—rightly, in my view—that the House has no influence on the priority of the work of the CCRC. That is a matter for its judgment. However, knowing a little about these matters, I suspect that the CCRC could possibly be influenced by the Minister. It might even be influenced by reading these proceedings. It is obviously the wish of the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) that it should be so influenced. No doubt she has assiduously made her own representations in that regard and I wish her well with them. However, I wish to make a narrow point about money and staff.

My information is that the commission has calculated that it needs something like 60 case review managers in order to process new cases and reduce the backlog. It has been claimed that the Government have given extra money to the CCRC. In February this year the Government announced plans to give the CCRC an extra £1.2 million to employ more caseworkers.

Mr. Deputy Speaker: Order. This is a debate about a limited extension of the role of the Criminal Cases Review Commission. It is not a general debate on the work of the commission.

Mr. Forth: Thank you, Mr. Deputy Speaker. You have enabled me to move on to the substance of my remarks, having dealt with the preliminaries. I shall now turn to the Bill itself, and I am sure that you will approve of my doing that. *[Interruption.]*

Mrs. Fyfe: On a point of order, Mr. Deputy Speaker. I do not know what is amusing some Opposition Members, but I do not share their amusement, given that they are discussing the human rights of a constituent of mine. Perhaps they could be brought to order, or bring themselves to order.

Mr. Deputy Speaker: That is not, strictly speaking, a matter for the Chair, but I am sure that right hon. and hon. Members will take on board what the hon. Lady has said.

Mr. Forth: With the greatest charity, let me say that if the hon. Lady were here more often on a Friday she would realise that our proceedings are often a little more relaxed and that that often allows us to proceed on a consensual basis. I would regret that consensus and good spirit being interrupted in any way and I hope that the hon. Lady would not be party to that.

Miss Anne McIntosh (Vale of York): Let me put the mind of the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) at rest. Many of us are here today because we share her concern for her constituent. That is why we support the Bill.

Mr. Forth: I am grateful to my hon. Friend, who reinforces what I said. The way in which the House works on Fridays and deals with private Members' Bills is a little different from the normal run of events, as you know better than almost any of us, Mr. Deputy Speaker.

Mr. Maclean: I would merely point out that on the last occasion the Bill was before the House and those of us who are always here on Fridays expedited its passage through to this stage, I do not recall the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) being here, worried about her constituent's rights.

Mr. Deputy Speaker: Order. I am having difficulty in persuading hon. Members to speak to the Third Reading of the Bill. We cannot debate who was here last Friday or the previous Friday.

Mr. Forth: Indeed, Mr. Deputy Speaker. I shall now get stuck into the Bill itself. I can reassure you, Mr. Deputy Speaker, and the hon. Member for Maryhill that it will not take long.

My references to the Bill relate to my introductory remarks. Clause 1(1) states that

"the Criminal Cases Review Commission may at any time refer the verdict to the Court of Appeal if subsection (2) below applies."

The Bill gives a very wide remit to the CCRC. It is important that we acknowledge that we are broadening the original remit of the commission very widely indeed.

[Mr. Forth]

Another concern on which I would welcome the comments of the Minister or the promoter of the Bill—and probably both—relates to clause 1(2)(b). Subsection (2) states:

"This subsection applies if the Commission consider that there is a real possibility that the verdict would not be upheld were the reference to be made and . . . it appears to the Commission that there are exceptional circumstances which justify the making of the reference."

That is an extremely wide and permissive phrase. It crosses my mind to question whether it is wise to give that degree of latitude. As we all know, exceptional circumstances can be defined in almost any way. There is no limitation and no further reference to that provision. It simply gives the commission the power to make a judgment as to what exceptional circumstances are and links that to its ability to make a reference.

When we give such wide powers, we must be satisfied that there is no possibility that they could be misused. I have no reason to suppose that they would be, but there is always a possibility of that when we give extraordinarily wide powers to what I would—perhaps unfairly—characterise as a bureaucracy.

Mr. Maclean: So far this morning we have been told that on every occasion a simple error of drafting in the original legislation failed to include the terminology "guilty, but insane". This Bill, however, gives the commission powers to refer cases in "exceptional circumstances". We need to know from the Minister whether that provision is widening the existing powers of the commission to deal with other cases that were covered in the Criminal Appeal Act 1995.

Mr. Forth: Indeed. My only regret about today's proceedings is that we have been unable to look a little more widely at the relationship between the parts of the law that deal with guilt and insanity. I should have preferred that, as I have some rather distinctive views on the issue. However, it is probably just as well for me that I am unable today to express those views at great length, as they might be regarded as somewhat eccentric—but then, I am quite used to that.

Nevertheless—under your wise and correct guidance, Mr. Deputy Speaker—we are not allowed to range that little bit more widely, which I do regret, although there will perhaps be another occasion on which we are able to do so.

Given that the issue—the whole matter of how far insanity may be regarded as an exculpatory or mitigating factor—has always been such a contentious one in law, and given how much the Bill touches on that issue, it is, in retrospect, perhaps slightly regrettable that we did not have a full-blown Second Reading debate in which we could have ranged across the issue more widely, or detailed consideration in Committee. However, the House made a different judgment on the matter, and I do not want to rake over that.

I can well appreciate—the hon. Member for Maryhill has left us in no doubt about it—the strength of feeling on the matter relating to her constituent and perhaps to one or two other cases. I have been able to satisfy myself on some of the matters that worried me about extrapolating from individual cases and about retrospection.

I have, however, some lingering doubts about the Bill. The key—other than the introductory speech of the hon. Member for Sunderland, South, which was rather brief—to settling those doubts will be the Minister's reply, and then the final reply to the debate. I hope that those replies will be able to persuade me that my lingering doubts could be dispelled, and that the House should give the Bill our final approval.

Today's debate is the final stage in the Bill's passage, and that is what makes it so important. There will be no going back from our action today or further opportunities to debate the Bill—this is it. If we are to change law in this limited but important way, we must be absolutely satisfied beyond reasonable doubt. I look forward to receiving such satisfaction from the Minister and from the final reply, so that I may join other hon. Members in allowing the Bill to be passed.

11.2 am

Mr. Edward Leigh (Gainsborough): The debate has been useful. Some interesting speeches have dealt with, first, the amount of parliamentary time devoted to this type of legislation; secondly, the historical precedents of single-case legislation; and thirdly, some interesting arguments on retrospective legislation and how the Bill falls into the mould of previous legislation that Parliament has hitherto thought it right and just to pass. I may well have a few more remarks on those issues, but, as they have already been dealt with extensively in the debate, I do not want the main substance of my arguments to dwell on them.

Colleagues have referred to examples of single-case legislation—I shall not weary the House by referring again to them—but each of those examples had a wider application. Although each of those cases had been brought to the House's attention because of a single hard case, in every one in which Parliament thought it right to act not only one individual, but a wider public benefited from that action. The famous case of the right hon. Member for Chesterfield (Mr. Benn) is an obvious example of that. I think that the Minister really has to address that issue when replying to the debate.

I do not claim to be any great expert on precedent in the House—but we may be embarking on a quite unusual step: passing an Act of Parliament on the basis of a single case, benefiting only that individual. I do not think that anyone speaking in the debate so far has been able to allude to other people who are disadvantaged by current law but will benefit from the Bill, if it is passed. The Bill is, therefore, very much an example of single-case legislation helping a single individual. That is an important, even constitutional, point to which Ministers, in supporting the Bill, will have to refer.

The Bill is very clear on its central point. Clause 1 states:

"Where a verdict was returned in England and Wales or Northern Ireland to the effect that a person was guilty of the act or omission charged against him but was insane at the time, the Criminal Cases Review Commission may at any time refer the verdict to the Court of Appeal".

The Bill goes on, in clause 2(2), to state:

"In their application to such a reference by virtue of subsection (1) above, sections 13 and 14 of that Act shall have effect—

(a) as if references to the verdict of not guilty by reason of insanity were to the verdict referred under section 1(1) above".

In passing the Bill, therefore, we shall be saying that the fact that, all those years ago, the jury in the particular case returned a verdict of guilty but insane should now be treated by the courts as if the jury had returned a verdict of not guilty by reason of insanity. So far, all the arguments that we have heard from the hon. Member for Sunderland, South (Mr. Mullin), and which were adduced in the other place, seem to suggest that there is no difference between those two concepts; they are the same—and that if a jury were considering those matters now, all these years later, it would feel that there was no difference between the two concepts. Before the House passes the Bill, we have to be absolutely convinced that those arguments are true.

There has been much learned debate on the nature of insanity, a matter that has exercised profound legal experts. From my reading of the issues surrounding the specific case, however, there has been no fixed outcome of that learned debate, or definite conclusion on the nature of insanity as it applies to criminal cases. An article by R. D. MacKay, for example, entitled "Mental Condition Defences in the Criminal Law", states:

"Perhaps more than any other area of the criminal law, the insanity defence generates heated discussion and debate. The literature discussing the insanity plea is immense, and reform proposals are continuously formulated. In short, there is an ongoing debate about whether the law should recognise that some crazy people ought not to be punished for behaviour which would normally be adjudged criminal. This debate, which tends to ebb and flow in the light of notorious cases, is one which deserves to be within the public domain since the underlying question of whether it is appropriate to excuse a mentally abnormal offender is a question with fundamental moral and social implications."

That is indeed true. If we were to pass the Bill, we should perhaps be entering into a new sphere of the debate on criminal insanity.

Those matters were considered quite fully in the report of the royal commission on capital punishment, which reported between 1949 and 1953, Cmnd. 8932. The commission found that only those who have the capacity to act rationally should be held accountable for criminal acts, and that an individual's capacity is sometimes interfered with because of mental illness, which may in turn mean that his behaviour can no longer be viewed as rational. The difficulty is in deciding at which stage such a conclusion may be reached.

I should like, in general terms, to deal with the debate in the other place. We have been enormously helped, as we often are in debates that refer to detailed aspects of the criminal law, by the remarks of the Lords of Appeal, who bring a great deal of knowledge to these matters. Their Lordships have reminded us that the jury in the 1953 case returned a special verdict, under the Trial of Lunatics Act 1883, that the defendant was guilty but insane.

Sir Louis Blom-Cooper, acting on behalf of Mr. Hay Gordon—without going into too much detail, this was a case before the Court of Appeal claiming that there had clearly been a drafting error and that Parliament, in enacting subsequent legislation, must have believed that the two states of mind were the same—said that Parliament, in enacting the words of section 10(6) of the 1995 Act,

"was not guilty by reason of insanity"

intended to include the phrase "guilty but insane". Sir Louis's thesis was that the two phrases were interchangeable in essence and intent, and that the change from the first to the second and back again was no more than terminological.

Their lordships seemed to agree with that view. Lord Ackner, who opened the debate in a characteristically forthright and cogent speech, said that this was

"a simple error of drafting, but it has created a long-standing and tragic absurdity"—[*Official Report, House of Lords*, 23 March 1999; Vol. 598, c. 1255.]

and that it was quite wrong that Mr. Hay Gordon could not have his case investigated. He therefore believed that the law should be changed. As a result, we have this Bill before us.

All that is clear. We are being asked today to consider this matter as a minor drafting Bill. Nobody, however, has gone back to the original case and I am concerned that we are now dealing with matters that happened a long time ago. We are not sitting in a jury at that trial; we cannot see witnesses and judge their evidence. Is it right, therefore, for us to form a judgment? You, Mr. Deputy Speaker, may say that we do not have to form a judgment—

Mr. Mullin: On a point of order, Mr. Deputy Speaker. Are we supposed to be making a judgment on the Iain Hay Gordon case? That is what the hon. Member for Gainsborough (Mr. Leigh) appears to be inviting us to do. Will you invite him to return to the subject of the debate?

Mr. Deputy Speaker: I have already ruled that the debate should be narrow and tied to Third Reading. On the summary notes that I received, the case of Mr. Iain Hay Gordon was mentioned, so I do not mind the case being mentioned, but it should not be discussed at length.

Mr. Leigh: I was deliberately pointing out that we are not equipped to discuss whether Mr. Hay Gordon was innocent or guilty. I was trying to draw the House's attention to a point that is central to the Bill. The jury heard all the evidence and came to the carefully considered view that the defendant was guilty of the offence, but was insane. We must convince ourselves that that is no different from finding a verdict that he was not guilty by reason of insanity.

That raises some interesting issues. Surely the whole point of the insanity defence is that the defendant is incapable of mens rea. He is incapable of having a guilty mind. Therefore, if his counsel comes to court and pleads that he is insane, the jury does not have to consider in detail whether he was guilty of the offence, because that is irrelevant. He was incapable of having a guilty mind, and all criminal offences—not civil offences—involve the concept of a guilty mind. Once the counsel convinces the judge that the defendant is insane, that is the end of the proceedings.

[Mr. Leigh]

Perhaps Parliament, in its wisdom in 1883, when it devised the original concept of guilty but insane, had before it a third way: the jury could conclude that the defendant had committed the offence—in this case, he had stabbed a young woman about 37 times—

Mr. Deputy Speaker: Order. The House does not have the authority to re-try a case, especially this morning. We are simply allowing the proper judicial services to do so. We cannot, therefore, concentrate on whether the person in question carried out the acts to which the hon. Gentleman refers. That is for someone else to do.

Mr. Leigh: I was saying that by way of illustration, because I am trying to develop the concept of exactly what Parliament had in mind in 1883 when it introduced the original legislation.

Mr. Deputy Speaker: Order. What Parliament had in its mind in 1883 I would not know. What I do know is that we are supposed to be discussing the Third Reading of the Bill. The hon. Gentleman probably heard me rule that we must keep to the narrow content of the Bill. We cannot extend the argument beyond that.

Mr. Leigh: I shall stop dealing with the facts surrounding the 1953 case. I simply suggest that, given all the arguments about the dangers inherent in Parliament introducing retrospective legislation, we should not instantly conclude that we are discussing a mere drafting error. We should conclude that what happened all those years ago was—possibly, we have no idea—in accordance with the facts as the jury understood them. Now, in introducing retrospective legislation, we are reversing the finding of that jury, which had good reason for acting as it did. So long as Parliament is aware of that, that is all right. We must be aware that it is a major step.

Some inflammatory articles have been written in *The Guardian* and *The Scotsman*. What has not been pointed out, however, is that the articles were based on the fact that Mr. Hay Gordon was innocent and that, therefore, his family and the judge must have been engaged in a cover-up. That is an appalling smear on the judge, who, presumably, is long since dead. The publicity surrounding this case has been most unfortunate. I wish that, when people promote this sort of legislation—

Mr. Deputy Speaker: Order. I do not like to keep intervening on the hon. Gentleman, but he is making it difficult for me. The Bill does not mention the publicity surrounding the Hay Gordon case, so the hon. Gentleman cannot discuss the matter. This is supposed to be a Third Reading debate.

Mr. Leigh: I knew when I made that point that I was straying, but I wanted to get it off my chest because I felt so strongly about it.

Having read very carefully this short Bill and the literature surrounding it, my clear conclusion is that it should become law, because there is a real possibility that an injustice was done all those years ago. It is clear from what their lordships said—they know more about it than we do—that there is no other way of righting the wrong. However, Parliament should be aware that it might be a unique piece of legislation and that there may be perfectly cogent reasons why the jury acted as it did.

We may be introducing retrospective legislation changing the verdict in a single case. That may not matter too much, because we will not make the final decision. We will simply enact the Bill, and the Criminal Cases Review Commission will be able to range widely over all the issues in a way that you, Mr. Deputy Speaker, have rightly ruled out of order for us today. We must now pass the heavy burden of reopening such old questions, and we should be fully aware of the wide-ranging nature of what we are doing.

11.21 am

The Parliamentary Under-Secretary of State for the Home Department (Kate Hoey): I am very grateful to my hon. Friend the Member for Sunderland, South (Mr. Mullin) for his stewardship of the Bill, and I pay tribute to Lord Ackner, who introduced it in the other place, and to Lord Portsmouth, who has long been active in promoting the change that it will accomplish.

I am grateful, too, for the contributions that we have heard this morning. Even though it is a Friday and we have a large number of Bills to get through, we should remember that the Bill had no Second Reading debate in the House, so there are genuine concerns to be dealt with. I hope that the debate has been useful and that we can alleviate any lingering fears.

The Trial of Lunatics Act 1883 introduced a special verdict that the accused was guilty of the act charged against him, but was insane when he did that act. That verdict is known as guilty but insane. Since 1914, the courts have held that the verdict is technically an acquittal, and thus that there is no right of appeal against it. The Mental Health Act (Northern Ireland) 1961 replaced the special verdict with a finding of not guilty on the ground of insanity.

For England and Wales, the Criminal Procedure (Insanity) Act 1964 amended the 1883 Act so that the special verdict became one of not guilty by reason of insanity. In effect, guilty but insane was merely renamed, with the important addition that a right of appeal was introduced against the new finding and verdict; but that was not applied retrospectively to verdicts of guilty but insane.

Mr. Leigh: Is it the Minister's understanding that when a jury returns a verdict of not guilty by reason of insanity, it is saying that the defendant is guilty of carrying out the offence but was insane at the time, or is it refusing to come to a conclusion about whether the defendant is guilty, because it does not matter as he was insane?

Kate Hoey: The crucial thing about the 1964 Act is that it introduced a right of appeal. The Bill is intended to ensure that people who were subject to the verdict before 1964—the one that linked insanity and guilt—can appeal.

The Home Secretary and the Secretary of State for Northern Ireland were given a power to refer the new verdict and finding, but not the old verdict of guilty but insane, back to the Court of Appeal. Under the Criminal Appeal Act 1995, enacted by the previous Government, that power was transferred to the Criminal Cases Review Commission without alteration.

The opportunity to make the change that we are now making should really have been taken in 1995. I criticise no one for that. The right hon. Member for Penrith and The Border (Mr. Maclean) was a Home Office Minister at the time, but he was not personally responsible for the matter, and my hon. Friend the Member for Sunderland, South was involved in setting up the commission. We did not take the opportunity simply because no one thought of it. That is why we are trying to enact the Bill now.

Mr. Leigh: With respect, the Minister has not answered my question. I fully understand that if one is found not guilty by reason of insanity or guilty but insane one should have the right of appeal. We are all agreed on that. My question is whether it is the Government's view that the two verdicts are exactly equivalent.

Kate Hoey: I hope that I can help the hon. Gentleman. Precisely the same facts must be found for guilty but insane as for not guilty by reason of insanity.

Mr. Brady: If a verdict of guilty but insane is referred to appeal, could the insane element alone be struck out, leaving the guilty element, or would both parts necessarily be struck out? If an appeal is against not guilty by reason of insanity and the insanity element is struck out, the not guilty element remains. There seems to be a real difference.

Kate Hoey: I am not a lawyer, thank goodness. The Bill is not about such technicalities. If I am advised of a definitive response to the hon. Gentleman's question, I will let him know today. Otherwise, I shall have to write to him.

As my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) said, Mr. Iain Hay Gordon was found guilty but insane in Northern Ireland in 1953 of the murder of 19-year-old Patricia Curran, the daughter of a senior High Court judge. I was a little girl at the time and that terrible murder took place only a few miles from my family home. I remember the enormous amount of publicity and talk, and there was always something unsatisfactory about the case.

Mr. Hay Gordon was committed to a hospital, where he remained until his discharge into the care of his parents in Scotland in 1960. After the trial, a campaign to clear his name began. At the beginning of 1998, an application was made to the Criminal Cases Review Commission to refer the case to the Court of Appeal. In June 1998, the Court of Appeal in Northern Ireland ruled that the 1995 Act did not allow the commission to refer the verdict of guilty but insane. Of course, its reasoning would have led to the same conclusion in respect of a verdict returned in England or Wales.

It is precisely because the CCRC had to do some work on the case so as to refer it to the Northern Ireland Court of Appeal that the commission already knew something about it. Hon. Members are right to say that the CCRC chooses its priorities for dealing with cases, but, as Mr. Iain Hay Gordon's Member of Parliament has pointed out, presumably the commission will consider the case and reflect on it in the light of its history and special circumstances.

Miss McIntosh: The point that concerns me under the Bill is that it does not clarify sufficiently what level of proof and evidence has to be brought on the particular point that the Minister has raised.

Kate Hoey: I did not quite grasp what the hon. Lady was asking. Will she repeat it?

Miss McIntosh: If I am fortunate enough to catch your eye, Mr. Deputy Speaker, I hope to elaborate on this matter at greater length, but the Bill clearly talks about what should happen if the accused was insane at the time. Under clause 1(2)(a), the CCRC can refer a case

"because of an argument, or evidence, not raised in the proceedings which led to the verdict".

Has the Minister had time to consider what level of evidence and proof the commission and the Court of Appeal would consider sufficient to review the case—either this case or any other?

Kate Hoey *rose—*

Mr. Deputy Speaker: Order, again, we are going wide of the subject and extending the case being put before us on Third Reading. *[Interruption.]* Perhaps the Minister did talk about such matters, but sometimes the Deputy Speaker gives a Minister some leeway, in order to assist the House. Can we now return to the Third Reading debate?

Kate Hoey: Thank you, Mr. Deputy Speaker. What the hon. Lady asked about is a matter for the CCRC. I suggest that she visits the commission, which will give her a full explanation of how it goes about its difficult job.

In the previous Session of Parliament, Lord Ackner introduced a Bill intended to amend the Criminal Appeal Act 1995, to enable the Criminal Cases Review Commission to refer a verdict of guilty but insane to the Court of Appeal, and to give the court powers to hear and dispose of an appeal on such a reference. That Bill was unable to complete its parliamentary passage, but on its Second Reading on 29 July last year, the Government made it clear that we fully supported its intention.

In this Session, Lord Ackner has introduced the present Bill, which has the same aim as the earlier one. It had its Second Reading in another place on 23 March, and was welcomed on both sides of the Chamber. No amendments were tabled, and no peer wished to speak during the Committee stage, so the order of commitment was discharged on 13 April. The Bill had its Third Reading, without debate, on 22 April. Its Second Reading and Committee stage in the House of Commons went through on the nod on 14 May. That is why, as I have already said, some hon. Members wanted to say something on Third Reading.

The Government accept that there is a gap in the law, which the Bill would fill. It is important for the maintenance of confidence in our system of justice—and important, above all, to individuals who believe that an injustice has been done to them—that there should be a means by which verdicts of the courts can be reviewed.

[Kate Hoey]

At present, someone against whom the verdict of guilty but insane has been returned has no avenue of appeal. That is the problem for Mr. Iain Hay Gordon. Although that verdict has been replaced, by today's standards the lack of an appeal right is an injustice—no less so for being a long-standing one. It seems particularly unjust when we remember that there is a right of appeal against the finding or verdict of not guilty by reason of insanity.

It is always difficult to give exact numbers, but it seems that there is only one other such case besides that of Mr. Iain Hay Gordon, and there are not likely to be more. Moreover, there is no definite evidence that if the Bill is read for the Third time, the person concerned will use the change in the law to appeal. We are certainly not opening a floodgate.

I understand that if the Bill becomes law, the Criminal Cases Review Commission will carefully consider where Mr. Hay Gordon's case fits into the range of cases with which it is dealing. It may decide to give that case priority, or it may not; I am sure that its staff will read carefully what has been said in the House.

Mr. Swayne: Does the hon. Lady accept that the number of cases to which the Bill may give rise is immaterial? If justice requires that a remedy be provided, even for only one case, is that not sufficient to merit the change in the law?

Kate Hoey: The hon. Gentleman is absolutely right. That would be my view, and, I think, that of all hon. Members. If the law needs to be changed to prevent one case of injustice, that is worthy of a change in the law. The hon. Gentleman may have missed the fact that earlier this morning there were some discussions about the CCRC's resources. I shall not talk about that now, Mr. Deputy Speaker, apart from saying that we increased those resources by 15 per cent. this year, and there are now more workers in the commission. However, this case will not make a huge difference to the CCRC's work load or the resources that it will need.

I pay tribute to the work of my hon. Friend the Member for Sunderland, South in the Home Affairs Committee, which recommended in its March report on the work of the Criminal Cases Review Commission that a fair passage should be given to this uncontroversial measure. The Government have sought to facilitate that, as have hon. Members on both sides of the House. I have had some correspondence with the right hon. Member for Penrith and The Border, who has been helpful throughout. My officials kept closely in touch with Lord Ackner about the present Bill, and the Government are satisfied that it is properly drafted to achieve its objective and correct the long-standing anomaly.

I commend the Bill to the House as a useful and uncontroversial measure that has the Government's full support.

11.38 am

Mr. David Lidington (Aylesbury): When the Bill was debated in another place, my noble friend Viscount Bridgeman said that the Opposition would welcome and support it, and I am pleased to repeat that welcome and that support for the Bill today. As my hon. Friend the Member for New Forest, West (Mr. Swayne) and my hon. and learned Friend the Member for Harborough (Mr. Garnier) said earlier, even if the Bill were designed simply to provide justice for one citizen of our country, that would be justification enough for it.

However, the case of Mr. Hay Gordon has done more than reveal a potential injustice to one man; it has drawn attention to a gap in the law, and to the existence of a category of people who, through legislative oversight, are denied the right of appeal that we would consider just and necessary for any citizen convicted of a criminal offence.

As the Minister said, the difficulties can be traced back to the interpretation placed on the Trial of Lunatics Act 1883 by the House of Lords, which in 1914 ruled that a person found guilty but insane was deemed by the courts to have been acquitted, because the person lacked the guilty mind required for him to be convicted of an offence.

As the verdict of guilty but insane was equivalent to acquittal, it followed that there could be no right of appeal, as in law there was no guilt. That gave rise to the crazy situation in which a man could have been labelled both guilty and insane by a court of law, but have no right of appeal, whatever new evidence or legal challenge might in other circumstances have been available to him.

In the 1960s, as the Minister said, Parliament decided to abolish the verdict of guilty but insane and to substitute the verdict of not guilty by reason of insanity. At the same time, it introduced a right of appeal against such a verdict.

Mr. Leigh: My hon. Friend described the situation as crazy, but perhaps it is not so crazy. Did not the Court of Appeal determination mean that the original verdict in effect found the accused to be not guilty, as he could not possibly have had the mens rea—the guilty mind—to commit the offence? Therefore, does not my hon. Friend agree that the jury and judge involved did not come to a determination about whether the person had committed an offence? No one has addressed that point adequately so far.

Mr. Lidington: It is not for me to inquire today into the state of mind of the House of Lords in 1914. However, it is plainly wrong and unjust in terms of common sense and natural justice for any British citizen in the position of Mr. Hay Gordon—that is, suffering the stigmas of guilt and insanity attached by the public verdict of a court—to be denied any form of redress or appeal. Dickens described the law as "a ass—a idiot", and this provision needs to be amended.

The Criminal Appeal Act 1995, which set up the Criminal Cases Review Commission, provided that any reference by the commission to the Court of Appeal should be treated as an appeal against a verdict. Because the 1914 House of Lords decision meant that there was no right of appeal against a verdict of guilty but insane, it followed that there could be no reference of such cases by the commission to the Court of Appeal.

That principle was felt to be sufficiently uncertain that Mr. Hay Gordon tested it in the courts. Legislation was discovered to be the only available resort when the Court of Appeal in Northern Ireland held, in its judgment of 30 June 1998, that the 1995 Act did not allow the commission to make any reference to the Court of Appeal in such circumstances. I am satisfied that that finding

demonstrated that there is a gap in the law and that justice is being denied. For those reasons the Opposition are happy to support the Bill.

11.43 am

Mr. Peter Brooke (Cities of London and Westminster): I shall be extremely brief. I immediately declare an interest, in that I have a long-standing friendship with Sir Frederick Crawford, the chairman of the Criminal Cases Review Commission, whom I have known for almost as long as Mr. Iain Hay Gordon has been seeking to have his case re-examined. I thought that the hon. Member for Sunderland, South (Mr. Mullin) paid Sir Frederick a very handsome compliment, given the earlier controversy that surrounded him.

The second interest that I declare is that my father was Home Secretary at the time of the Criminal Procedure (Insanity) Act 1964, which is where the possible drafting problem can be found.

As is recognised throughout the House, the Bill is driven by the case of Mr. Iain Hay Gordon, who has been a constituent of the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) for as long as she has represented that constituency. I wish to add a brief but poignant footnote to the case.

My advancing years mean that my memory is becoming increasingly unreliable, but I remain convinced that I, too, had a constituent called Mr. Iain Hay Gordon. I am seeking to verify that, and it is of course possible that the man whom I recall bore the same name as the constituent of the hon. Member for Maryhill by total chance. I shall not go into the details of my former constituent's case, although I well recall it, and he is certainly no longer my constituent. However, as I know who his landlord was, I shall pursue the matter to resolve my curiosity, and the hon. Lady has kindly told me that she will send me a copy of her constituent's correspondence. The man whom I remember had pellucidly clear handwriting, which I would recognise instantly.

I say that my footnote is poignant because the constituent about whom I have spoken never raised with me the issue underlying the Bill. If he had, it would have immediately struck a chord with me, because of my father's role in 1964. If by any chance this is not a coincidence of name, it is a sad irony that he did not raise the matter with me.

However, whether or not I was ever the Member of Parliament representing the Iain Hay Gordon who is now the constituent of the hon. Member for Maryhill, I totally support the principle of the Bill. I hope that Mr. Iain Hay Gordon's disability can now be put right.

11.46 am

Miss Anne McIntosh (Vale of York): I am delighted to lend my support to the Bill. Although I was charmed by the Minister's invitation to visit the Criminal Cases Review Commission, the hon. Lady ought to know that, at the end of April, there were 1,176 cases awaiting review, and 444 under active review, so I doubt whether the commission would welcome fact-finding visits from Back Benchers. Our aim today is to fill a loophole in the law and to expedite the correction of miscarriages of justice.

It is ironic that we should be considering a case involving a Scot, now living in Scotland, who it is alleged committed an offence in Northern Ireland for which he was subsequently convicted. The provision that the Bill will correct covers Northern Ireland but not, happily, Scotland. Perhaps the moral is that we would not be here today had the offence been committed in Scotland.

A couple of specific points are neither covered by the Bill nor clarified in the explanatory notes. The verdict commonly referred to as guilty but insane under section 3 of the Trial of Lunatics Act 1883 invites a question that I have tried to pursue with the Minister today and which I shall take up again in writing.

The question of whether the accused was permanently insane or only temporarily so has always been left open, as has the bearing on the case of the accused's state of insanity when the offence was committed. I hope that the Minister will clarify in writing whether clause 1(2)(a) refers to evidence that was not raised in proceedings but which led to the verdict. Such clarification would be welcome, and would mean that the courts would not have to spend time considering the matter.

The Bill enables the Criminal Cases Review Commission to refer to the Court of Appeal a verdict of guilty but insane reached under the 1883 Act. I query whether the Bill should have set out the degree of proof required by the Court of Appeal in cases referred to it by the commission.

The hon. Member for Glasgow, Maryhill (Mrs. Fyfe) has expressed her concerns about the case of Mr. Iain Hay Gordon. I wish to enter a note of caution. Even though the Bill will receive its Third Reading today, there will still be no quick fix for people in Mr. Hay Gordon's position. The commission faces a huge backlog of cases, as I have described. The problem that we face, even in giving the Bill a Third Reading, is that, in such circumstances, Mr. Gordon and other such constituents will not have their names cleared as rapidly as they would like.

A press release of the Criminal Cases Review Commission of 15 December 1998 informed the Home Affairs Committee that there was at that time a two-year wait for the review of applicants' cases. It is most poignant that Iain Hay Gordon's case will not be expedited. I therefore make a plea to the Minister in that regard.

I record my regret that Mr. Gordon will still have two important hurdles to overcome. First, the case will have to be reviewed by the Criminal Cases Review Commission. Perhaps a subsequent private Member's Bill could facilitate the expedition of cases awaiting review. Secondly, if such a review is successful, Mr. Gordon's case will be referred to the Court of Appeal. None the less, I lend the Bill my support on Third Reading.

11.50 am

Mr. Graham Brady (Altrincham and Sale, West): I support the Bill, but will raise one or two concerns about it. I am pleased to follow my hon. Friend the Member for Vale of York (Miss McIntosh). I record the thanks that the House should give not only to the hon. Member for Sunderland, South (Mr. Mullin), who is the promoter of the Bill, but to my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), who rightly reminded the House of the inadequacy of our procedures for considering such business.

[Mr. Graham Brady]

That point was highlighted by my intervention on the Minister. I noted that the hon. Lady was passed a piece of information, and hoped to receive a substantive response to my point, but I waited in vain. She kindly offered to write to me on the matter, but to receive a letter of assurance or clarification after we have completed our consideration of the Bill would be rather inadequate. I shall therefore return to one or two points that concern me.

I have listened to the points made by my right hon. and hon. Friends, particularly those who have some legal training. It occurs to me that this is precisely the kind of debate to which the newly elected Member for Eddisbury might turn his legally trained mind in the very near future—he cannot quite yet contribute to the debate.

I note in passing that in Eddisbury just two days ago, I saw the wonderful spectacle of three Labour Members on one poor gentleman's doorstep, which reminded me of old jokes about psychotherapists changing light bulbs. I do not know how many Labour Members it takes to lose a by-election.

I am entirely happy with the purpose and thrust of the Bill because it will be permissive legislation in the best possible sense. It will allow the process of justice to move forward, which must surely be a good thing. However, because we have not had an opportunity properly to debate the Bill's effects, I have some remaining concerns. The Bill may allow the Criminal Cases Review Commission and the Court of Appeal to improve matters by removing the stigma of insanity, but surely that same stigma is attached to the verdict of not guilty by reason of insanity.

That brings me to the point that I raised with the Minister. There are two separate elements to both verdicts and therefore two findings. One is that the person is not guilty and the other is a matter of the reason why, which implies insanity or incapacity on the part of the individual concerned. That may be an issue in the later type of verdict—not guilty by reason of insanity—following the Criminal Procedure (Insanity) Act 1964, but it is vital to those who have been found guilty but insane.

If the cases of such people—there may be one or more than one, we do not know—are referred to the Court of Appeal by the Criminal Cases Review Commission, what remains if the verdict of guilty but insane is struck down? Is it to be presumed that the person is simply not guilty, or would the court merely be saying that the verdict of guilty but insane was wrong? Despite the court taking the view that the person was not insane, the possibility that the person was guilty remains. Conversely, the court could remove the finding that a person was guilty but leave the question of insanity. I look forward to the Minister's reply.

Kate Hoey: May I clarify the matter? As the explanatory notes state, there is no difference between the verdicts. If a case goes to the Court of Appeal in either of the circumstances to which the hon. Gentleman is referring, it is up to the Court of Appeal to decide whether the person is guilty or not guilty.

Mr. Brady: I am grateful to the Minister, but my concern remains. The Court of Appeal can decide whether the person is guilty or not guilty, but can it decide whether the person is insane or not insane? There is no provision or clarity in the Bill about what is left following the Court of Appeal's addressing of the case. It may throw out one verdict, but does that clear the name of the individual? It may be entirely appropriate in some cases totally to exonerate an individual, but in others it may be appropriate to allow one part of the verdict to remain.

Such a sticking point will not stand in our way in making the Bill law, but to conclude on the thought with which I began, it points to the woeful inadequacy of the ability of the House to scrutinise such matters. It is not acceptable that such an important detail—it may be just a detail—in the criminal law should be dealt with in a very brief Friday morning debate in which we have had very little opportunity properly to scrutinise the implications of what is proposed.

11.57 am

Mr. David Maclean (Penrith and The Border): I shall take two or three minutes, if I may, to make some remarks about the Bill, as I have been kindly mentioned by several speakers, including the Minister. I had made notes for a much longer speech, but most of the comments that can be made on the law have been made by other Conservative Members and I merely wish to make a couple of quick observations.

We had no debate on Second Reading, partly because some of my hon. Friends were persuaded that in order to deal with this urgent problem—an important issue of the human rights of another human being—we should allow the Bill to pass into Committee, after which we could discuss it here on Third Reading. That goes against all my principles of not allowing a measure to receive a Second Reading on the nod, without proper scrutiny. I apologise to my hon. Friends who rightly complained this morning that they could not participate in a Second Reading debate and that they would have liked to discuss some points in Committee, but if we had insisted on a Second Reading debate the Bill would have been killed, and would not now be before the House.

I am grateful to the Minister and to Lord Williams of Mostyn—an elegant and sincere man. It is wonderful to think that there can be life peers with all the status, breeding and tact of the hereditary peers. Lord Williams of Mostyn was kind enough to invite me and some of my right hon. Friends to the Home Office to explain the purposes of the Bill. I have concluded that, although I may have some worries, it was best to let the Bill proceed so that we might hold this Third Reading debate.

I appreciate that you must uphold the rules of the House, Mr. Deputy Speaker, but some of my hon. Friends who went slightly wide of the tight restrictions on speaking on the Iain Hay Gordon Bill did so in order to cover issues that they could not have covered in debates on other matters.

I welcome the measure, even though there are concerns that it is retrospective, going back, as it does, more than 40 years. There are precedents for retrospective legislation, but the Bill also deals with a single case. There are a few examples of legislation dealing with hard cases, but often they cover a category wider than one person. Those points were discussed in more detail by my colleagues.

Is it appropriate for the House of Commons to pass this legislation in a minute's time, when it will not be able to go to another place for further consideration, in order to

deal with one person who is no longer in prison, whose case was heard 40 years ago? I have concluded that in this case it is appropriate; the interests of that human being and the interests of justice suggest that. I therefore have pleasure in supporting the Bill.

12 noon

Mr. Mullin: With the leave of the House, Mr. Deputy Speaker.

There is no reason for me to dwell on the subject. We have had quite a good debate. The point at issue is narrow and I have not detected outright opposition to the Bill from anyone who has spoken. I thought that the right hon. Member for Penrith and The Border (Mr. Maclean) summarised the position perfectly well.

I shall not respond to all the arguments made by hon. Members, as I suspect that some were motivated more by an interest in mink farming than by an interest in the Criminal Cases Review Commission or the Iain Hay Gordon case. *[Interruption.]* I do not want to wind up Conservative Members, so I shall not make anything of that point.

The right hon. Member for Penrith and The Border said that the Bill was about a single case. That is not quite true. It is about a category of cases of which there are only, as far as I know, two known examples, of which by far the most prominent is that of Mr. Iain Hay Gordon.

The Bill has hardly any implications for resources. There is no need to become bogged down in the Iain Hay Gordon case, because the commission, not Parliament, will decide whether to refer the case back, and it is for the commission to decide what priority to give it, although in my view the circumstances are so exceptional that it should be dealt with as swiftly as possible. The commission has probably also reached that view.

Even assuming that the commission refers the case back to the Court of Appeal, Mr. Hay Gordon has another fairly high hurdle to surmount, which is to persuade the Northern Ireland Court of Appeal to quash the conviction. I shall watch carefully how the Northern Ireland Court of Appeal deals with the case. That court has a reputation for being—I put it generously—rather conservative in this area. It is perhaps under old management—unlike the British Court of Appeal, which, over the years, has suffered a few serious shocks which have caused it to look with a slightly more open mind at some of the cases coming before it. I hope that that process is now finding its way over to Northern Ireland and that Mr. Iain Hay Gordon will benefit.

As I detect no real opposition to the Bill, it remains for me to commend it to the House.

Question put and agreed to.

Bill accordingly read the Third time, and passed, without amendment.

Mental Health (Amendment) (Scotland) Bill

Not amended in the Standing Committee, considered.

New Clause 1

REPORT TO MENTAL WELFARE COMMISSION

'(1) Where the managers of a hospital exercise their powers under subsection (3A) of section 94 of the Mental Health (Scotland) Act 1984, they shall submit regular reports in writing to the Mental Welfare Commission about the discharge of the powers under that section.

(2) A report under subsection (1) shall be submitted no later than 18 months after the discharge from hospital of the patient concerned, and thereafter on an annual basis, until such time as either—

(a) the patient is considered by the medical officer in charge of his case to be capable of adequately managing and administering his property and affairs; or

(b) a curator bonis is appointed in respect of that person.

(3) Any report submitted under subsection (1) above shall be made available on application to any person who, in the judgement of the Mental Welfare Commission, has a legitimate interest in its contents.'.—*[Mr. Forth.]*

Brought up, and read the First time.

12.3 pm

Mr. Eric Forth (Bromley and Chislehurst): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this, it will be convenient to discuss the following: New clause 4—*Right of appeal—*

'( ) Any person shall have the right to appeal to the Mental Welfare Commission against—

(a) the holding by the managers of a hospital of money and valuables on behalf of a person under section 93(3A) of the Mental Health (Amendment) Act 1984; or

(b) the expenditure of money or disposal of valuables in pursuance of section 93(3) of that Act.

(2) Where the Commission upholds the grounds of such an appeal, it shall determine what recompense shall be payable by the hospital to the patient concerned.'.

Amendment No. 2, in clause 1, page 1, line 8, after 'may', insert

', for a period not exceeding five years following the discharge of the patient,'.

Amendment No. 1, in page 1, line 16, at end insert—

'( ) The managers of a hospital may exercise their powers under this section until such time as either—

(a) the patient is considered by the medical officer in charge of his case to be capable of adequately managing and administering his property and affairs; or

(b) a curator bonis is appointed in respect of that person.

( ) Any person may at any time request that the patient's ability to manage and administer his property and affairs be reviewed by the medical officer in charge of the case.'.

Amendment No. 5, in page 1, line 16, at end insert—

'(3C) For the purposes of subsections (3A) and (3B) of this section—

(a) "money" shall include bank notes and coins and sums deposited in a bank or building society account;

(b) "other financial assets and investments" shall include stocks, shares, Government bonds, personal equity plans, tax exempt special savings Accounts, individual savings accounts, unit trusts, corporate bonds, pension funds and life assurance;

(c) "money", "other financial assets and investments" and "valuables" shall include sums and items inherited by the patient when resident in hospital or subsequent to discharge from hospital.'.

Mr. Forth: We have now arrived at a crucial stage in the consideration of the Bill, which has indeed been through its process. It received a Second Reading, and the Committee, on which I had the honour of serving, considered the Bill briefly. In Committee, one or two questions arose, to which I believe that the House will want to return, so as to satisfy itself. I hope that it will be accepted that the new clauses and amendments are a genuine attempt to improve the Bill, to ensure that it takes a balanced approach to the problem that everyone accepts exists.

By good fortune—or, more probably, good organisation—I received in my mail this morning, from the Law Society of Scotland no less, a letter referring to the Bill. It says that the Law Society of Scotland supports the Bill. It then very eloquently describes the purposes of the Bill.

The letter states:

"This Bill seeks to amend Section 94 of the Mental Health (Scotland) Act 1984, which enables managers of a hospital to receive and hold money and valuables on behalf of incapable patients who are detained in hospital or are receiving treatment there. Section 94 does not permit the managers to release the funds to the patient or anyone else when the patient ceases to receive treatment in the hospital and returns to live in the community. Where there is no curator or other person legally authorised to receive money on behalf of the patient, the funds become trapped and patients are prevented from getting access to their own resources."

The letter continues:

"The Bill will attempt to resolve this specific problem by allowing the managers of hospitals to continue to hold monies and valuables which they are holding at the time of the patient's discharge, and empower them to spend money or dispose of the valuables for the benefit of the patient in terms of Section 94, even though the patient is no longer detained in hospital . . . The Society supports the Bill and recognises that it will solve a problem which is affecting a substantial number of former hospital residents in Scotland. The Bill is of great importance to vulnerable persons in Scotland."

The society urges me to give it my support.

I read out the letter because I think that it states elegantly the purpose behind the Bill and the background to it, and because it lends the distinguished support of the Law Society of Scotland to the purposes of the Bill. So far, so good. The objectives behind the Bill are clear and at one level we can have little or no argument with them. However, I believe that the Bill raises a number of important questions and issues, with which the new clauses and amendments are designed to deal.

The hon. Member for Paisley, North (Mrs. Adams) is managing the Bill on behalf of the hon. Member for Midlothian (Mr. Clarke). We all wish the hon. Gentleman a speedy recovery. We hope to see him back in the House very soon. We hope also that the way in which we deal with the Bill will give him even more reason to feel better and to return. I hope that the hon. Lady and the Minister have given serious consideration to the new clauses and amendments. They are designed to improve the Bill in some important ways.

First, I seek to improve the Bill in the area of accountability. As soon as we start to talk about a vulnerable section of society—people who are by definition incapable in one way or another—and about someone else having responsibility and control over the assets of the incapable person, we are raising important issues of accountability and of possible appeal.

I would have thought that the purpose behind new clause 1 is almost self-evident. It states:

"Where the managers of a hospital exercise their powers . . . they shall submit regular reports in writing to the Mental Welfare Commission about the discharge of the powers under that section."

Surely that is unarguable and almost self-evident. My right hon. Friend the Member for Penrith and The Border (Mr. Maclean) and I want to ensure and guarantee as far as we can that there can be no possibility of mishap, malfeasance or whatever in the handling of moneys of a vulnerable person by somebody else.

I do not suggest that that is likely or probable. The very people to whom existing legislation and the Bill would give responsibility are those who are for the most part dedicated to their task of dealing with vulnerable people. That is not to say that we should ignore our responsibility to provide as many safeguards as possible for the discharge of that important responsibility.

Mr. Desmond Swayne (New Forest, West): At least part of the value of the new clause is that it will give a measure of reassurance to relatives who suspect that things may not have been done as well as they might have been.

Mr. Forth: I am grateful to my hon. Friend, who raises an important matter that should not be treated lightly. Although I shall concentrate on the relationship between the patient and the hospital, my hon. Friend is right to point out that those close to the patient are often the most worried. We have a responsibility to them as well. They have seen their nearest and dearest in unfortunate circumstances, and they—the relatives and friends—want the maximum reassurance that all is as it should be.

I therefore suggest in new clause 1 that the submission of regular reports in writing about the discharge of that responsibility is the least that we can expect. It is a minimum provision on which we can build, and on which I shall build as I argue for my various new clauses and amendments.

New clause 1 goes on to state, importantly, that any report

"shall be submitted no later than 18 months after the discharge from hospital of the patient concerned, and thereafter on an annual basis".

In other words, we want to make sure that reports are issued not too frequently, but sufficiently frequently to give reassurance and to allow a proper basis of accountability in the discharge of an important responsibility, until the patient is considered able to manage his or her affairs, or until a curator bonis is appointed, and the responsibility passes on from the person specified under the Mental Health (Scotland) Act 1984, which we seek to amend, and moves out of the purview of this legislation.

New clause 1 is a minimum requirement, so I shall not dwell on it. New clause 4 raises an issue of more fundamental importance, which I hope that the

hon. Member for Paisley, North and the Minister will want to deal with appropriately—the right of any person to appeal to the Mental Welfare Commission against

"the holding by the managers of a hospital of money and valuables"

on behalf of the incapable person, or

"the expenditure of money or disposal of valuables"

in pursuance of section 93(3) of the Mental Health (Amendment) Act 1984.

That is a basic mechanism which it is essential to build in to give proper reassurance to the most vulnerable that they have a right to appeal if they or, as my hon. Friend the Member for New Forest, West (Mr. Swayne) suggested, their relatives or friends felt that anything being done was in any way wrong.

I doubt whether there would ever be outright theft or misuse of the money or valuables, but let us suppose that it was considered that moneys were being unwisely invested and that a sufficient rate of return was not being obtained. I shall return to that later, in the context of later amendments.

The right to appeal if someone feels that his assets are not being properly managed to his maximum benefit is unarguable. We are keenly sensitive to the needs of vulnerable groups and put in place all sorts of mechanisms to protect them. I am in danger now of arguing against myself, but I sometimes feel that we do too much in that direction. That is my view with regard to people who are able-bodied and in full possession of their faculties. They should largely be able to fend for themselves, but in the present case, we are dealing with a vulnerable group.

Such people may not have friends and relatives to help them. They may be on their own, as I suspect all too many of them are, and for that reason they are doubly or trebly vulnerable.

12.15 pm

In that context, the right to appeal is surely important.

Subsection (2) says that where the Mental Welfare Commission upholds the grounds of such an appeal, it shall

"determine what recompense shall be payable by the hospital to the patient concerned."

That is an important issue. We are saying not only that there should be accountability for the discharge of that important responsibility—and that there should be a right to appeal—but that where it is established that some damage has been done to the interests of the incapable person, there must be a provision for recompense.

All too often, a vulnerable person entrusts—or has had entrusted to someone else—his money or assets, and when something goes wrong, is left wondering why he has no ability to recover what has been lost. There should be the ability to provide recompense on such an occasion, although I am sure that such cases will be the exception rather than the rule.

An interesting presumption underlies the Bill—that someone in management in a hospital, whose main skill is in dealing with people's mental and physical welfare, is equally capable of dealing with financial affairs. I am not sure that that is self-evidently the case, and we may wish to air that matter again on Third Reading.

I am prepared to accept that a hospital manager would not in every case personally discharge responsibility, and that he may delegate it to someone else. However, that raises other implications. If the institution is a relatively small one and does not have a large bureaucracy or a large number of people available, the manager might have to take the responsibility on personally. I do not know. However, some important questions are starting to arise on the detailed application of a simple and straightforward principle.

The Law Society of Scotland—bless it—was kind enough to write to me to say that the Bill was splendid, much overdue and desperately wanted in Scotland. I have no doubts about that. However, I wonder whether the Law Society looked in detail at the Bill. I received the letter only this morning, just before I came into the Chamber, and I have not had the chance to discuss with the Law Society whether it feels that the new clauses and amendments add to the Bill. That might have been a valuable contribution to the debate. Perhaps there is some way in which the Law Society could let us know before the end of this short debate, and before we speed the Bill on its way—amended by my new clauses and amendments, I trust.

Amendment No. 2 tries to impose a reasonable time limit on the processes of the Bill. I concede immediately that, in this context, there are pluses and minuses in imposing arbitrary time limits. My purpose is to try to provide a framework within which the mechanism can work so that it can be subject to periodic review. I propose a period of five years. Some might feel that to be too long, but there should be a measure to provide a time frame for the operation of the Bill.

Mr. David Maclean (Penrith and The Border): Is my right hon. Friend aware that the argument for a time frame is supported by the Scottish Association for Mental Health? Admittedly, it favours a much shorter period than that which we have specified, but it considers the absence of a time limit to be a small but significant gap.

Mr. Forth: My right hon. Friend's point shows that, even though the Bill was debated in the Chamber on Second Reading and in Committee, legitimately interested parties such as the one to which he refers and the Law Society of Scotland are coming forward at this stage in proceedings to make such points. Our amendments are an attempt to respond to some of them. No doubt my right hon. Friend will make his own justification of them, should he catch your eye, Mr. Deputy Speaker.

Suffice to say that the point made by my right hon. Friend, for which I am grateful, shows that people outside the House who watch the progress of Bills take the opportunity at each stage—particularly in Committee and on Report—to give Members of the House the benefit of their experience so that amendments may be drawn up. That is the essence of the legislative process and that example has certainly shown the value of it. I am grateful to him for reinforcing the argument for our modest amendment, and I hope that we will not fall out over the time scale. All I want to establish is that there is good reason for specifying a time limit rather than not having one.

Mr. Peter Luff (Mid-Worcestershire): My right hon. Friend says that the legislative process provides the opportunity for outside bodies to make representations. Has he received any about the time scale he suggests?

[Mr. Peter Luff]

Five years seems to be a rather arbitrary figure. I am persuaded by his argument in principle, but where has that magic figure come from?

Mr. Forth: As ever, that is a most reasonable question and one with which we wrestle frequently in these contexts. Any time scale is, of necessity, arbitrary; it comes down to a matter of judgment. Our judgment is that five years is about right.

I have not received the representation that my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) has received, but I have received a letter from the Law Society of Scotland, which he has not received. I do not know whether my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) has received such a letter.

Mr. Luff *indicated dissent.*

Mr. Forth: I make no complaint about it, but a series of representations on different points have come in to us, which has enabled us to seek to improve the Bill. That is as it should be. To finish my inadequate answer to his point, I confess that five years is an arbitrary figure. Although our judgment is that that figure is appropriate to what we were seeking to achieve, I would not say that it is the final answer. However, it provides a time context.

Mr. Maclean: I merely wish to answer the point that my right hon. Friend has raised. I have not received such a letter—not because one has not been sent, but because I have been tardy in collecting my mail this morning—and I did not receive a letter from the Scottish Association for Mental Health. I suggest that, for the millennium, he connect his computer to the internet and then surf cyberspace; he will find all the representations there, as I did.

Mr. Forth: My right hon. Friend well knows that vile expressions such as "cyberspace" are alien to me. I have never yet surfed the internet and I hope to survive for some considerable time without surfing it. I know that, for him, the internet is the source of a considerable amount of information, and I wish him well in that, but I prefer my mind to remain relatively uncluttered in these matters. I also prefer to receive my information from the written word on the page. I am old-fashioned that way and I find it reassuring to hold a document in my hand, as I am now—

Mr. Deputy Speaker: Order. None of those matters have anything to do with the new clause.

Mr. Forth: Indeed, Mr. Deputy Speaker. I am making the mistake of being led astray by my right hon. Friend the Member for Penrith and The Border.

Mr. Patrick McLoughlin (West Derbyshire) *rose—*

Mr. Forth: I hope that my hon. Friend is not about to do the same.

Mr. McLoughlin: Can my right hon. Friend assist me? The Bill applies only to Scotland. This is the United Kingdom Parliament and, although these matters may now be for consideration by the Scottish Parliament, can he explain the position in respect of England? We need to know that all citizens of the United Kingdom are being treated equally.

Mr. Deputy Speaker: Order. We will worry about the amendment that is being discussed.

Mr. Forth: Yes, Mr. Deputy Speaker—and it must be said, in fairness, that my hon. Friend will have an opportunity, within the rules of order, to explore that point later. Indeed, I hope to do so myself, but I will not be misled at this stage.

Mr. Swayne *rose—*

Mr. Forth: I hope that my hon. Friend is not going to try to mislead me.

Mr. Swayne: No; I want to refer precisely to the amendment, and the arbitrary choice of five years. What does my right hon. Friend propose should happen at the end of that period? He should remember that the Bill is designed to remedy the weakness whereby, at present, a person must engage in an expensive process in order to obtain control of the funds. By introducing a five-year limit, my right hon. Friend may undermine the Bill's purpose.

Mr. Forth: I hope not. I am not going to disagree violently with my hon. Friend; I merely say that our aim was to introduce a long stop, as it were, forcing the matter to be reviewed after five years. That is why we chose a longer rather than a shorter period. I accept that any measure of this kind is fraught with certain difficulties: I do not dissent from that at all. The amendment was intended to provide a beneficial long stop.

Mr. Swayne: I have another question, which refers specifically to the amendment, but also refers generally to it and the new clauses and amendments grouped with it. My understanding is that the Bill is very much a temporary measure pending a much wider review of the law in respect of these matters.

Mr. Deputy Speaker: Order. The hon. Gentleman keeps talking about the Bill. We are discussing a specific amendment—or rather, several specific amendments. The hon. Gentleman cannot talk about the Bill at this stage.

Mr. Forth: Indeed, Mr. Deputy Speaker. It may well be that on Third Reading we shall be allowed just a little latitude to discuss the point raised by my hon. Friend.

Mr. Swayne: May I say something, on the question of the amendments?

Mr. Forth: Only on the amendments, please.

Mr. Swayne: Is not the force of the new clauses and amendments reduced by the fact that the Bill is a temporary measure? Is there any reason for introducing arbitrary limits such as the five-year limit, given the time limit that applies to the Bill as a whole?

Mr. Forth: I do not say this very often, but I will say it to my hon. Friend now, in a spirit of friendship. I have

been in the House for 16 years, and had the privilege of serving in government for nearly nine years. I know that very few things in this place are temporary. We are all aware that procedures relating to a measure that may well appear now to be subject to review are likely to continue for rather a long time. I do not want to rest my case on the assumption that the Bill is only a temporary measure, and that everything will be sorted out soon. As you know even better than I, Mr. Deputy Speaker, that is a pretty risky approach, and I do not accept what my hon. Friend has said in this instance.

I want to press on. I want to give others a chance to explore these matters, and I do not want to jeopardise the passage of the Bill. Let me say something about amendments Nos. 1 and 5. What we are trying to do is consistent with our aim in, particularly, the new clauses. I shall skip the preamble, but amendment No. 1 provides, in essence, that

"any person may at any time request that the patient's ability to manage and administer his property and affairs be reviewed by the medical officer in charge of the case."

We want to build in the opportunity for a review to take place, in the interests of the patient, and to allow those who may also have the patient's interests at heart—in addition to hospital managers and others—to have an input. This is a protective mechanism, and I think that it is at one with the purposes of the new clauses.

Let me now deal with an amendment that applies to a rather different issue, although it is grouped with the other amendments and new clauses. My amendment—I apologise; it is not my amendment, but that of my right hon. Friend the Member for Penrith and The Border (Mr. Maclean), and I want to express my support for it. What I suspect my right hon. Friend had in mind—certainly, this is how I interpret the amendment—is this: we want to make absolutely certain that the terminology of the Bill covers all reasonable circumstances and eventualities in the important context of money, assets and so on.

12.30 pm

That is why the amendment seeks to go in a little detail into the sort of assets that would be covered. It talks not only about money in the obvious sense. We believe that it is important to bring other assets within the definition in the Bill to allow their management to the advantage of the patient. The amendment covers

"other financial assets and investments"

and, importantly, says that those include stocks, shares, Government bonds, personal equity plans and so on. We are not attempting to be exhaustive—not to say exhausting—but we want to try to ensure that, in the fulfilment of the purpose of the Bill, we encompass all possible assets, particularly those that are interest bearing, so that there is no danger that the proper interests of patients are neglected, or minimised by an over-restrictive Bill.

That is the thrust of what my right hon. Friend the Member for Penrith and The Border is getting at, but he will explain his position, I hope, in a moment. I wanted simply to lend support to what I understood to be the purpose of the Bill, and to ensure that the patient's interests are fully looked after.

Hon. Members can see the thrust of what we are doing. The new clauses and amendments are designed to enhance the Bill, to protect the incapable person as far as possible, and to ensure as far as we reasonably can—without, I hope, being too bureaucratic—that, when the patient, or friends or relatives of the patient think that there is a risk of the patient's interest not being fully looked after, mechanisms are provided in the Bill to guard against that.

That is the thrust of the new clauses and amendments. I hope that they will be looked on kindly by the hon. Member for Paisley, North, on behalf of the promoter of the Bill, and by the Minister. However, if, for some reason that I could not possibly understand, they were minded to ask the House not to accept the amendments, at the very least I would want full assurances that the concerns that lie behind the new clauses and amendments could be fully covered within the existing terms of the Bill, without any further amendment. That is the very least that we would expect.

I am sure that the Law Society of Scotland is hovering somewhere, listening to the proceedings. I cannot speak for it, but I am sure that it would have the same worries. If the hon. Member for Paisley, North and the Minister are not going to satisfy me, they of all people will have to answer to the Law Society of Scotland if they do not get it absolutely right.

Mr. Luff: It is in the nature of these Fridays that a Bill that first looks totally uncontroversial and unproblematic acquires a new character as we listen to the arguments that are expounded by hon. Members. I was particularly struck by the group of amendments and new clauses that we are discussing following the comments by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) in Committee. He said that the Bill

"is the model private Member's Bill. It is short, it is non-controversial, it has the Government's blessing and the hon. Gentleman introduced it in good style. I wish it God speed."—[*Official Report, Second Scottish Standing Committee*, 19 May 1999; c. 3.]

Any Bill that my right hon. Friend wishes God speed must indeed be a good Bill.

I am delighted to see that the hon. Member for Paisley, North (Mrs. Adams) is here to take the Bill through, in the place of the hon. Member for Midlothian (Mr. Clarke), who, sadly, is unable to do so. I join my right hon. Friend the Member for Bromley and Chislehurst in wishing him a speedy recovery.

I genuinely believe that the amendments and new clauses deserve at least to be answered by the Government, or the hon. Member for Paisley, North, because they raise genuinely important issues. As I understand it, by the end of the year, the safeguards in the amendments and new clauses could apply to some 750 people and to assets totalling about £3 million, so it is not an inconsequential issue for the House to consider.

I am grateful to the Library for its helpful briefing note on the Bill. I realised that the safeguards that are alluded to in the amendments and new clauses were of great importance when I read the extent of the concern in Scotland about the current position. It is not simply a matter of there being no power to move the funds from the hospital when the patient moves on; there are deeper-seated concerns. That is why it is so important to have safeguards.

I have some reservations about one of my right hon. Friend's amendments, which has some vagueness in its drafting and I shall turn to that later. However, the Government and the promoter of the Bill would do well to take the amendments seriously.

[Mr. Luff]

According to the Library, all that is required for the hospital to take over the management of a patient's funds is for a responsible medical officer to state that, in his opinion, the patient is incapable of managing and administering his property and affairs by reason of mental disorder. That is quite a simple test and there are probably clear-cut cases, nevertheless safeguards must be appropriate.

I am aware that there have been changes in the monitoring of expenditure by hospitals and that is welcome, but if the Bill is to proceed, as I am sure it will, we need to be confident that the right safeguards are in place.

The Scottish Law Commission's discussion paper on managing the welfare and finances of incapable adults made a number of telling criticisms of the absence of safeguards in the system: only one medical certificate is required; there is no opportunity to challenge a certificate; central management by hospitals may be regarded as remote and impersonal; no individual is appointed with specific responsibility and it is not clear how far the duty to receive money extends. It is right that the House should consider those worrying points when extending the scope of legislation.

I am particularly concerned about section 94 of the Mental Health (Scotland) Act 1984, which states:

"managers shall have regard to the sentimental value that any article may have for the patient".

That seems to be a difficult judgment to make, as the provision recognises when it continues,

"or would have but for his mental disorder".

It is tremendously difficult to judge what may be of sentimental value to an individual. My wife had the invidious task of emptying my mother's house on her death and she made judgments as to which items in the house were of sentimental value to me. On the whole, she did a remarkable job, but one or two things that I would have liked still went into the skip.

Mr. Forth: Let me give my hon. Friend a surprising example to reinforce his point. It is even possible that company stocks and shares may be of sentimental value. When I inherited a modest share portfolio, I decided to keep one or two shares that had been very good for my mother over a period of time. Therefore, I had a peculiarly sentimental attachment to them. Even something as apparently banal or financial as a share could in some circumstances come under the definition to which my hon. Friend refers.

Mr. Luff: Strangely, I agree with my right hon. Friend. If I were to be placed in the position covered by the Bill, there are two groups of shares that I hold that I would not want to be disposed of on my behalf by a hospital manager or anyone else. They include shares in the Severn Valley Railway, of which I am a vice-president and shares in another company which were bought by my mother on the advice of a travelling salesman. They were a disastrous investment as they collapsed in value and any manager might well consider disposing of them on my behalf, but I would be sorry if they were sold. I shall not name the company as that would be invidious, but my right hon. Friend makes a genuine point. The strangest items can have sentimental value. They are not limited to paintings, keepsakes, souvenirs and books; even financial instruments can have such an attachment.

I am particularly concerned to know what rights the relatives of a patient have to disagree with any expenditure on behalf of that patient. A number of us will have had difficult constituency cases involving mentally incapacitated adults. Watching families, close relations or, in one case the fiancé of a patient shows that it is a difficult and painful process. It is crucial that when a manager spends money to benefit a patient, the family has some rights to challenge that expenditure.

On 12 March, the Bill had a long Second Reading. A cynic might say that that had something to do with legislation that should have been considered after the Bill—such as the important Bus Fuel Duty (Exemptions) Bill, promoted by my hon. Friend the Member for West Derbyshire (Mr. McLoughlin). Nevertheless, the Second Reading debate was a good one. However, one sentence in the Minister's reply to the debate caught my eye and worried me, which is partly why I believe that the safeguards proposed in this group of amendments are so important. The Minister said:

"anyone who deals with a person's funds has an obligation to account for his actions. If he is negligent, that can be remedied under common law."—[*Official Report*, 12 March 1999; Vol. 327, c. 646.]

Mr. Forth: Oh, no.

Mr. Luff: That is the safeguard that we are being offered by the Minister, but it is a sledgehammer to crack a nut. The approach suggested by my right hon. Friend the Member for Bromley and Chislehurst offers a much better way of dealing with the problems. We are often talking about quite small sums and I am loathe to hand to lawyers the "benefit" of a dispute on issues that are often tragic and personal, involving painful and difficult decisions. We could find less painful dispute-resolution procedures than those offered by the Minister in his reply, which greatly concerned me.

The Minister also gave some assurances on safeguards to the House. Although ministerial assurances are always welcome, I much prefer statements to be made in a Bill—which is what this group of amendments would do. Warm words uttered at the Dispatch Box are always worth having and Ministers can generally be held to account for the promises that they make, but the Minister said:

"Several hon. Members made the point that we need to ensure that reasonable and proper safeguards are in place . . . The hospital manager will retain responsibility for the funds . . . There will need to be close co-operation between the new carer in the community and the hospital manager. I anticipate that the procedures, which will be put in place when the Bill becomes law, will enable the new carer to apply to the hospital manager for the release of funds, as the occasion arises, to be spent in the most appropriate way for the person's benefit."

The Minister said

"I anticipate that the procedures . . . will be put in place".

We can anticipate many things, but I should much prefer clear-cut legal procedures to be in place, rather than a Minister's anticipation of procedures. We all know that, in English affairs—I cannot speak with the same authority on Scottish affairs—relationships between health services and social services are often, to say the least, tense. Often, the barrier between the two services leads to the most unwelcome disputes in how an individual's affairs are

handled. I am, therefore, concerned to think that the Minister merely anticipates that the two bodies will be able to agree matters between them in a friendly way.

The Minister gave a further assurance. He said:

"I undertake to ensure that further guidance is issued to those who will be required to operate the new provisions. The guidance will set out, for example, how money should be requested from hospital managers, and how hospital managers should consider such requests."—[*Official Report*, 12 March 1999; Vol. 327, c. 650.]

I do not know whether the Minister will be able to say, in his reply to this group of amendments, that that guidance has become available. As I said, I hope that at least some of the amendments and new clauses in this group will commend themselves, so that the existence of such guidance will not be so important. However, if the Government or the hon. Member for Paisley, North do not intend to accept any of these amendments, the guidance would become very important and it would be good to know what progress has been made in developing it since the Minister gave that assurance to the House on 12 March.

Those are my primary arguments on this group of amendments. However, I had some reservations about amendment No. 1, which, in its final subsection, states:

"Any person may at any time request that the patient's ability to manage and administer his property and affairs be reviewed by the medical officer in charge of the case."

"Any person" "at any time" seems to be an extraordinarily wide-ranging provision, and I should like to know from my right hon. Friends who tabled the amendment why it proposes such a provision.

Mr. Maclean *rose—*

Mr. Forth: Will my hon. Friend give way?

Mr. Luff: I am spoilt by this embarrassment of riches. As I have heard a great deal today from my right hon. Friend the Member for Bromley and Chislehurst, I shall first take the intervention of my right hon. Friend the Member for Penrith and The Border (Mr. Maclean).

Mr. Maclean: I accept that the terminology "any person" seems wide-ranging, but to try to define the individual categories of person who may have an interest—whether relatives, friends or a curator bonis, who is mentioned in the amendment—could lead to a very long list and would inevitably, in some peculiar circumstances, exclude people who are relevant. I therefore felt it better to use the terminology "any person", trusting that those who did not enter that category would have the discipline and the sense not to interfere in the affairs of someone else and behave like a busybody. In any case, the commissioner or medical officer would have the final say on whether and how to proceed.

12.45 pm

Mr. Luff: Does my right hon. Friend the Member for Bromley and Chislehurst wish to add to that intervention, so that I can deal with both points at the same time?

Mr. Forth: My hon. Friend is extraordinarily generous in giving way. I wish to take up the other point, just to show how inseparable my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) and I are on these matters. The phrase "at any time" is important because the whole point of the safeguards that we seek to introduce is that those with the responsibility under the existing statute, amended by this Bill if it is enacted, must be aware that, at any time, others with the interests of the patient at heart can step in and exercise the powers to be given in the amendment. That phrase is, therefore, an important safeguard and it must not be limited.

Mr. Luff: I understand the import of the amendment. Without wishing to appear invidious, I am no more persuaded by my right hon. Friend the Member for Bromley and Chislehurst than I am by my right hon. Friend the Member for Penrith and The Border. I apologise for that. I am satisfied on the "at any time" provision, but "any person" still seems very wide ranging, given the nature of the disputes that often arise and the question of incapacitated people. That is a matter of concern to me.

I accept that the amendment is important, as it stops a hospital being locked into administering the funds in perpetuity. That seems to be a good thing. If the Minister is comfortable with the words "any person", I hope that the amendment will be acceptable to him and to the hon. Member for Paisley, North, who is in charge of the Bill.

Mr. Swayne: I am not persuaded by the force of the arguments in favour of the amendment. The Bill tackles a clear-cut problem in anticipation of a wider reform that will attend to difficulties that go beyond its scope. *[Interruption.]* I hear my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) tut-tutting because of my lack of experience of how long situations may persist when it was anticipated that they would be remedied rather sooner. However, the force of that argument is undermined by the fact that the remedies that he seeks to include in the Bill will affect only people whose assets continue to be administered in that way after they have left the hospital to go into community care. Those obligations, and that way of operating, are not imposed on people whose funds will continue to be administered by the hospital because they have remained in the hospital.

Therefore, the amendment introduces two distinct categories to manage the funds available to patients: one set of rules and procedures for those who have been discharged, and another for those who remain within the hospital.

Mr. Forth: I think that I am right in saying that one would not have been allowed to do what my hon. Friend suggests by reason of the long title of the Bill. The Bill authorises

"hospital managers to ... hold ... the property of persons to whom section 94(1) of the Mental Health (Scotland) Act 1984 no longer applies."

I am no expert in these matters, but I think that I am right in saying that, had we attempted to amend the law as my hon. Friend suggests—I am sympathetic to what he says—we would not have been allowed to amend this Bill as he suggests because of its long title.

Mr. Swayne: I did not suggest for one moment that the Bill was amendable in that way. It is precisely because it is not that the force of the amendments is undermined. Precisely because of the defect in the procedure to which

[Mr. Swayne]

my right hon. Friend has drawn attention and our inability to remedy it here, we shall be introducing a different set of procedures for patients who remain in hospital.

I shall be brief because I wish to speak on a different matter this morning.

Mr. Maclean: Is my hon. Friend saying that he sees some merit in the amendment, but does not like it because it does not amend another Bill in tandem, or is he suggesting that the amendment has no merit and he would accept it only if all the relevant legislation were amended in a similar fashion?

Mr. Swayne: I hope that the force of what I am saying will become clear as I deal with each new clause and amendment.

New clause 1 would require hospital managers to submit regular reports. I entirely understand the motive behind the requirement and I followed the arguments of my right hon. Friend the Member for Bromley and Chislehurst, who made proper reference to the anxieties of outsiders, friends and relatives, but I fear that a bureaucratic burden would be imposed with regard to one particular category of patients and no other. Pending the wider reform of the law governing the assets of people with a poor record of mental health, which we have been promised, it would be unwise for us to complicate the Bill by introducing that distinction.

Mr. Maclean: I disagree profoundly. Adrian Ward, an expert in the matter, in his book "The Power to Act", said that hospital management provides

"a relatively quick and inexpensive method of administrating funds and possessions of a modest value. It avoids the cumbersomeness of accounting to, and supervision by, the . . . Court. It does not impair any existing legal capacity."

Mr. Swayne: Precisely. Is there any need, in that case, to add the bureaucratic burden of regular reports from which patients who remained in the hospital would not benefit?

I wonder whether the requirement in subsection (2)(a) of new clause 1 is a proper one to place on the medical officer. I refer to my own experience in a constituency case in which there is a profound disagreement between the parents of a mentally ill individual and his medical carers. The latter take the view that he is capable of administering his affairs, and the former that he is not. I wonder whether the medical officer is capable of taking decisions on issues that govern the protection of standing orders, assets and other items.

To an extent, my concern about subsection (2)(a) is ameliorated by amendment No. 1. I would not want the new clause to be added without the amendment, but for larger reasons I would prefer that neither of them be added.

New clause 4 is entirely understandable, but its force is undermined by the fact that the right of appeal would apply only to those patients who have been discharged, whereas those who remain in the hospital, who might equally have a grievance, would not benefit. There is an argument that says that simply because some people cannot benefit from a remedy, we ought not to allow no one to benefit from it.

Mr. Maclean: Precisely.

Mr. Swayne: As the relevant law is shortly to be reviewed in its entirety—quite properly, that will happen in the Scottish Parliament, not this Parliament—such matters should be left for the Scottish Parliament to deal with; it is not for us to sort them out.

The motives that lie behind the amendments and new clauses are proper and understandable, but I fear that they would place a bureaucratic burden on hospitals, because of the administration required of them in the preparation of reports. More fundamentally, the amendments and new clauses would also introduce a different way of dealing with the property and assets of two categories of patients, and I believe that that is not currently justified.

Mr. Maclean: I shall speak to the amendments and new clauses tabled in my name, most of which also bear the name of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth). In view of the thrust of the argument advanced by my hon. Friend the Member for New Forest, West (Mr. Swayne)—that we should not make the amendments now, although he seemed to say that they had some merit, merely because, by the nature of the Bill, they cannot cover everyone—I may now have to elaborate slightly more than I intended if I am to persuade him of my case.

Many amendments have been tabled, and there is little time available to debate them, but this first group goes to the heart of the Bill; it is the most important group.

Both new clauses mention the Mental Welfare Commission, so I must explain why I chose that. New clause 4 says

"Any person shall have the right to appeal to the Mental Welfare Commission against . . . the holding by the managers of a hospital of money or valuables . . . or . . . the expenditure of money or disposal of valuables"

and so on.

I picked the Mental Welfare Commission for Scotland because it plays a major role in protecting the persons and interests of mentally incapable adults, whether they are in hospital, other institutions or the community. In financial affairs, it must inquire into any case in which it appears to it that such a person's property may be exposed to loss or damage. It must also notify any hospital or local authority when it considers that it should exercise its functions to prevent or redress loss of or damage to property. In addition, I understand that it has various duties to visit patients detained in hospital.

In 1997, it was estimated that in our population up to 100,000 people were incapax at any one time. This number is likely to grow rather than decline, as life expectancy outstrips medical science's ability to prevent or cure the various forms of age-related mental deterioration.

The Mental Welfare Commission plays a vital role and seems a relatively cheap and efficient mechanism for reviewing how mental patients are treated in hospital. I suggest to the Minister that that is a better mechanism. Giving people a right of appeal to the commission is far better than resorting to common law.

My hon. Friend the Member for New Forest, West criticised our suggestion on the ground that it would place an awful bureaucratic burden on hospitals. That is wrong. I do not think that he understands how funds are managed now. New clause 1 states:

"Where the managers of a hospital exercise their powers under subsection (3A) . . . they shall submit regular reports in writing".

I hope that I shall be able to prove that that is not a bureaucratic burden. There is already a variety of ways in which the finances of a mentally incapable adult can be managed in Scotland. Indeed, it is probably the fragmented and archaic nature of those mechanisms, and the fact that they can fail to provide an adequate remedy in many common situations, that have prompted that widespread call for wholesale reform of the law governing them to which my hon. Friend referred. However, I shall not go down that route.

1 pm

The management of a mentally incapacitated person's affairs is usually separate from the management of his personal welfare. Different types of managers have powers to take care of each of those aspects, and financial managers are appointed to deal with patients' financial affairs. My hon. Friend the Member for New Forest, West should therefore not try to state that giving people in hospital a right to appeal and requiring a report to be made not later than 18 months after their discharge from hospital would place a bureaucratic burden on hospital management, affect patients' treatment or bog down the health service.

Under section 94 of the Mental Health (Scotland) Act 1984, hospital patients liable to be detained under that Act or who are receiving treatment for their mental disorders can have their funds administered by the management of the hospital. There is no equivalent legislation authorising the managers of other care establishments to manage the finances or property of incapable residents. Recent investigations by the Mental Welfare Commission suggest that most incapable patients whose funds are managed by the hospital suffer from chronic schizophrenia, learning disability or dementia. They have usually been in hospital for a number of years, and most do not have contact with relatives.

All that is required for the hospital to take over management of a patient's funds is for the responsible medical officer to state that, in his opinion, the patient is incapable of managing or administering his property and affairs by reason of his mental disorder. My hon. Friend the Member for New Forest, West questioned the adequacy or ability of the responsible medical officer to make that judgment, but who else could make it? That has to be a medical decision. It cannot be taken by an accountant, a banker or by the hospital's financial managers.

Mr. Swayne: With the greatest respect to my right hon. Friend, that is fatuous nonsense. Many people are inadequate at managing their financial affairs, but they do not require a medical officer's certificate saying so.

Mr. Maclean: My hon. Friend is missing the point. He is, of course, right to say that many people who are not detained in mental hospitals under the mental health legislation make a mess of managing their finances. Many people's financial affairs are not as good as they should be. My wife says as much to me every month when the bank statement arrives. Perhaps I should not visit Scotland, but neither there nor in England have I been detained under the mental health legislation—much to the consternation, sometimes, of hon. Members on both sides of the House. My point is that the treatment of a person detained under the mental health legislation must be left to the judgment of doctors. I am sure that my hon. Friend accepts that.

A doctor judges whether a person with chronic schizophrenia, dementia or some other disability is capable of leading a safe life in the community, or whether he or she must be detained in a mental hospital. Surely the doctor, therefore, is also the only one who can decide whether that person—given that he or she is unable to live an ordinary life without support from the medical services in hospital—is capable of managing his or her finances. I cannot think of anyone else able to make a judgment of the mental ability of another human being. I do not want to elaborate further on that point but, having dealt with it now, I may be able to speak more briefly about one of the other amendments.

The powers available to hospital managers under section 94 of the 1984 Act, which the Bill would amend, are limited to receiving and holding money and valuables and expending them for the patient's benefit. As I understand it, hospital managers must have regard to any sentimental value that an article may have or would have had to the patient, but for his mental disorder which results in him no longer being able to make a judgment on such sentimental value. However, no further statutory guidance on how those powers can be exercised is given.

There have been concerns that staff feel that to spend money on certain patients would be to waste it and that, consequently, no great effort should be made to ensure that all income available to the patient is claimed or that any money received should be preserved instead of being used to enhance the patient's quality of life. On the other hand, it appears that, in some cases, the money was being used to purchase goods or services that would normally be provided by the national health service. I will not go back to the Crosby report 1985, but that made various recommendations on how to deal with that problem. The new clauses and amendments that I and my right hon. Friend the Member for Bromley and Chislehurst have tabled deal with such worries and concerns.

If we grant under new clause 4 the right of "any person" to appeal to the Mental Welfare Commission against decisions, it would give the detained person such a right, as it would family, friends or other relatives. The terminology "any person" would also give concerned bodies and individuals, boards of visitors and organisations such as MIND the right to take up cases that they think appropriate. I accept the downside that, theoretically, some nosey parkers with no right whatever—they may have a caring interest in the patient but no familial or financial interest—could be given the right to interfere and appeal to the Mental Welfare Commission. I have had to make a judgment on how grave is that risk. I think that it would be very slight.

I am not suggesting that the commission must take action in every case and is bound by the person who appeals to it to do so. It must of course consider the case, but if it concludes that the person who is appealing has no locus or ground and that the appeal is a load of

[Mr. Maclean]

nonsense, it is not bound to proceed. Indeed, there may be the odd occasion when, no doubt, a nosey parker with no other right raises a good point in caring about someone's mental welfare which has not been previously considered.

When I used the terminology "any person" in new clause 4 and elsewhere, it was deliberate because I was afraid that if I tried to define who might have a specific and good reason for such an appeal, I would limit the range of those who would be able to appeal and miss some who had a perfect right to do so.

I would be happy if the Minister said that the terminology was too wide and that there is a list or schedule already in some Act that I could not find of people who may have that right and that it covered everybody. I would accept that and amend my amendments accordingly. The right of appeal is on the expenditure of money or disposal of valuables. That would deal with the concerns of staff and others that sometimes inappropriate judgments have been made on spending patients' money or getting rid of their valuables.

I thought that I would address new clause 4 first in order to try to reassure my hon. Friends who are hostile to its intent. In new clause 1, I suggest that hospital managers must make regular reports in writing to the Mental Welfare Commission. I do not need to explain any further why the commission is the best body to which the report should be made, suffice it to say that it already exists and clearly plays a valuable role in Scotland.

Such a requirement would not impose a heavy burden on financial managers who would have to exercise the responsibility. They have to keep accounts and records in any case. They need not call a case study group to discuss the patient. They already have to keep records of how much is spent and on what it is spent. I am suggesting that all that be combined into a short report to the Mental Welfare Commission, showing what judgments have been made. I do not envisage that that would be a heavy burden on financial managers. It is not a burden on medical staff or doctors; they are not the ones who do it.

New clause 1 states:

"(2) A report under subsection (1) shall be submitted no later than 18 months after the discharge from hospital of the patient concerned, and thereafter on an annual basis, until such time as either—

(a) the patient is considered by the medical officer in charge of his case to be capable of adequately managing and administering his property and affairs".

That is eminently sensible. I shall not try to persuade my hon. Friend the Member for New Forest, West that the medical officer is the appropriate person. If he wishes to tell me of someone better, I might be persuaded.

There is another important point that none of my hon. Friends has dealt with. New clause 1 says that reports shall be submitted until either the patient is considered to be capable of adequately administering his property and affairs or

"(b) a curator bonis is appointed in respect of that person."

My hon. Friends will ask why I have picked a curator bonis instead of any other system. "Curator bonis" is wonderful Scottish terminology. It is one of those examples where Scots law, based on Roman Dutch law, has something to give the United Kingdom, if only we were wise enough to take some parts of it and if only Scotland were wise enough not to go its own way. However, that is another route, which we shall not take today.

A curator bonis can be appointed to manage the assets and affairs of a person over 16 who lacks the capacity to manage his own financial affairs. It is highly relevant—which is why I have put it in new clause 1—because it is the most widely used general legal procedure for managing the funds of a mentally incapacitated person. As I said in introducing my remarks, Scotland has a wealth of means of managing the affairs of people in hospital, or of people generally who may be incapacitated. I have discussed the hospital management system; the curator bonis is the most widely used alternative.

The curatory—that is, the appointment of a curator—can often be the default mechanism. A local authority must apply to the court to appoint a curator if no one else is doing so, and a curator should then be appointed. A curator is a specific type of judicial factor, which is a general term for a person appointed by the court to do something on behalf of another person. Applications to appoint a curator bonis are to the Court of Session or the sheriff court in Scotland, and must be supported by two medical certificates saying that the person is of unsound mind. The incapacitated person or his relatives are entitled to oppose the petition. I hope that two medical certificates saying that a person is of unsound mind would be satisfactory to my hon. Friend the Member for New Forest, West, and that he will not criticise that aspect of new clause 1.

Curators bonis are under the supervision of the accountant of the court, to whom they must submit annual accounts for audit. Without trying to be arrogant, I believe that this is where my new clause is quite clever, in that, by picking a curator bonis and saying that managers must submit annual reports, I am trying to impose on the managers of hospitals a burden similar to that which curators bonis currently have. That is also why I put curators bonis in my new clause. Curators bonis are remunerated for their efforts and are usually professional people, such as solicitors. I shall return to that.

On appointment, a curator automatically supersedes hospital management, any Department of Social Security appointees and most other managers under specific statutory provisions. However, a curator is, in turn, superseded by the appointment of a tutor-at-law, if that happens. It is relevant for me to explain briefly to the House about curators bonis because, even if we have the hospital management system, if a curator bonis is appointed he automatically outranks the hospital management and takes over from it.

We now come to what some of my hon. Friends who are not lawyers may consider to be a downside. Most curators bonis are solicitors, and most of them do not work for free. Indeed, it is said that curators can be expensive. The Law Society of Scotland will no doubt justify that and write letters to colleagues and to myself, which I shall pick up and read in good time if I have got it wrong. The funds of the ward must cover the court petition to appoint the curator, his on-going remuneration—which is determined annually by the accountant of the court on a percentage basis with the aid of complex tables—the annual audit costs and the costs of any further court applications to authorise particular actions by the curator.

1.15 pm

It is now generally recognised that curators should not be appointed for estates of less than about £50,000. It is uneconomic to do so. I assume, without going into the details, lawyers' fees will amount to £49,000 on an estate of less than £50,000. That is the underlying message that I receive from the information that I have dug out in my studies.

New clause 1 therefore suggests that annual reports will be submitted by the financial managers of mental hospitals. That would mirror the present requirements of curators bonis.

Mr. Swayne: That would be the exact mirroring of what the curator bonis would achieve. My right hon. Friend has given us a taster of what curators bonis would charge for the service. Why should the burden be imposed on hospital managers, who will be expected to undertake it, out of the public purse, for nothing?

Mr. Maclean: The costs of curators bonis are apparently quite high, but that is not purely because they are required to submit an annual report. The annual report and audit are only tiny parts of the legal bill. In any event, I think that a hospital manager, even a highly paid extortionate hospital manager charging for his time, might not charge at the same hourly rate as a solicitor who is a curator bonis. My hon. Friend has used a rather bogus argument to try to suggest that we should not have annual reports from hospital management because one day that might become as expensive as the cost of a curator bonis, bearing in mind all the other things for which the curator bonis is entitled to charge in administering the estate of somebody incapacitated.

I suggest that an annual report should be prepared until such time as the medical officer says that the person is capable or a curator bonis is appointed. If a curator bonis is appointed, there will be an annual report in any event, and it will be costly.

I move on briefly to deal with the other amendments. I do not intend to speak at length because my right hon. Friend the Member for Bromley and Chislehurst covered them adequately.

Mr. Forth: Only adequately?

Mr. Maclean: More than adequately; that is what I intended to say.

Amendment No. 1 mirrors part of what I seek to do in new clause 4. The amendment reads:

"The managers of a hospital may exercise their powers under this section until such time as either . . . the patient is considered by the medical officer . . . to be capable . . . or . . . a curator bonis is appointed . . . Any person may at any time request that the patient's ability to manage and administer his property and affairs be reviewed by the medical officer in charge of the case."

I rather like the last part of the amendment because it would give any person the right to suggest to the medical officer that the patient's mental capability to administer his own financial affairs should be reviewed.

There may be accidents because we know that at some of the larger mental hospitals, reviews are sometimes not carried out as expeditiously as they should be. Files may be delayed at hospitals dealing with large numbers of patients, or a patient's annual or six-monthly review may not take place when it should. Little hiccups of that sort occur. I am not criticising medical authorities or any particular mental hospitals; I am merely saying that hiccups occur in organisations dealing with tens of thousands of people. The new clause will give any person at any time the right, if he discovers a problem, to say to the medical officer, "Why has case X not yet been reviewed? We think that he is capable of administering his affairs." Organisations such as MIND or other hospital visitors, or visiting psychiatrists or doctors, may think that a case should be reviewed. That is sensible.

The purpose of amendment No. 1 is to ensure that in the case of an incapax patient who has been discharged, whose money is held by hospital managers, and who is subsequently able to deal with his affairs, the amendment would automatically give him the right to assume control of his own assets. It would also guard against the hospital being locked into administering funds in perpetuity. It is a well balanced, even-handed amendment, which prevents the hospital being stuck with administering the funds for ever more, and gives a guarantee to the patient that he can regain control of his assets in the event of him being judged able to administer his own affairs.

I shall deal briefly with amendment No. 2, which was a source of controversy among some of my hon. Friends. If it is accepted, the Bill will read:

"The managers of a hospital may, for a period not exceeding five years following the discharge of the patient, continue to hold money . . . and receive interest . . . and expend money".

The amendment inserts a time limit of five years. The purpose of the amendment is similar to that of new clause 3, which restricts the responsibility of the hospital managers to discharge patients who continue to live within health board boundaries. I cannot discuss that as it was not selected, but the amendment is comparable to that. It prevents managers having to assume an unacceptable administrative burden.

The amendment would place a five-year limit on the time for which hospital managers administer the assets of discharged patients who remain incapax. Some of my hon. Friends consider five years too long. I am not certain whether it is the correct period. However, it is a long-stop provision, as my right hon. Friend the Member for Bromley and Chislehurst said. There is nothing to stop the hospital managers concluding that the person should have his funds restored before that time. I cannot find the quote from the Scottish Association for Mental Health, which argued for a six-month review period or a six-month time limit. The association certainly argued for a long stop, and the time it suggested was considerably shorter than that proposed in the amendment.

I urge the Minister to consider such a provision. There must be some cut-off point at which the hospital ceases to administer the funds. It cannot be right that the hospital management should continue to administer the affairs of a patient who was discharged 10 or 15 years previously.

Mr. Graham Brady (Altrincham and Sale, West): Will my right hon. Friend give way?

Mr. Maclean: I must conclude.

Mr. Brady: I shall be brief. Does my right hon. Friend agree that that is true not just of funds, but particularly of valuables, which may have sentimental value to the former patient?

Mr. Maclean: I am grateful to my hon. Friend for that intervention, which leads me nicely into my remarks on amendment No. 5, which deals with valuables and other items that may be of sentimental value.

[Mr. Maclean]

First, however, I shall conclude my remarks on amendment No. 2. There is nothing magical about the five-year period to which the amendment refers, but some limit is necessary. I shall be happy to accept the Minister's advice whether three years is the correct term, or six months or 10 years.

Mr. Forth: The trouble is that we cannot change the amendment now. This is the last gasp of consideration. Unfortunately, the House has put itself in a position where we must accept either the original Bill or some—or, we hope, all—of our amendments and new clauses, but nothing else. My right hon. Friend therefore has a problem. He must stick to his proposed period of five years, or he is not going to have anything at all.

Mr. Maclean: I am grateful to my right hon. Friend for pointing out that the Bill cannot go to another place for amendment. Nevertheless, I expect the Minister to say today that he is aware of the point, and that legislation is being prepared for the new Scottish Parliament. That may be the wider Bill for which my right hon. Friend has called, or a Bill to deal with this matter.

I understand that there is a need for further mental health legislation in Scotland with which the Scottish Parliament can deal. I hope that the Minister can reassure me—whether we are talking about a period of two, five or seven years—that legislation will be proposed to deal with the problem. If he sees merit in the proposal, a measure can be introduced here—we will be happy to deal with legislation relating to the Union—or in the Scottish Parliament. I see merit in the proposal, as do my right hon. and hon. Friends.

Essentially, amendment No. 5 is a probing amendment to ensure that the terms used in the Bill, such as "money", adequately cover all assets that an incapax patient may hold. It may be that there is an established precedent for what the terms mean. However, as the Bill extends the powers of hospital managers, it is sensible to ensure that all assets held by the patient are covered.

The Minister can answer my point in one of two ways. He can say that he will propose legislation in either the UK Parliament or the Scottish Parliament, or he can say that the term "money" is defined somewhere else, such as the 1994 Act—although I must confess that I did not spot it—to include bank notes, coins and sums deposited in a bank or building society account. If so, I will be satisfied.

The amendment also lists other forms of financial assets which a person might hold, or acquire via an inheritance. Again, the list is not exclusive, but it covers the most popular forms of non-bank account investments. That is very important. The Minister may tell me not to worry and that the matter is covered in existing legislation, or that the interpretation of the law will be that that is the case.

The amendment states that money, financial assets and investments and valuables

"shall include sums and items inherited by the patient when resident in hospital or subsequent to discharge from hospital."

This is the key part of the amendment. For example, a patient may be left property or money in the will of a deceased relative, or he or she may receive a windfall payment from a building society which has converted to a bank. It is not clear from the Bill if such moneys could be administered by the hospital management. The amendment would ensure that they were covered. I shall not push the amendment to a vote if the Minister can reassure me that this crucial matter is covered.

This morning, we have dealt with Bills concerning human beings. It is terribly important for this Parliament to deal with such measures. The first Bill that we debated today dealt with one human being who may have suffered a terrible injustice, and the House spent two and half hours dealing with it. This afternoon, we are dealing with a Bill relating to individuals who are still alive, but whom medical practitioners have ruled to be incapable and who must be detained in hospital. If they are released, the state has decided that they would be incapable of managing their affairs and that we should run their assets. That is a grave step to take, but it has been taken over the years by various Parliaments which have given powers to medical practitioners to detain people by reason of mental incapacity.

1.30 pm

If we are to have such legislation on the statute book, and if Parliament is to pass this amending Bill—I hope that we shall do so, and I do not intend to prevent that from happening even if the Minister rejects my amendments and new clauses—it is beholden on hon. Members to make sure that they build in all the safeguards they can.

On the selection list, this group of amendments and new clauses has been entitled "Safeguards". I did not choose that title; perhaps it was chosen by you, Mr. Deputy Speaker, or your office. That is what they are—safeguards for human beings. We are dealing with important legislation this morning and it has been a privilege to discuss provisions that I think may improve it. However, I am willing to be persuaded that the amendments are not necessary or that these matters can be dealt with in the other place. This time, that other place is 300 miles up the road.

Mr. Peter Brooke (Cities of London and Westminster): I shall be very brief. This group of amendments and new clauses stands in the names of my right hon. Friends the Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean). I pay genuine tribute to their assiduity—not only today, but on previous Fridays—to the cause of private Members' legislation. They have been subjected to some criticism outside the House, which I think has been wholly misplaced. Some might say that that is a charitable view, because one of the victims of their stern and unbending approach has been a Bill of mine which commends itself to many people inside and outside my constituency and which would correct an offence that literally lingers disagreeably in the nostrils of mankind.

My right hon. Friends' emphasis is on legislation receiving proper scrutiny. It is a truism that we pass too much legislation and that it is insufficiently scrutinised by the House. The Home Secretary had to come to the House recently to confess to a massive omission from the Prevention of Terrorism (Temporary Provisions) Act 1989. Had that omission been exposed by a major terrorist offence between the passing of the Act and the discovery

of the omission, it might have occasioned his resignation. It would also have reflected on Parliament as a whole. If that would have been a major setback in the context of terrorism, how much more so are omissions in the context of mental health?

I shall not dwell on the Bill that we debated earlier this morning because you would rule me out of order, Mr. Deputy Speaker, but it was also occasioned by an omission from previous legislation. Relevant to that legislation were the Mental Health Act 1961 (Northern Ireland), the Mental Health (Northern Ireland) Order 1986 and the Criminal Justice (Northern Ireland) Order 1998. I strongly support the assiduity of my right hon. Friends, who have brought this group of new clauses and amendments to the attention of the House, discussed the cause of mental health and highlighted the interest in the proposals, which has been severally represented to them, of organisations outside the House. That is a riposte to those outside the House who have criticised them for their diligence in respect of legislation of this sort.

Mr. Edward Leigh (Gainsborough): It is an honour to follow my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) and I agree with his remarks about the need to give adequate scrutiny to such Bills, which are so important to people. I emphasise the word "people" and I am glad that we are undertaking that scrutiny. My right hon. Friend the Member for Penrith and The Border (Mr. Maclean) has been so assiduous and so comprehensive in his remarks that it is not necessary for me to detain the House for long, except to highlight one or two of the points that I believe need to be made. I support the new clause because it would add to the efficacy of the Bill.

Our debate has concerned the nature of the Mental Welfare Commission for Scotland and its role. No doubt we will be reassured be the fact that it must

"enquire into any case where it appears to them that such a person's property"—

that is, the property of someone covered by the relevant Acts of Parliament—

"may be exposed to loss or damage. It must also notify any hospital or local authority when it considers that they should exercise their functions in order to prevent or redress loss or damage to property. In addition, the MWC has various duties to visit patients who are detained in hospital."

I am absolutely sure that the MWC carries out its duties assiduously, but we are considering conferring extremely wide powers. I think that we should inquire carefully into the extent of those powers, and ensure that the interests of patients—albeit patients who may be very sick, and who may be incapable of running their own affairs—are properly observed.

My right hon. Friend the Member for Penrith and The Border quoted from a report stating that hospital management provides

"a relatively quick and inexpensive method of administering funds and possessions of a modest value. It avoids the cumbersomeness of accounting to, and supervision by, the Accountant of the Court."

No doubt the House will agree that that is a good way of managing the interests of patients, but it must be said that the powers vested in hospital management in regard to patients' funds are extremely wide. The new clauses and amendments contain safeguards to deal with that.

Only one medical certificate is required for a patient's funds to be controlled by hospital management, and there is no opportunity for the certificate to be challenged. There can be no consideration of the evidence in a hearing. Management by a hospital's central managers may be regarded as remote and impersonal. No individual is to be appointed with specific responsibility for the funds of particular patients. It is not clear whether the duty to receive money extends to withdrawing money from a patient's bank or building society account so that it can be spent on the patient's welfare. The current limit of £50,000—which seems to give considerable latitude to those controlling the funds—could appear excessive, given that curators would almost certainly be appointed for mentally incapable people with estates of that size living outside hospital.

Although the powers vested in hospital management in regard to incapable patients are clearly very wide, there is no right of appeal. No one is suggesting that hospitals will set out to mismanage funds; all that my right hon. Friends are suggesting in the new clauses and amendments is that the Bill should allow patients some guarantee, and some right of redress against hospital managers who fail to administer their finances in their best interests. Such cases may be rare, but it should be borne in mind that we are not necessarily thinking in terms of purely financial mismanagement. Sentimental value may well attach especially to articles, but perhaps even to funds of some sort, and hospitals may take insufficient account of that.

Section 94(3) of the Mental Health (Scotland) Act 1984 allows managers to

"expend that money or dispose of those valuables for the benefit of that person and in the exercise of the powers conferred by this subsection the managers shall have regard to the sentimental value that any article may have for the patient, or would have but for his mental disorder."

We all know that it might be extremely difficult for hospital managers, given their wide powers, to reach a definite conclusion that was fair in terms of the sentimental value of any given article. I see no harm in providing for an annual report of the kind envisaged in new clause 1, enabling the way in which hospital management runs a patient's affairs to be laid down in print, and enabling the patient's family to be reassured about what is going on.

There are a number of concerns about the Bill, which are made even more pertinent by the extension of the powers of hospital management for which it provides. We need a precise definition of "benefit to the patient"; no doubt the Minister will be able to help us in that regard. If a manager spends money for the benefit of the patient, what rights will the patient's family have if they disagree with the expenditure, or with any part of it? Perhaps the Minister will be able to reassure us about this. At present, hospital management and the Mental Welfare Commission can work with the family, but what rights will the family have? It seems that, under existing legislation and under the Bill as proposed, they have few rights.

In the event of such a disagreement, what provision is there for arbitration? As an associate member of the Chartered Institute of Arbitrators, I take an interest in arbitration. I hope, if all goes well with various exams, to become a fellow of the institute. There is no mention of arbitration in the Bill. After all, in virtually every other dispute, people can either take the matter to a court of

[Mr. Edward Leigh]

law, or it is laid down in a contract, or in agreements within the business that disputes will be referred to arbitration.

Mr. Forth: My hon. Friend may recall that, earlier in the debate, someone—I forget who—pointed out that the Minister had said, and I find it almost beyond belief, that people should not worry because, if anything went wrong, they could resort to the common law, to the courts, to put it right. With his obvious expertise in and commitment to the principle of arbitration, does my hon. Friend agree that the amendments are far preferable to forcing people, especially those who are perhaps vulnerable, to resort to the courts for a fair hearing?

Mr. Leigh: I am grateful for that intervention. The whole point of arbitration is to provide an inexpensive alternative to court procedures, which are cumbersome and long-winded, and to which it is difficult for ordinary members of the public to have access. Given the cases that we are talking about, where I doubt that large sums of money will be involved, where people may be of very modest means and mentally incapable, I do not think that people will go to common law.

I would much rather have a Bill that set out a safeguard in clear terms. What the Bill proposes is right. Of course, there should be a procedure by which the affairs of a patient who goes into the community can be managed properly, but the amendments propose that there should also be a safeguard for the family—some right of redress, some right of appeal, some written report to which they can refer. As I understand it—I may be wrong; perhaps the Minister can reassure me—there is none at present. That is not fair.

By requiring hospital managers to submit regular reports to the Mental Welfare Commission, by allowing the relatives, or guardians of patients to have access to those reports, and by providing the right of appeal against decisions of the managers, we will put those safeguards in place. They would strengthen the Bill, not weaken it. I hope that the Minister and the promoter of the Bill will accept the amendments.

The Parliamentary Under-Secretary of State for Scotland (Mr. Calum Macdonald): I acknowledge the supportive nature of all the amendments to the general thrust of the Bill and the supportive nature of the comments made so far in the debate. I welcome the good wishes that have been extended to my hon. Friend the Member for Midlothian (Mr. Clarke), which I warmly endorse. I also welcome the role of my hon. Friend the Member for Paisley, North (Mrs. Adams), who is acting as the promoter of the Bill.

I appreciate the underlying sentiments of new clause 1. It deals with the welfare of the person concerned and the importance of avoiding any impropriety in handling his or her affairs.

A number of arrangements, or checks and balances are already in place, which will help to ensure that the resources in question are used to the optimum benefit of the patient. For example, section 94(2) of the Mental Health (Scotland) Act 1984 already requires hospital managers to obtain the consent of the Mental Welfare Commission to administer the funds of incapacitated persons where such funds are in excess of a figure agreed by the First Minister. Currently, that figure is £5,000. It follows, therefore, that in any such case the commission will be aware of the existence of those funds and could at any time in the exercise of its protective function under the 1984 Act make inquiries about the use of the resources in question. If, for example, there was a suggestion of improper use, it could bring the matter to the attention of the First Minister, the health board concerned or any other relevant body.

1.45 pm

Secondly, and in addition to the procedure that I have just mentioned, the commission has asked hospital managers to obtain its consent to any single or cumulative item or items of expenditure purchased from a patient's capital exceeding £500 in any one year. That figure is kept under regular review and was set at £500 on 1 April this year.

Thirdly, such expenditure on a person's behalf will be subject to scrutiny by the auditors. Any irregularity or improper use could also be detected in that way.

Fourthly, hospital managers already notify the commission of all cases in which they are managing the resources of patients in hospital under section 94. The commission, in turn, already examines in the course of its hospital visits whether the powers under section 94 are being properly exercised and whether the resources of the patients concerned are being managed to their satisfaction.

By way of reassurance to the hon. Member for Gainsborough (Mr. Leigh), the Scottish Executive has made it clear that it will ensure that in the administrative guidance that will follow the enactment of the Bill, hospital managers are asked to notify the commission of all cases in which they are managing the resources of persons who want to live in the community. The commission will also be invited to include those persons in the scrutiny that it already undertakes under section 94 arrangements.

Finally, as my hon. Friend the Member for Strathkelvin and Bearsden (Mr. Galbraith), the then Minister, made clear on Second Reading, the new Administration in Scotland is about to issue new guidance on managing the resources of incapacitated patients who live in the community. That will provide clear guidance to hospital managers on the how the resources that they are managing can best be used to benefit the patient concerned. A number of safeguards are already in place and I understand that they operate to everyone's satisfaction. Those safeguards will be extended to all new cases that come within the scope of the Bill.

New clause 4 would introduce a right of appeal for persons who leave hospital to live in the community and continue to have their funds looked after by the managers of the hospital that they have left. The appeal, which could be raised by any person, could be against the continuing management of such a person's resources by the hospital or against the way in which their money and valuables have been managed. Currently, no formal right of appeal is available to patients in hospital under section 94 of the 1984 Act, but as hon. Members have acknowledged and as one might expect, hospital managers go about their task

with diligence, thoughtfulness and care. A range of safeguards is already in place, some of which I described in my reply to new clause 1.

If, however, there was evidence that hospital managers were continuing unnecessarily to manage the funds of a person or that they were expending his or her funds inappropriately, at common law that person could make an application for the return of those funds at any time. [HON. MEMBERS: "Oh."] I ask hon. Members to contain their disappointment until I have finished this point.

Patients can apply for the return of their funds at any time if it is apparent that they have recovered the capacity to manage their own affairs. That is an important protection and should be acknowledged as such. If hospital managers refuse to accede to such an application, they will be open to judicial review.

Similarly, if it emerged that hospital managers were inappropriately disposing of a person's resources, redress could be sought in the courts. That facility would apply regardless of whether the person was in hospital or had left hospital to live in the community.

Mr. Luff: The Minister is raising one of the precise issues that I raised in my speech. The remedies that he is suggesting are very expensive, but would affect only small sums. Judicial review in such cases would, frankly, be preposterous.

Mr. Macdonald: The point that I was about to make is that there are other forms of protection. Nevertheless, it is important to note that common law protection is available—as is the possibility of judicial review, which is an important but not the only safeguard. It would also be open to the person, or to someone on his or her behalf, to ask the Mental Welfare Commission to investigate any suggestion of impropriety, or other shortcomings, in the handling of the person's property.

I assure hon. Members that the commission has wide-ranging powers to investigate complaints, which can come from any person—including, of course, relatives. I therefore do not think that new clause 4 is necessary. There are already sufficient powers, both at common law and—in the 1984 Act—in the Mental Welfare Commission's powers, to ensure that a person's property being managed by the hospital is adequately protected. With that assurance, I hope that hon. Members will not press new clause 4 to a Division.

We believe that amendment No. 2 is also unnecessary. As has been made clear in the Scottish Parliament—and mentioned in this debate by the hon. Member for New Forest, West (Mr. Swayne)—it is proposed to introduce, in the autumn, an incapable adults Bill that will provide for a comprehensive new system for dealing with the finances of incapable adults. It is envisaged that the Bill—subject, of course, to the wishes of the Scottish Parliament—would be enacted and operational well within five years. In that case, hospital managers' responsibility for persons who leave hospital to live in the community should essentially cease—so that amendment No. 2 would have no practical effect. I therefore hope that hon. Members will also be persuaded not to press that amendment.

As for amendment No. 1, section 94 of the 1984 Act already requires the medical officer responsible for the patient's treatment to state that that person is incapable of managing his affairs. The section also makes it clear that, when a curator bonis is appointed, hospital managers' responsibility ceases. In the course of the regular medical assessments that a patient in hospital will receive, the doctor will normally determine whether the patient remains incapable of managing his or her affairs. When capacity has been regained, clearly, the responsibility of the hospital manager will terminate. The same applies to patients living in the community.

I recognise, however, the importance of regular medical reviews—which is perhaps the underlying point of the amendment. It is therefore proposed that—in a guidance circular to hospital managers and other interested parties that will follow the Bill's enactment—stress will be placed on the importance of conducting regular assessments of the person's condition, whether in hospital or the community, to determine the person's capacity or otherwise to manage his or her own affairs.

It would also be open to any person at any time—as the amendment envisages—to request that a patient's condition be reviewed. That point will be covered in the proposed circular, to ensure that hospital managers are clear that, when an approach is made on behalf of a person in that regard, it is duly honoured in exactly the way intended by the amendment.

In addition, good practice guidance, which the Scottish Executive plans to issue in the near future on the management of incapacitated patients' funds, will stress the importance of regular checks on patients' capacity, whether in hospital or in the community. With that assurance that the point will be incorporated in circulars and guidance, I hope that hon. Members will not press that amendment to a vote, either.

I do not think that amendment No. 5 would be helpful. The right hon. Member for Penrith and The Border (Mr. Maclean) said that it was intended as a probing amendment to discover the meaning of the terminology. One of the chief merits of the Bill is its simplicity and the neat solution that it proposes to a pressing problem: the current legal impediment that prevents hospital managers from releasing funds when a patient leaves hospital. We need to retain the general thrust of section 94 of the 1984 Act, which this Bill amends. Section 94 refers specifically to money and valuables. For the time being, there is no need to depart from that simple terminology, which allows hospital managers to adopt a flexible, common-sense approach to their responsibilities for the resources of persons in their care.

The Bill is already designed to deal with money and valuables held by hospital managers, or interest accruing on those. It is not envisaged that, after a patient goes back into the community, new money, for example from pensions, will be managed by the hospital manager. Arrangements for the new money will be made in the normal way. For example, the new carer or a Department of Social Security appointee will manage moneys received after the patient is discharged from hospital.

Before a patient goes back into the community, the hospital and social workers plan that discharge and make arrangements for the patient's welfare. Planning for management of the patient's income is part of that task. Arrangements are often made for pensions and similar regular payments to be paid to someone on the patient's behalf—generally a DSS appointee or some other appointed person.

[Mr. Macdonald]

Obviously, one would expect that, where a patient had a large financial portfolio, a curator bonis would be appointed, or other arrangements made, to look after such assets. There is, however, flexibility in the provisions for hospital managers to exercise discretion on the approach to those matters. It is important that that flexibility be allowed to continue.

If there is a case for change, we would all agree that it would be best dealt with within the larger canvas of the incapable adults Bill, which is being prepared for the Scottish Parliament. I therefore urge that the amendment be withdrawn.

I hope that none of the amendments will be pressed to a vote. Although they contain some good points, the Scottish Executive has given assurances that they will now be incorporated in new guidance.

Mr. Forth: May I express my gratitude and appreciation for the typically courteous manner in which the Minister has replied to the debate? He has dealt with the material seriously and has gone out of his way to deal with the matter fully and courteously, which is not always the case in Friday debates. I do not, therefore, want to be unhelpful.

I much appreciated the detailed reply that the Minister gave on new clause 1, as it reassured us that the worries that we expressed can be dealt with in a number of different ways, and not necessarily as described in the new clause. The hon. Gentleman went out of his way to identify how that could be done, which was reassuring.

I was worried about the Minister's response to new clause 4, until he reached his punch line. He spoke about resorting to the courts and judicial review, which most of us feel would not be of much use to the individuals in question.

When the Minister said that the commission could always hold an investigation, that must have reassured everyone other than members of the Law Society of Scotland, who must be worrying that we are trying to steer people away from Scottish lawyers; but that is their problem.

2 pm

I was slightly less happy with the Minister's response to amendment No. 2. He said that everything was to be reviewed and changed, so it would all be okay. He seemed almost to be giving a commitment on behalf of a completely different institution. I do not know whether he feels that he can speak on behalf of Members of the Scottish Parliament, but as he has been so forthcoming, I am willing to accept his reassurances in good faith. He has good contacts with MSPs and I am sure that he exercises some influence over them, so on this occasion we can accept that the matter will be dealt with, as it now properly should be, north of the border.

The Minister went even further on amendment No. 1 and said specifically that a circular of guidance would be issued that reflects the anxieties expressed today and puts in place the mechanisms that our new clauses and amendments were designed to achieve. As a result of what he has said, of his courtesy and of his having taken such trouble to deal with these matters, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

PROPERTY OF FORMER PATIENTS

Mr. Maclean: I beg to move amendment No. 3, in page 1, leave out lines 9 to 11 and insert—

'(a) hold, and receive interest accruing thereon, money, other financial assets and investments, and valuables on behalf of a person in pursuance of subsection (1) of this section, and'.

Mr. Deputy Speaker (Mr. Michael Lord): With this, it will be convenient to discuss amendment No. 4, in page 1, line 16, at end insert—

'(3B) If the value of other financial assets and investments and valuables held by the managers of a hospital under the provisions of subsection (3A) of this section exceeds £5,000 then the administration of the patient's financial portfolio shall be passed to an independent financial adviser or professional, or curator bonis appointed by the Mental Welfare Commission for Scotland.'.

Mr. Maclean: I apologise to the House, as it was remiss of me not to mention the hon. Member for Midlothian (Mr. Clarke), the Bill's promoter, and the hon. Member for Paisley, North (Mrs. Adams), for whom I have the utmost respect. She is a very brave lady who has had a lot to put up with over the past few years. I congratulate her on piloting the Bill through today.

I hope that the Minister will be as courteous and as kind as he was in our previous discussion. He does not have a job in the Scottish Executive, but he will always be welcome in the House on a Friday, because of his demeanour and his approach.

Amendment No. 3 is designed to probe the definition of money that hospital managers may hold and expend on behalf of discharged patients. Following the terminology used in section 94, the Bill refers to hospital managers dealing with money or "valuables". "Valuables" would normally mean items such as a ring, watch or camera. That is what one feels the legislation means.

The amendment would add other assets and investments, to ensure that patients with holdings, however small, in forms other than cash or bank or building society accounts, do not fall outside the scope of the legislation. Those assets might not be "valuables" in the hospital administrator's sense of the term.

I accept that in practice there may be very few patients with such investments, but it is sensible to clarify the position. A patient could be left in a will a financial asset other than money deposited in a bank or building society. The amendment would allow such assets to be included in the property that can be administered by hospital managers. I suspect that the Minister may tell me that the definition of money would include those assets anyway, but it is better to be sure that such moneys are covered.

Amendment No. 4 is slightly different; its purpose is to ensure that if assets held by a discharged patient exceed £5,000 in value, the administration of the assets shall be carried out by a financial adviser or other suitable professional appointed by the Mental Welfare Commission for Scotland.

The amendment would guarantee that hospital managers did not become unduly burdened by having to administer assets of great value. There may be cases in which curators bonis deal with assets that are not of great monetary value, since it seems that they should be appointed to administer only those estates that are worth over £50,000. What about estates between £20,000 and £50,000?

I suggest that hospital managers should not have to administer any estate worth more than £5,000. I hope that if the Minister does not like that idea, at least my hon. Friend the Member for New Forest, West (Mr. Swayne) will, because he cannot complain that I am trying to put an undue burden on hospital managers. My amendment suggests that some other suitably qualified professional should be appointed.

That would also be in the best interests of patients. If assets are of considerable value, the ways in which they are invested can have a material effect on the financial returns that they earn. It is the job of a financial manager in a hospital to manage small sums and ensure that they are in a building society account earning whatever interest is available at the time. Someone with larger assets should have a more qualified professional, such as an investment manager appointed by the Mental Welfare Commission for Scotland, to ensure that those assets are deposited in the right sort of accounts, or used to acquire the right sort of bonds, stocks and shares, and trust funds, to give the best possible return. It is not a hospital manager's job to make such decisions.

My amendment would pass such responsibility to an independent professional appointed by the Mental Welfare Commission for Scotland. I chose the trigger value of £5,000 because if an incapax patient in hospital has more assets than that, the managers must obtain the consent of the commission before they can administer the funds. Scottish law already recognises that if hospital managers are investing funds of more than £5,000, they have to consult the commission as an appeal or regulatory body. I suggest that such matters should be taken out of the managers' hands and given to a financial adviser appointed by the commission.

In practice there may be very few such patients, and if the Minister tells me that the problem is already dealt with, or that there will be guidance, or that the problem will be dealt with in the new legislation now being designed in Scotland to cover mentally incapable adults, I should be happy to withdraw my amendment.

Mr. Macdonald: I hope that I can provide some of the reassurance that the right hon. Gentleman seeks. At present, section 94 of the 1984 Act, which applies to patients in hospital, provides for hospital managers to assume the management of money and valuables where no other arrangements have been made. Money and valuables are not defined; that is a benefit, and it works adequately to allow hospital managers the flexibility to do what is in the best interests of patients. Typically, money can include a variety of resources, including income from pensions, bank accounts and so on.

Amendment No. 4 would give the Mental Welfare Commission for Scotland the responsibility of appointing an independent financial adviser, other professional or curator bonis when a person discharged from hospital into the community has financial assets and valuables exceeding £5,000 in value.

At present, hospital managers require the consent of the Mental Welfare Commission to hold money or valuables on behalf of any person where the total value exceeds the sum determined by the First Minister. That sum currently stands at £5,000. There is already power under the Mental Health (Scotland) Act 1984 for the commission to appoint a curator bonis where no other suitable arrangements for the management of someone's resources have been made.

Amendment No. 4 would limit the very useful flexibility that the commission currently enjoys by requiring it to appoint a financial adviser or curator bonis in cases when it would still be perfectly acceptable for hospital managers to continue to look after a person's assets. It has been pointed out that administration of a person's assets can be expensive, and that the costs must be met from that person's resources. The judgment in each person's case is best left to the commission, as the people involved benefit from the flexibility that individual judgments provide. I hope that the right hon. Member for Penrith and The Border will accept that that flexibility protects the interests of the patient, and should therefore be retained.

Mr. Maclean: I listened carefully to the Minister. I am always worried that the Minister's fundamental courtesy will beguile me into accepting his point of view even though I profoundly disagree with him. I am grateful for his acknowledgement that the amendments are designed to improve the Bill.

I have no intention of pressing amendments that would remove flexibility. I accept the Minister's arguments about amendment No. 4. If I had drafted it differently, to include the hospital authority among the possible appointees of the commission, it might have been more acceptable. My naive intention, having read that the curator bonis can be quite an expensive option, was that appointing another financial adviser might be cheaper. Given that bank charges are rising inexorably, a banker or stock broker might levy even higher charges than a curator bonis.

I accept the Minister's warning that amendment No. 4 would reduce flexibility. I also accept his assurances, in connection with amendment No. 3, that the provision covering money and valuables is widely drafted and can include all sorts of valuables, over and above the few bits and bobs in people's handbags, suitcases or pockets when they go into hospital.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 2

CITATION, COMMENCEMENT AND EXTENT

Mr. Forth: I beg to move amendment No. 7, in page 1, line 19, leave out 'two' and insert 'six'.

I hope that we can deal with this matter quickly. It is familiar territory for the House to give some consideration to a Bill's commencement period. In this case, I believe that it may be sensible to allow a somewhat longer period of time than is usual for commencement, simply to ensure that the mechanisms that the Bill introduces are firmly in place before it takes effect.

Undue haste in implementing the Bill is the last thing that we want, given that we are dealing with such sensitive and important matters. I accept that this matter

[Mr. Forth]

involves a balance of judgment, but I thought it appropriate to facilitate a brief exchange on the commencement period to establish whether the Minister was completely satisfied that all the managers on whom responsibilities will be placed will have sufficient opportunity to put the required mechanisms in place.

That is the objective behind the amendment. It is an important detail, and one worth consideration even at this late stage in our proceedings. I hope that the Minister will reassure me that he is satisfied that those on whom the new responsibilities will fall will be ready for them within the relatively short commencement period specified in the Bill.

Mr. Swayne: I do not see any reason for this amendment. It should be rejected. No one could accuse us of giving this Bill peremptory treatment or implementing it too speedily. It is supported by 11 Scottish Members of Parliament, two of whom are also Members of the Scottish Parliament, which is in recess. Any reservation on their part would have been quite properly expressed.

It is quite appropriate for this House to proceed to enact the Bill without reference to any other Parliament or having to require authority from anywhere else. That is entirely within the spirit of the Scotland Act 1998. I do not believe for one moment that there is a Member of Parliament from Scotland in the House who would urge that we do anything other than reject the amendment.

2.15 pm

Mr. Macdonald: I hope that I can assure Members that two months is adequate time to gear up in the way that the right hon. Member for Bromley and Chislehurst (Mr. Forth) suggests. It is the normal amount of time, as hon. Members know. It will allow all necessary guidance to be issued to hospital managers, and allow them to make all necessary arrangements to implement the Act.

The reason for the Bill is that the pace of the on-going move of people from hospital into community care in Scotland is picking up. So, over coming months, significant numbers of people will be affected by the anomaly that the Bill addresses. For that reason, we would not wish to delay the Act's implementation beyond two months.

Mr. Forth: I am grateful to the Minister. I readily accept his balance of judgment that the urgency of dealing with the number of cases outweighs any possible reservations about the speed with which the measures in the Bill can be implemented. Given his reassurance and balance of judgment, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Order for Third Reading read.

2.17 pm

Mrs. Irene Adams (Paisley, North): I beg to move, That the Bill be now read the Third time.

We have reached the concluding stages of this Bill in its voyage through the House. On Second Reading, the winds were all favourable and excellent progress was made. In Committee, there was just a hint in the comments of the right hon. Member for Bromley and Chislehurst (Mr. Forth) that there could be some squalls ahead. Indeed, on Report earlier today, the winds blew rather strongly.

I thank the right hon. Gentleman and the right hon. Member for Penrith and The Border (Mr. Maclean) for their well-intentioned and well-drafted amendments and for graciously withdrawing them in the light of the comments of my hon. Friend the Under-Secretary of State for Scotland. I am glad to say that the Bill has emerged unscathed into what I hope can be calmer waters.

I again pay tribute to the skilful piloting of the Bill through its earlier stages by my hon. Friend the Member for Midlothian (Mr. Clarke). It is a great honour for me to assume the badge of temporary pilot during its remaining stages, but it is in my hon. Friend's direction that all the credit must go. We all wish him a speedy recovery.

This is not a large Bill. However, we know that good things often come in small packages and, despite its size, it has the potential to make a big difference to the lives of some of our most unfortunate and disadvantaged fellow citizens. It addresses the gap in the Mental Health (Scotland) Act 1984 which deprives a growing number of people of the benefits of their own funds when they leave hospital. Hon. Members on both sides of the House have warmly endorsed its passage so far. On behalf of my hon. Friend the Member for Midlothian, I seek their further support in giving the Bill a Third Reading.

I commend the Bill to the House.

2.20 pm

Mr. McLoughlin: The Opposition welcome the Bill and commend those who have introduced it. I join the hon. Member for Paisley, North (Mrs. Adams) in congratulating and wishing a speedy recovery to the hon. Member for Midlothian (Mr. Clarke).

The Bill is a classic example of a well thought out and sensible measure that commands support from both sides of the House, so it is properly suited to private Members' business. It has been carefully scrutinised as a result of the thoughtful amendments that have been tabled and considered this morning. The Bill, being so well drafted, survived that process exceptionally well.

By allowing hospital managers not only to receive money and valuables for a person who is liable to be detained and who is being treated in the hospital, but to continue to hold and spend such funds on such patients after they leave hospital, the Bill will ensure that such moneys can be used for their benefit and are not trapped when the patient starts to reside in the community. As care in the community is to be encouraged where feasible, it is obviously most desirable that this change should be implemented.

The Bill is also noteworthy because the House is legislating on a matter that became devolved to the Scottish Parliament on 1 July 1999—although the devolution rules did provide that legislation introduced before that date could complete its course through the Westminster Parliament. If there had been any resistance from the Scottish Parliament to our continuing to consider the measure, the official Opposition would have been reluctant to lend support to the Bill today. However, it is clear that MSPs of all parties, and the official bodies—

such as the Law Society of Scotland—that supported the Bill initially, all want the Bill to complete its passage through this place and remove from the Scottish Parliament the burden of passing identical legislation later.

The Bill therefore stands as an example of post-devolution co-operation between both Parliaments. That fact makes it doubly welcome, and we are happy to give it our support today.

2.22 pm

Mr. Macdonald: My hon. Friend the Member for Midlothian (Mr. Clarke), ably assisted by my hon. Friend the Member for Paisley, North (Mrs. Adams), has done an excellent job of steering the Bill safely to this point.

The Government have been delighted to support the Bill. It will make a welcome contribution to the welfare of a growing number of people who are unable, due to incapacity, to look after their own affairs after leaving hospital to live in the community. I am sure that my hon. Friend the Member for Midlothian will be able to look back with no little pride on this piece of legislation, which we have come to know as the Clarke Bill, and which I hope will shortly become the Clarke Act.

2.23 pm

Mr. Forth: I echo the words of my hon. Friend the Member for West Derbyshire (Mr. McLoughlin) when he pointed out that this, in many ways, is a model private Member's Bill. It is a brief Bill. It covers a specific point. As the Minister pointed out, it has a degree of urgency about it. It has passed through its successive stages in the House in a proper manner. It came high in the ballot. It received a Second Reading and was considered in Committee, and we have given it a thorough examination on Report.

The hon. Member for Paisley, North (Mrs. Adams) was kind enough to acknowledge that the amendments that I and my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) tabled were designed either to improve the Bill or to get from the Minister the reassurances that, happily, we have got. We have now found out that one of the results of that will be the issue of a circular of guidance, which, in the Minister's view, will strengthen the Bill's provisions. I agree with him. Therefore, the net result of our deliberations, today in particular, has been to strengthen the Bill—as the Minister and the hon. Lady were kind enough to acknowledge. All in all, we can feel satisfied that the proceedings of the House have been properly conducted and have been productive and a force for good. That is as it should be.

Most of the reservations that I had about the Bill, on which I reflected briefly in Committee, have now been put to one side. In cases such as this we always hope that any fears that we may have had will prove groundless; that the additional burdens, if I may put it that way, or obligations that are imposed by this type of legislation, however limited it may seem in scope, can be handled by those responsible; and that it will enhance and protect the well-being of the group at which the legislation is aimed. I believe that on balance that is the case. We have heard from the Law Society of Scotland and from other organisations that have been involved, and it would be appropriate to give the Bill our final approval. We should then keep more than half an eye on the indications that the Minister has given that matters will be carried forward in a Scottish context.

I am delighted to see that the Secretary of State for Scotland is on the Treasury Front Bench to keep a close eye on us and to perform the bridging function that he told us recently he will be performing between what we have done in this place as perhaps a last goodbye to Scottish legislative matters, and the Scottish Parliament. All in all, I think that the Bill will represent an improvement. The House can be happy with it.

2.26 pm

Mr. Maclean: I am pleased to add my congratulations to the hon. Member for Midlothian (Mr. Clarke) on his early piloting of the Bill through the House. I congratulate also the hon. Member for Paisley, North (Mrs. Adams), whom I have already commended for her courage in her constituency and for the skilful way in which she has piloted the Bill today. It is important particularly that I congratulate the Minister. He paid tribute to his hon. Friends and to my right hon. and hon. Friends and me for the quality of our amendments, which is rather flattering. He was either making that up or it was in his notes from his officials, in which case I am glad that we were able to impress Scottish Office officials with the quality of our drafting.

Some of our amendments were designed as probing amendments, but I would genuinely have wished to see others of them inserted in the Bill. Given the Minister's assurances that matters were already in hand or that the matters we were raising were already covered somewhere in the Bill, or that he would take up our suggestions and issue guidance and codes of practice, for example, he persuaded us not to proceed with our amendments.

I hold out the Minister as an example to be followed by some other Ministers, perhaps from south of the border, who come to the House on Fridays and become rather impatient or intolerant when they do not get their Bills through in 10 minutes flat, without Members considering them in any detail. The Bills that have come before us today have been given proper consideration.

I hope that Labour Back-Bench Members will not get too annoyed with the rest of the Government when their precious Bills are ruthlessly destroyed by the Government in a few minutes' time. It is of great regret to me that we shall not be able to consider those matters properly, as we have considered the Bill. That is because the Government have given the poisoned chalice to those nice guys from the Government Whips Office, who have to kill off legislation that the Government find intolerable.

My right hon. and hon. Friends and I thought that the Bill was good and that is why we supported it. We thought that it could be improved slightly but we were willing to accept the guidance not only of the Minister, but of the Scottish Association for Mental Health, which welcomed the Bill. It said that it was

"a small improvement to an unacceptable situation."

It spoke of the need for safeguards, and I thought that it was worth while pursuing that point. However, I was happy to back down in the light of the Minister's assurances.

[Mr. Maclean]

The Law Society of Scotland is also in favour of the provisions of the Bill, stating that it will

"solve a problem that is affecting a substantial number of former hospital residents in Scotland."

The society has urged Members to support the Bill. The Mental Welfare Commission for Scotland also welcomes the Bill.

In these circumstances, I am happy to see the Bill pass into law. I congratulate all who have been associated with getting it this far. I hope that the measure is successful in Scotland in the coming months once it is legislation.

2.29 pm

Mrs. Irene Adams: We have had a short but interesting debate and there remains little to be said. However, I am grateful for the positive contributions that have been made, and it is good to see all Members on both sides of the House supporting the aims of the Bill.

Incapacity is no respecter of persons. It behoves us all to do everything in our power to improve the circumstances of those who sadly find themselves in that situation.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

FUR FARMING (PROHIBITION) BILL

As amended in the Standing Committee, further considered.

Clause 3

EFFECT OF FORFEITURE ORDERS

Amendment proposed [14 May]: No. 36, in page 2, line 20, at the end to insert the words—

'(c) in Northern Ireland, to the Crown Court'.—*(Mr. Forth.)*.

Question again proposed, That the amendment be made.

Mr. Deputy Speaker (Mr. Michael Lord): I remind the House that with this we are discussing the following amendments: No. 37, in clause 5, page 3, line 42, at end insert—

'(c) in the case of businesses or parts of businesses carried on solely or primarily in Northern Ireland, the Lands Tribunal for Northern Ireland.'.

No. 38, in clause 6, page 4, line 6, at end insert—

'(d) in relation to Northern Ireland, the Secretary of State'.

No. 35, in clause 7, page 4, line 13, leave out subsection (5).

Mr. David Maclean (Penrith and The Border): Mr. Deputy Speaker—

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed on Friday 5 November.

Remaining Private Members' Bills

REFERENDUMS BILL

Order read for resuming adjourned debate on new clause—(Commencement (No.2))—proposed [21 May] on further consideration of Bill, as amended in the Standing Committee.

Hon. Members: Object.

Debate further adjourned till Friday 5 November.

CROWN PREROGATIVES (PARLIAMENTARY CONTROL) BILL

Order for Second Reading read.—[Queen's consent, on behalf of the Crown, signified.]

Hon. Members: Object.

Mr. Deputy Speaker (Mr. Michael Lord): Second Reading what day? No day named.

TRANSPORT OF FARM ANIMALS BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

MILITARY ACTION AGAINST IRAQ (PARLIAMENTARY APPROVAL) BILL

Order for Second Reading read.

Mr. Deputy Speaker: As the Queen's consent has not been obtained, this cannot be dealt with. Second Reading what day? No day named.

SEA FISHERIES (SHELLFISH) (AMENDMENT) BILL [LORDS]

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

SEXUAL OFFENCES (ANONYMITY OF DEFENDANTS) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

RECYCLED CONTENT OF NEWSPRINT BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

COMPUTER MILLENNIUM NON-COMPLIANCE (CONTINGENCY PLANS) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

CANCER CARE BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

FUEL SAFETY BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

RECYCLING OF HOUSEHOLD WASTE BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 29 October.

POVERTY AND SOCIAL EXCLUSION (NATIONAL STRATEGY) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

CHEQUES (SCOTLAND) BILL

Order read for resuming adjourned debate on Second Reading [19 March].

Mr. Deputy Speaker: Not moved.

MOTOR ACCIDENT INJURY COMPENSATION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

BELLS ON PEDAL CYCLES BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

PREVENTION OF DELAY IN TRIALS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

DIGITAL TELEVISION BROADCASTING BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

MISUSE OF DRUGS (AMENDMENT) BILL

Order for Second Reading read.

Mr. Paul Flynn (Newport, West): Moved in the name of compassion and common sense.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

CONCESSIONARY TELEVISION LICENCES FOR PENSIONERS BILL

Order for Second Reading read.

Mr. David Winnick (Walsall, North): I beg to move, on behalf of all the pensioners in Britain.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

NUCLEAR SAFEGUARDS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

PRESCRIPTION CHARGES (HORMONE REPLACEMENT THERAPY) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. Clive Efford (Eltham): On behalf of the Member concerned, 5 November—if you can squeeze it in, Mr. Deputy Speaker.

Second Reading deferred till Friday 5 November.

RESTRAINING AND PROTECTION ORDERS BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

COUNTRY LANES AND VILLAGES BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 29 October.

BIRTHS AND DEATHS REGISTRATION (AMENDMENT) BILL [LORDS]

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

ENERGY CONSERVATION (HOUSING) BILL

Order read for resuming adjourned debate on Second Reading [30 April].

Hon. Members: Object.

Debate further adjourned till Friday 5 November.

ENERGY EFFICIENCY BILL

Order read for resuming adjourned debate on Second Reading [12 March].

Hon. Members: Object.

Debate further adjourned till Friday 5 November.

PENSIONS (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

WILDLIFE AND COUNTRYSIDE (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

REGULATIONS ON SMALL BUSINESSES (REDUCTION) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

HARE COURSING BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

AGE LIMITS ON HEALTH CARE BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

HEALTH CARE AND ENERGY EFFICIENCY BILL

Order read for resuming adjourned debate on Second Reading [23 April].

Hon. Members: Object.

Debate further adjourned till Friday 5 November.

ACCESS TO ENVIRONMENTAL INFORMATION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

PLANNING APPEALS BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

BUS FUEL DUTY (EXEMPTIONS) BILL

Order read for resuming adjourned debate on Second Reading [12 March].

Hon. Members: Object.

Mr. Deputy Speaker: Debate to be resumed what day? No day named.

PUBLIC HOUSE NAMES BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

EUROPEAN PARLIAMENTARY ELECTIONS (GIBRALTAR) BILL [LORDS]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

ROAD TRAFFIC REGULATION (CYCLE PARKING) BILL [LORDS]

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

WAITING TIMES (NATIONAL HEALTH SERVICE) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

STREETWORKS BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

ROYAL PARKS (TRADING) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 29 October.

HOUSE OF COMMONS DISQUALIFICATION (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

PARLIAMENTARY CONTROL OF THE EXECUTIVE BILL

Order for Second Reading read.—[Queen's consent, on behalf of the Crown, signified.]

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

GENETICALLY MODIFIED FOOD AND PRODUCER LIABILITY BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

HOLOCAUST REMEMBRANCE DAY BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

EMPTY HOMES BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

ACADEMIC AND ACADEMIC-RELATED STAFF PAY AND CONDITIONS BILL [LORDS]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 29 October.

BROADCASTING (RELIGIOUS PROGRAMMING) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

CHILDREN'S RIGHTS COMMISSIONER BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading, what day? No day named.

ROAD TRAFFIC (ENFORCEMENT POWERS) BILL [LORDS]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 November.

EMPLOYMENT RIGHTS (INTERNATIONAL OBLIGATIONS) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

Mr. Clive Efford (Eltham): On a point of order, Mr. Deputy Speaker. Can you advise the House? A number of Bills have been moved by Members whose names do not appear alongside those Bills on the Order Paper. Have they checked with the appropriate Members whether they wanted those Bills to be moved this afternoon and did they have their permission to move them? Certain Members with Bills standing in their names were not present. If they have not said that they want other Members to move their Bills on their behalf, certain Members have been wasting the House's time.

Mr. Deputy Speaker: I have to tell the hon. Gentleman that the way in which we have proceeded is entirely in order.

BUSINESS OF THE HOUSE

Motion made, and Question proposed,

That, at the sitting on Monday 26th July, the Speaker shall not adjourn the House until any Message from the Lords shall have been received.—[*Mr. Hill.*]

Hon. Members: Object.

Mr. David Cunliffe

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Hill.]*

2.40 pm

Dr. Brian Iddon (Bolton, South-East): I regret to have to raise an individual case on the Floor of the House, but, as I shall reveal, there are lessons to be learned from it.

David Alan Cunliffe, the son of one of my constituents, died of an overdose of amphetamine on Wednesday 2 October 1996 in his flat in Higher Openshaw, Manchester, aged 29. He had lived there for two years. His correct name was known to his landlord and it was on a bottle of tablets and a probation service report found in the flat by the police. He was taken to the mortuary at Manchester royal infirmary, where a pathological examination was conducted and the cause of death established.

When the police searched David's flat, they could find no evidence that would lead them into direct contact with relatives. However, the probation service report, which was dated 11 July 1995, said that he had been involved with drugs and crime for a long time and that he was from the Bolton area. Significantly, the report also referred to the fact that he had suffered from mental illness and had been treated as an in-patient at Prestwich hospital.

David had long been involved with the police, in Bolton and in Manchester, and I have provided my hon. Friend the Minister with evidence that he was very well known to them, especially in Bolton. About three years before his death, he was arrested in Bolton and held at Bolton central police station in the cells, where a balloon containing illegal substances burst in his mouth, causing an overdose that resulted in collapse and transfer to what was then Bolton district hospital. His mother, who has lived in the same house in my constituency for the past 22 years, was contacted within two hours by the police.

Following David's death in Manchester, a police officer at Collyhurst police station contacted the Greater Manchester police press office on 10 October 1996 with a request to include the fatality on its press media line. Following that, the police received no inquiries. The police officer made no attempt to contact either the *Bolton Evening News* or the *Manchester Evening News* to establish whether they had carried the story. We have established that they did not.

As a result of complaints received from David's sister—Mrs. Rita Houghton, who is also one of my constituents—Greater Manchester police have changed their procedures. Officers are now asked to follow up press media line notices if they receive no inquiries and they specifically ask local newspapers to carry news of fatalities if they have not already done so in order that every effort is made to contact relatives. I am sure that my hon. Friend the Minister agrees that every police force should be rigorous in that respect and I hope that she will issue instructions following this sad episode.

David Cunliffe was buried at the expense of Manchester social services department on 4 December 1996 in a common grave in Gorton cemetery, where his body still lies in section L116. His relatives want the body to be exhumed and transferred to Bolton so that they can attend a proper funeral. The problem is that they cannot afford to exhume the body and transfer it to Bolton. Even worse, a second body has been buried in the common grave on top of that of David. We obtained the permission of my right hon. Friend the Home Secretary to exhume both bodies and permission was obtained from the relatives of the second person to disturb the grave. Unfortunately, our exhumation certificate expired on 7 May, although we can have it renewed.

I suggested to Greater Manchester police that they had made little attempt to locate David's relatives and that they should meet the cost of exhumation and reburial as a matter of good will, but they declined. It appears that they contacted local hospitals, but I am not sure which ones. They may have contacted Bolton district hospital, given the Bolton connection. They allege, however, that the hospital, or hospitals, would not reveal the addresses of David's relatives, on grounds of confidentiality, which apparently is preserved even following death.

I took the matter up with my right hon. Friend the Minister for Public Health, who confirmed that

"it would be in order for access to medical records to be refused where there was no consent from the next of kin".

In the same letter, however—dated 30 March this year—my right hon. Friend said:

"The Trust"—

Central Manchester Healthcare NHS trust—

"have confirmed that, where a patient dies in hospital and has no known next of kin, then the notes would be read and any names and addresses passed to the police to help them trace the next of kin".

Unfortunately, David did not die in Manchester royal infirmary.

The Greater Manchester police also claim to have contacted Bolton metropolitan borough council's housing department, the probation services and social services to make inquiries about relatives—surprisingly, without success. However, on or about 5 June 1997, an informal inquiry at Prestwich hospital revealed the address of David's mother, who was then informed by the police of his death, which had taken place nine months earlier. I remind my hon. Friend the Minister that Prestwich hospital was mentioned in the probation service report of 1995, which was found in David's flat on the day of his death.

At a recent meeting attended by the deputy chief constable of Greater Manchester police, I asked whether, if David Cunliffe had been found murdered rather than overdosed, the police would have been able to gain access to the addresses of relatives. After a pause, the police admitted that they had the ways and means so to do. Does my hon. Friend agree that hospitals need to be given clear guidelines if they are to help the police in all fatality cases, not merely murder cases?

Why does my hon. Friend think that Greater Manchester police appear not to have made inquiries of K division in Bolton, where David Cunliffe's criminal activities were well known? They have made the excuse that he used aliases, but I remind the House that the probation service report and the bottle of tablets found in David's flat were in his correct name. The landlord had also been given his correct name. There seems to have been a lack of care on the part of the police, but I cannot get them to accept that.

I remind my hon. Friend also that the police have changed their procedures following complaints from the family. I cannot believe that Greater Manchester police,

[Dr. Brian Iddon]

with all their training and resources, could not have found David Cunliffe's relatives and saved his family all that anguish if they had tried just that little bit harder.

At the meeting that I held with Great Manchester police, they claimed that the Data Protection Acts had made their inquiries more difficult in cases such as this, because they are not allowed to keep what they describe as "dangerous information" in computer files, however useful it might be to their present work or their future activities. It was suggested that a lot of useful information had been weeded out since the setting up of computer databases throughout the police force.

I have also corresponded with Councillor Stephen Murphy, the chairman of the Greater Manchester police authority, and Councillor Frank White, a former Member of Parliament who is now Bolton metropolitan borough's representative on the police committee. Both have been extremely helpful. They feel, as I do, that David's family have suffered unnecessarily and should be given as much help as possible at this stage for compassionate reasons.

Let me now turn to the role of the coroner for the Manchester city district, who dealt with the case. By the time of the inquest, relatives had been contacted. In a letter to me dated 19 May this year, the coroner admitted that he knew that a brother had been in court. In fact, David's brother and two sisters were in court on that day. The coroner also knew that Manchester's social services department had been involved with the burial, but he did not establish the reasons for that.

Manchester contains numerous people with no fixed abode, whose families are not local and who have very few belongings, which, when searched, give no information about relatives. In some cases, even when relatives can be contacted, some cannot, or will not bury their relatives' bodies. The cost then falls on the Manchester social services department.

Following my approach to the coroner about David Cunliffe's death, he has informed his staff that, when told that social services are involved in a case, they should ask the reasons why. If the answer is because relatives cannot be found, in future further questions will be asked. The fatality has caused the coroner to change his procedures, too.

The coroner has informed me that, at the time of David's death, there was a designated coroners officer who, if he had been approached in such a case, would have made appropriate investigations to trace relatives, or to ensure that the police made every effort to do so before releasing the body for burial. However, in the David Cunliffe case, the coroner does not know exactly what was done.

It is an extremely sad story. I am sure that many people like David Cunliffe die in similarly tragic circumstances without their relatives knowing. Somewhere, there are two of David Cunliffe's children from a former relationship. Surely, they have a right to know what happened to their father and where he is buried. His mother, brothers and sisters certainly have a right to know. Can it be that the lives of people who become the victims of the misuse of drugs are not regarded as quite as important as yours, Mr. Deputy Speaker, or mine? I hope that that is not the case.

The systems have failed the Cunliffe family. If only the police had been a bit more diligent; if only they had established better communications with the coroner's office; if only the coroner had asked the police some relevant questions; if only the references to Bolton and Prestwich hospital in the probation report that was found in David's flat had been followed up immediately; if only the national health service had been given clear guidelines about helping the police with inquiries arising from all fatalities, not just murders, David Alan Cunliffe might have been reunited with his family for a proper burial. Is it too late?

I do not attempt to apportion blame in what is a sad case. I raise the issue in the hope, first, that someone will help the Cunliffe family, even at this late stage, and, secondly, that the Minister will try to ensure that authorities throughout the country will learn something from the case.

2.52 pm

The Parliamentary Under-Secretary of State for the Home Department (Kate Hoey): I am grateful to my hon. Friend the Member for Bolton, South-East (Dr. Iddon) for clearly setting out the background to this tragic case and the lessons that he considers should be drawn from it. I welcome the consistent work that he has put into the case and his dealings with all the authorities—I would expect no less from him as a Member of Parliament.

No hon. Member can really understand the pain and distress that David Cunliffe's family felt on learning of David's death eight months after it occurred and of his burial in an unmarked grave. I share the concern that the relevant authorities should learn from the case, even though, as my hon. Friend has said, it is not necessarily possible to apportion blame for what occurred.

It is a painful but necessary task, which the police perform, to trace and notify the next of kin of the death of their loved ones. We might expect that to be a straightforward task in a modern age of instant communication and computer databases, but that underestimates the difficulties that can occur in some cases, particularly with those who have perhaps distanced themselves from family, who lived on what can be seen as the fringes of society.

As my hon. Friend has said, David Cunliffe was found dead at his home in Openshaw, where he lived alone, on 2 October 1996. As in all suspicious deaths, the Greater Manchester police conducted initial inquiries into the circumstances of his death, and reported the case to the coroner. The cause of death was established as a drugs overdose.

Greater Manchester police say that they were unable to identify Mr. Cunliffe's next of kin and extensive inquiries were, therefore, conducted to trace them. To clarify a point that was raised by my hon. Friend, those inquiries were carried out by the officer designated locally to liaise with the coroner's office on such cases.

The police say that the local health bodies were contacted for assistance, but that, in accordance with their confidentiality policy, they were unable to provide the information requested to the police. Social services and the probation service were also contacted, but they were unable to provide any information that would assist in locating the next of kin.

An appeal for relatives of the deceased to come forward was included on the Greater Manchester police media line, which is an information line accessed by the local media. Unfortunately, there is no obligation on the press to carry such appeals and, as my hon Friend noted, this particular appeal was not picked up by either the *Bolton Evening News* or the *Manchester Evening News* although it might have helped to lead police to Mr. Cunliffe's family.

The unsuccessful outcome of those inquiries was reported to the coroner, who authorised the release of Mr. Cunliffe's body for burial. This was carried out on 4 December 1996, just after two months after he had been found dead. As my hon. Friend has said, he was buried in a common grave in Gorton cemetery. The cost of burial was met by Manchester social services in the absence of the next of kin.

However, it was not the end of the matter for the police. A second officer continued to make inquiries to trace David Cunliffe's next of kin. In June 1997, I understand that informal contact between the officer and a local hospital led the police to identify the address of David's mother and the police were finally able to break the news to her of her son's death the previous October. It should be noted that there had not been any inquiries to the police regarding Mr. Cunliffe's whereabouts in the intervening period.

It is clearly regrettable that it took so long to trace Mr. Cunliffe's family, but that does not necessarily mean that the police were somehow at fault in the way they carried out this task. Nor would I accept that the circumstances of Mr. Cunliffe's death meant that the police were not as rigorous as they should have been in this case. I remind my hon. Friend that police inquiries continued until Mr. Cunliffe's next of kin had been traced and informed of his death.

The actions and decisions taken by police officers in the course of their duties are an operational matter for the chief officer of the police force concerned. Following representations from the family, I understand that Greater Manchester police carried out an internal review of the case. It confirmed that the officers involved had followed normal police procedures in the attempt to trace Mr. Cunliffe's next of kin. As I have said, inquiries had been made of relevant local authorities and agencies, but without success. As part of their review, the police approached these authorities and agencies again to ask for the same details of next of kin. The review team received the same response as the original officers and concluded that there was no reason to criticise the officers involved in the initial investigation.

The review, however, did identify a lack of knowledge about the operation of the force's media line, which had been used in the unsuccessful attempt to place an appeal for information in the local press. Recommendations were made to improve awareness of the way the line operated and, as my hon. Friend indicated, police officers are now meant to follow up appeals on the media line if no response is received and, if necessary, specifically ask the local press to cover particular appeals.

The police were unable to obtain details of Mr. Cunliffe's next of kin when they initially approached local hospitals because of the confidentiality policy operated there. Decisions on disclosure are a matter for the NHS trust or other body which is being asked to disclose, so it would not be appropriate for me to comment on the decision taken by those bodies. However, as my hon. Friend said, there are discussions on that.

In March 1996 the Department of Health issued guidance to the national health service on the protection and use of patient information. The guidance explains that personal information is protected by common law, the Data Protection Acts and the ethical responsibilities of health professionals. In general, any information given or received in confidence for one purpose may not be used for another or passed to anyone else without the consent of the provider of the information. That is unlikely to have been a problem as, on an earlier occasion, as my hon. Friend indicated, Mr. Cunliffe was admitted to hospital after a balloon containing drugs burst in his mouth and the police were able to contact his mother within two hours.

The duty of confidence continues to apply even after a patient's death. The Department of Health guidance makes it clear, however, that the duty is not absolute and it may give way to an overriding public interest. Further, although the guidance recognises that the duty of confidence may continue after death, disclosure in the public interest should be easier to justify in such circumstances. However, the responsibility for deciding whether to allow disclosure rests with the NHS body concerned, based on the circumstances of the request.

As my hon. Friend said, the Department of Health is aware of the need to raise awareness of protocols for information sharing between NHS and non-NHS bodies, and of the need to ensure that confidentiality requirements do not become a bar to the legitimate flow of information. All NHS organisations were asked to have in place, by April 1999, "guardians" of patient confidentiality to help improve the way in which the NHS handles confidential patient information. One of the guardians' responsibilities will be to oversee the development of information-sharing protocols and ensure effective liaison with non-NHS partner organisations. Each organisation's performance will be monitored by the Department of Health, and I hope that that will lead to more effective co-operation with the police service.

My hon. Friend has also mentioned the role of the coroner in this sad case. As he will know, it is not a function of the coroner to identify the relatives of those whose deaths are reported to him for investigation. However, as part of a coroner's inquiries, it will usually be necessary to make contact with the immediate family in case they are able to shed any light on the circumstances of the death, and so that they may, if they wish, exercise their rights in relation to any post mortem examination or at the inquest.

It is also a matter for the coroner to decide when and to whom he should release the body for burial or cremation. The normal practice is to release the body at the earliest opportunity, and in advance of the substantive inquest hearing. The body will normally be released to the executors or family of the deceased.

In the great majority of cases, relatives can be located readily, but occasionally there can be difficulties, and in some cases there will be no relatives to find. It will be a matter for the coroner's judgment to decide how much effort should be devoted to such inquiries in the light of all the circumstances known to him. When there appears to be no one else to make the funeral arrangements, the coroner may release the body to the local authority. That is what happened in David Cunliffe's case.

[Kate Hoey]

The Home Office has not issued guidance to coroners on how to proceed in those circumstances. I note, however, that the Manchester city coroner has decided that, in future, if his staff are told that the local authority is making the funeral arrangements, action should be taken to determine whether further inquiries could be made to establish the whereabouts of any relatives. I am not sure how much more effective that may be than police inquiries, but it clearly makes sense to make every reasonable effort to find the family of the deceased. We therefore propose to consider the matter with coroners generally, to determine whether there are some helpful lessons to be learned.

All hon. Members will have sympathy with the family's concern to have David's body exhumed for a family burial in Bolton. As my hon. Friend mentioned, when the problem of the location of David Cunliffe's grave was brought to my Department's attention, we explained that a Home Office licence under section 25 of the Burial Act 1857 would be needed to remove the body for reburial elsewhere, but also that, as there was another body in the grave, the agreement of that person's next of kin would be required. With the assistance of the burial authorities at Gorton cemetery, the next of kin of the other deceased person was traced and consent was duly given. On 7 May 1998, Home Office licences were issued.

Although, as my hon. Friend pointed out, the validity of those licences has now expired, I assure him that there should be no difficulty in principle in reissuing the licences for a further period, provided that there has been no material change in circumstances. However, I should say that, out of consideration for the other family involved, it might be best not to renew the application until there is some certainty that the exhumations can proceed.

My hon. Friend has suggested that Greater Manchester police should meet the costs of exhumation and reburial, presumably because of their failure to trace Mr. Cunliffe's next of kin at the time of his death. Although the force is sympathetic to the family's predicament, for the reasons I have explained, the force cannot accept that it was responsible for the delay that occurred, and therefore cannot agree to cover the costs involved in Mr. Cunliffe's exhumation and reburial. That is the decision of the chief constable, and there is no discretion for me to intervene in the matter.

The House will recognise that there are circumstances in which it is appropriate for public funds to be used to provide a proper burial. That was clearly the case when, in the absence of the next of kin, the costs of the original burial were met by Manchester social services. It may be appropriate for the family to approach the social services department again, if there is a difficulty in finding the cost of reburial.

I understand how strongly my hon. Friend feels on this matter and I thank him for raising the case in the House today. We all have immense sympathy for Mr. Cunliffe's family and are concerned that it was not possible for the police to contact his parents earlier with the sad news of their son's death.

I hope that I have shown that the police do take seriously their responsibilities in this regard and that considerable efforts were made to trace Mr. Cunliffe's next of kin, eventually with success. For that reason, the chief constable is not prepared to meet the costs of exhumation and reburial, although my Department will look favourably on any application from the family to renew the licences.

My hon. Friend has made a number of important points about the police service, the coroners and other agencies, and how they could improve their procedures for dealing with such cases. I am pleased that, as he said, certain improvements have already been made. We can always look for new ways of ensuring that the co-operation between agencies makes a real difference in particular circumstances. I encourage the police, in particular, to continue to look for ways in which to apply the lessons learned from this and similar cases to improve the service that they provide.

I hope that my hon. Friend will find some comfort from what has been said in this short debate, and that Mr. Cunliffe's family will realise that his case has been discussed at the most senior levels of Government.

Question put and agreed to.

Adjourned accordingly at six minutes past Three o'clock.

Written Answers to Questions

Monday 12 July 1999

ATTORNEY-GENERAL

War Crimes Prosecution

Mr. Ivan Lewis: To ask the Attorney-General if he will make a statement on the consideration by the CPS of the case for the prosecution of an individual whose name has been sent to him under the War Crimes Act 1991. [90450]

The Attorney-General: I am aware that the Crown Prosecution Service (CPS) is currently considering an allegation against an individual under the War Crimes Act 1991. The CPS is at an advanced stage in its consideration of the case.

Correspondence

Mr. Burns: To ask the Attorney-General what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within, *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90147]

The Attorney-General: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against targets set for answering correspondence from right hon. and hon. Members, in the 1998 calendar year.

The percentage of mail received in the last 12 months from right hon. and hon. Members which are replied to within the time scale specified could be provided only at disproportionate cost.

NORTHERN IRELAND

Stroke Units

Mr. Trimble: To ask the Secretary of State for Northern Ireland what are the age criteria for admission to specialised stroke units in each Southern Health and Social Services Board general hospital which has such a unit. [89949]

Mr. McFall: Adult patients from all age groups are admitted to Craigavon Area Hospital's stroke unit, which is located in Lurgan Hospital.

Mr. Trimble: To ask the Secretary of State for Northern Ireland which general hospitals sited within the boundaries of the Southern Health and Social Services Board *(a)* have specialised stroke units and *(b)* do not have specialised stroke units; which of the latter have plans to establish such units; and what are the target dates. [89947]

Mr. McFall: Craigavon Area Hospital has a specialised stroke unit which is located at Lurgan Hospital.

South Tyrone and Daisy Hill Hospitals do not have specialised stroke units. Following a review of hospital services for the elderly which is due to be completed in September 1999, it is anticipated that discussions will take place with South Tyrone and Daisy Hill about the establishment of additional specialised stroke services.

Mr. Trimble: To ask the Secretary of State for Northern Ireland to which units stroke clients *(a)* under 65 years of age and *(b)* 65 years of age and over, living within the boundaries of the Southern Health and Social Services Board, are sent if there is no stroke unit available at a Southern Health and Social Services Board general hospital. [89950]

Mr. McFall: Within the Southern Health and Social Services Board area, patients with a diagnosis of stroke are admitted to the specialty of general medicine at Craigavon Area Hospital, South Tyrone Hospital or Daisy Hill Hospital for full assessment, appropriate investigation and stabilisation of their condition. Rehabilitation is arranged when clinically indicated. This is usually undertaken by a geriatrician where a patient is over 65.

There is a dedicated stroke unit at Lurgan Hospital, which is part of the Craigavon Area Hospital Trust. Patients are transferred to the Unit, as appropriate, for a further period of rehabilitation. The stroke unit accepts adult patients from all age groups.

Mr. Trimble: To ask the Secretary of State for Northern Ireland if she will list the existing and planned specialised stroke units in Southern Health and Social Services Board general hospitals which are established to treat stroke clients in *(a)* the acute phase, *(b)* the rehabilitation phase and *(c)* both phases. [89948]

Mr. McFall: There is one specialised stroke unit in the Southern Area at present. This is located in Lurgan hospital, which is part of the Craigavon Area Hospital Trust.

The Southern Board is currently undertaking a review of hospital services for the elderly which is due to be completed in September. It is anticipated that this review will recommend that all acute hospitals in the Southern Board area should have dedicated stroke services to treat both the acute and rehabilitation phases.

Correspondence

Mr. Burns: To ask the Secretary of State for Northern Ireland what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by her within *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90159]

Mr. Paul Murphy: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members, in the 1998 calendar year.

The percentage of mail received in the last 12 months from right hon. and hon. Members which are replied to within the time scales specified could be provided only at disproportionate cost.

Prisoner Releases

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many *(a)* republican, *(b)* loyalist and *(c)* other prisoners have been released during each month under the terms of the Good Friday Agreement; how many are projected to be released up to September 2000; and how many eligible prisoners will remain in detention after that date. [89914]

Mr. Ingram: Table A lists the number of republican, loyalist and other prisoners who have been released during each month under the terms of the Good Friday Agreement.

Table A

	Republican	*Loyalist*	*Others*	*Total*
September 1998	28	33	1	62
October 1998	71	54	4	129
November 1998	12	8	2	22
December 1998	7	8	1	16
January 1999	2	6	0	8
February 1999	3	2	0	5
March 1999	7	4	0	11
April 1999	2	7	0	9
May 1999	2	3	1	6
June 1999	9	0	0	9
July 1999	0	0	0	0
Total	—	—	—	277

Table B shows that a total of 60 prisoners have been deemed to meet the requirements of the Northern Ireland (Sentences) Act 1998 by the Sentence Review Commission and have been given Substantive Determinations with release dates up to end September 2000:

Table B

	Number
Republican	29
Loyalist	30
Others	1
Total	60

The 1998 Act also provides that, if circumstances permit, prisoners with release dates falling after the second anniversary of the enactment of the Northern Ireland (Sentences) Act, who have served two years or more of their sentence, will be released on that anniversary. Table B does not include those prisoners with release dates beyond 30 September 2000.

As stated, the Act provides that a prisoner who has been granted a declaration shall not be permitted release before he has served two years of the sentence to which the declaration relates. A total of 4 prisoners who have been granted Substantive Determinations fall into this category. They will be required to remain in prison to serve two years of the sentence to which the declaration relates and in each case this will extend beyond September 2000.

The information provided for this written question is current at 1 July 1999.

Prison Officers

Mr. McNamara: To ask the Secretary of State for Northern Ireland what disciplinary sanctions have been imposed on prison officers following complaints of ill-treatment in each of the last five years. [89915]

Mr. Ingram: There has been no cases of disciplinary sanctions being taken against prison officers in Northern Ireland following complaints made by prisoners over the last five years.

Prisoners (Proscribed Organisations)

Mr. McNamara: To ask the Secretary of State for Northern Ireland what is the current prison population of members or associates of each specified and non-specified proscribed organisation. [89916]

Mr. Ingram: Information is held for management purposes in relation to the perceived paramilitary association of prisoners where applicable. It should be noted, however, that with the exception of HMP Maze where such links are more clearly defined, this information is based on a combination of factors including the offence, sympathies and associates. These figures do not include prisoners who are regarded as only having either Loyalist or Republican sympathies.

The most recent statistics for week commencing 5 July 1999 are as follows:

Specified	*UDA*	*UVF*	*LVF*	*UFF*	*RHC*	*PIRA*	*INLA*
HMP Maze	33	31	15	6	—	70	17
HMP Maghaberry	30	25	6	6	4	14	16
HMP Magilligan	14	7	—	1	—	6	4
YOC Hydebank	1	3	—	1	—	2	1
Total	78	66	21	14	4	92	38

Non-specified	*CIRA*
HMP Maze	—
HMP Maghaberry	4
HMP Magilligan	—
YOC Hydebank	1
Total	5

Chief Constable (Meetings)

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will list and state the duration of visits made and meetings attended by the RUC Chief Constable involving *(a)* community or other groups perceived to be of Nationalist or Catholic affiliation, *(b)* community or other groups perceived to be of Unionist or Protestant affiliation and *(c)* cross-community groups in the last year. [89917]

Mr. Ingram: Records of visits and meetings are not maintained in a way that would allow provision of the analysis requested. However, the Chief Constable of the Royal Ulster Constabulary has always made himself available to respond to invitations to visit and attend meetings with groups of all perceived affiliations in the Province. He is not influenced by whether this perceived affiliation might be Nationalist, Catholic, Unionist, Protestant, Cross-community or other.

PRIME MINISTER

EC Development Assistance Programmes

Mr. Bercow: To ask the Prime Minister if it is Government policy to restrict spending increases allotted to EC development assistance programmes; and if he will make a statement. [89735]

The Prime Minister: The Government seek to spend the United Kingdom's international development budget on those programmes which are most effective in contributing to the achievement of the international poverty eradication targets.

During negotiations for the period 1993–99, the previous administration agreed to increase the amount of money allocated to the EC's development programmes by 180 per cent. This increase means that the UK now channels 30 per cent. of its international development budget through the EC. Owing to concerns about the effectiveness and impact of the EC's development assistance programmes, the UK successfully sought to hold down the level of growth to 1 per cent. for international development expenditure in the negotiations for 2000–06.

At the end of last year, the Department for International Development published a strategy paper setting out detailed proposals for strengthening its collaboration with the EC to improve the poverty focus and effectiveness of its programmes. Copies were placed in the Library.

Business Men (Courtesy Calls)

Mr. Gummer: To ask the Prime Minister how many business men have paid individual courtesy calls on him at No. 10 Downing Street since he took office; how many were citizens of the United States; and how many had no business activities within the United Kingdom. [90364]

The Prime Minister: I frequently meet many people in the course of my duties and this properly includes business men from here and abroad. It is the job of the British Prime Minister to promote this country as a place to invest, boosting British jobs and prosperity. I have done this on many occasions and will continue to do so.

European Community Working Groups

Mr. Bercow: To ask the Prime Minister if he will list the Government department responsible for supplying the UK delegate to each European Community working group. [90436]

The Prime Minister: The UK's Permanent Representation is staffed by FCO officials and officials seconded to the FCO from various Whitehall Departments. UKREP staff report to the UK Permanent Representative and represent the Government as a whole. Seconded staff generally work in the Section which deals with the issues handled by their home department and attend the relevant working groups.

IRA Arms

Mr. Field: To ask the Prime Minister what is his estimate of the amount of arms possessed by the IRA. [90302]

The Prime Minister *[holding answer 8 July 1999]:* It is not possible to be specific in this matter. I can, however, say that substantial amounts of firearms, munitions and explosives are illegally held by various groups in Northern Ireland.

Foreign Media (Articles)

Sir Richard Body: To ask the Prime Minister if he will list those articles he has written in his official capacity for foreign newspapers and journals since 3 February. [90847]

The Prime Minister: I refer the hon. Member to the answer I gave to the right hon. Member for Penrith and The Border (Mr. Maclean) and the hon. Member for Buckingham (Mr. Bercow) on 26 April 1999, *Official Report*, columns *11–12*.

KLA Meeting

Sir Richard Body: To ask the Prime Minister if he will make a statement on the content of his discussions with KLA officials on 18 May; and if he will indicate who arranged the meeting. [90845]

The Prime Minister: The KLA briefed me on the situation on Kosovo and requested assistance for internally displaced people in Kosovo. I took the opportunity to call for unity among Kosovo Albanian groups. The meeting was arranged by the British Embassy in Tirana.

Ministerial Changes

Mr. Peter Bottomley: To ask the Prime Minister on what recent occasions he has stated that he had not started to consider the next round of ministerial changes; and if he will place transcripts of the relevant statements in the Library. [90750]

The Prime Minister: I was asked about this in an interview with the BBC R4 Today programme about Northern Ireland. I am placing a transcript of the relevant part in the Library.

Mr. Peter Bottomley: To ask the Prime Minister when his official spokesman briefed lobby journalists about his colleagues' prospects in the next round of ministerial changes; and when he was authorised to do so. [90749]

The Prime Minister: He has not done so.

Correspondence

Mr. Burns: To ask the Prime Minister what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90166]

The Prime Minister: Information is not recorded in the form requested. The majority of such correspondence is acknowledged as quickly as possible by my Office, and Ministers in the relevant Government Department are

asked to reply. However, my Office has undertaken a check of the letters to which I reply personally, and over the past two months I have replied to almost 60 per cent. of hon. Members within 20 days. I always endeavour to reply as quickly as possible to all my correspondence.

Government Annual Report

Mr. Chope: To ask the Prime Minister (1) how many copies of the Government's 1997–98 Annual report were published; and at what cost to public funds; [90959]

(2) if he will place in the Library a summary of the response and comments received on the Government's 1997–98 Annual report; [90960]

(3) how many responses he received to the invitation contained in the Government's 1997–98 Annual report for people to notify him of their priorities for the year ahead; [90961]

(4) what date he intends to publish the Government's Annual report 1998–99. [90969]

The Prime Minister: This year's Annual Report will be published towards the end of this month. A summary of the responses and comments received on last year's Report will be placed in the Library to coincide with this publication, together with the total number of such responses.

Last year, 20,000 copies of the report were produced. This number was determined by The Stationery Office in accordance with the normal procedures they undertake for establishing the required print run for Government documents. As was made public on the day of publication, the direct cost to public funds of preparing the Report for publication was £96,000.

No. 10 Downing Street (Charles Darwin Portrait)

Mr. Paul Marsden: To ask the Prime Minister if he will ensure that a portrait of Charles Darwin is displayed at No. 10 Downing Street. [90802]

The Prime Minister: The Government Art Collection (GAC) advise on the pictures to be hung in 10 Downing Street. The pictures are changed periodically as those loaned to the house are returned to the collection from which they have been drawn. I agree that Charles Darwin is a significant figure in British history and I will ask the Curator of the GAC to consider my hon. Friend's suggestion at an appropriate point.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Genetically Modified Crops

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions (1) what meetings he or his junior Ministers have had with *(a)* Friends of the Earth and *(b)* the National Farmers Union to discuss genetically modified crops; [88784]

(2) what plans *(a)* he and *(b)* his Ministerial colleagues have to meet representatives of Friends of the Earth; and when the next such meeting is due to take place. [89951]

Mr. Meale *[holding answer 28 June 1999]:* Ministers in this Department are in regular contact with representatives of those with an interest in biotechnology—including environmental groups, consumer groups and biotechnology companies. It is not the normal practice of Governments to give details of specific meetings with private individuals or companies.

Mr. McGrady: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the recent report entitled, Organic Farming and Gene Transfer from Genetically Modified Crops; and if he will make a statement [89151]

Mr. Meale: The report looked at organic farming and the issue of 'contamination' of organic crops and products by genetically modified (GM) crops. The issues raised by the report are ones not of safety but of consumer choice. No GM crops would be released into the environment if there were any reasons to believe that it would be harmful to human health or the environment. The recently published SCIMAC (Supply Chain Initiative on Modified Agricultural Crops) guidelines set out proposed separation distances between genetically modified and organic crops and SCIMAC has indicted that it is willing to review these in the light of experience.

Pesticide Use

Mr. Lansley: To ask the Secretary of State for the Environment, Transport and the Regions (1) what evaluation he has undertaken of the relative effectiveness of economic instruments and other measures designed to minimise pesticide use; [88844]

(2) if he will set out, for each pesticide or group of pesticides, the scientific basis which would underlie the introduction of additional financial or other measures designed to minimise their use; [88845]

(3) what compensation regime would apply to farmers and agricultural producers to reflect the adverse impact of a pesticide tax. [88846]

Mr. Meale: The Government have been considering the case for introducing a pesticide tax as part of its policy for minimising pesticide use. A research report, commissioned by the Department of the Environment, Transport and the Regions on the design and impact of a possible tax, was published on 24 March and views were invited on a number of issues raised in this report. The Government are currently considering the responses to the consultative exercise.

Parking Spaces (Double Yellow-lined Highway)

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions if he will issue guidance to councils on their obligations under section 143 of the Highway Code relating to designated parking spaces near a junction on double yellow-lined highway; and if he will make a statement. [88174]

Ms Glenda Jackson *[holding answer 28 June 1999]:* I assume my hon. Friend is referring to designated parking places near junctions. The Highway Code makes it clear in Rule 217 that motorists should not park within 10 metres (32 feet) of a junction, except in an authorised parking space. It is entirely a matter for the local authority

concerned to decide in the circumstances of each case whether it is safe to designate a parking space within 10 metres of a junction.

Coal-fired Power Stations (Emissions)

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the level of *(a)* carbon dioxide, *(b)* sulphur dioxide, *(c)* nitrogen oxide and *(d)* fine particulate emissions from coal-fired power stations for the latest year for which statistics are available; what percentage of the total of such emissions from United Kingdom power stations this represents; and what steps he will be taking to reduce those emissions. [89128]

Mr. Meale: The emissions from United Kingdom coal-fired power stations, set in the context of total power station emissions and total emissions are given in the table. The figures are taken from the National Atmospheric Emissions Inventory.

1997 emission estimates

	Carbon dioxide as carbon	*Nitrogen oxides*	*Sulphur dioxide*	*Fine particulate matter (PM10)*
Power station coal combustion (in kilotonnes)	26, 667	300	956	22
Percentage of total power station emissions	67	81	93	98
Percentage of total UK	18	16	58	12

Proposals for reducing emissions from English and Welsh power stations of sulphur dioxide, nitrogen oxides and fine particulate matter were contained in a consultative paper published by the Environment Agency in March 1999. The information relating to Scotland and Northern Ireland is a matter for my right hon. Friends the Secretaries of State for Scotland and for Northern Ireland. The European Commission has recently adopted a Proposal for a National Emission Ceilings Directive, which potentially implies further reductions in sulphur dioxide emissions beyond those already envisaged. The Government are considering their response to the Proposal.

Following the consultation on climate change, which ran from October 1998 to February 1999, we are now developing a draft UK climate change programme which we are aiming to publish later this year for further consultation. The draft programme will cover all sectors of the economy, including power generators.

Cabinet Joint Consultative Committee

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many meetings of the JCC he has attended. [89280]

Mr. Prescott: I refer my hon. Friend to the answer given by my right hon. Friend the Prime Minister on Monday 5 July 1999, *Official Report,* column *362.*

GM Food

Mr. Amess: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about the environmental implications of genetically modified food. [87938]

Mr. Meacher *[holding answer 1 July 1999]:* The purpose of the current EU and UK legislation is to prevent or minimise any damage to the environment which may arise from the escape or release of genetically modified organisms.

Each application for the release of genetically modified (GM) plants is supported by a risk assessment, which is evaluated by Government experts and independent scientists on the Advisory Committee on Releases to the Environment (ACRE). If there were any reason to believe that a release would be harmful to human health or the environment then it would not be allowed. The environmental assessments are available on the public register together with reports of monitoring carried out during and after the trial.

All GM crops intended for general cultivation must be covered by a valid Part C (marketing) consent issued under Council Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms. Under the Directive a consent will be issued only where the environmental risk assessment demonstrates that the marketing will not cause significant harm to human health or the environment.

The farmscale evaluations will allow the Government to study the effects on the environment of the larger scale growing of GM crops year by year. If trends are spotted about possible adverse effects, we will have a sound basis for following these observations up and taking precautionary action. The work will be reviewed each year and we will use this to decide how best to proceed with the managed development of GM crops in the UK. This approach ensures that large-scale plantings do not proceed until we have sufficient evidence that the particular GM crop does not harm the environment.

DETR carries out research on the environmental impact of GM crops. Two important recent reports are "Environmental Risks of Herbicide Tolerant Oilseed Rape" and "The Commercial use of Genetically Modified Crops in the United Kingdom: the Potential Wider Impact on Farmland Wildlife". Copies of both reports are in the Library.

Supermarket Land Sale (Leyton)

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions if the land at Leyton Yard was sold by his Department to Asda with extant planning permission for a supermarket and related developments; and if he will make a statement. [89562]

Ms Glenda Jackson: The land was sold with outline planning permission for mixed food and non food retail development and leisure facilities subject to a number of conditions contained in a Section 106 Planning

Agreement and other arrangements with the London Borough of Waltham Forest to provide community benefits and highway improvements.

Void Council Properties

Mr. Coleman: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of council-owned properties was declared as void by the housing departments in *(a)* the London Borough of Wandsworth, *(b)* the City of Westminster and *(c)* the London Borough of Hammersmith and Fulham for 1998; and if he will make a statement. [89469]

Mr. Raynsford: As reported by them on their respective Housing Investment Programme (HIP) Operational Information returns, 2.0 per cent. of council-owned properties were vacant in the London Borough of Wandsworth on 1 April 1998, 1.7 per cent. in the City of Westminster and 2.3 per cent. in Hammersmith and Fulham. There is likely to be some variation in the proportion of dwellings that are vacant in a local authority from one date to another during the year.

Rented Accommodation

Mr. Coleman: To ask the Secretary of State for the Environment, Transport and the Regions how many affordable homes to rent were developed in *(a)* the London Borough of Wandsworth, *(b)* the City of Westminster and *(c)* the London Borough of Hammersmith and Fulham in 1998; and if he will make a statement. [89468]

Mr. Raynsford: There were 266 additional rented social lettings provided in Hammersmith and Fulham in 1998–99 by registered social landlords, with support from the Housing Corporation's Approved Development Programme (ADP) and Local Authority Social Housing Grant (LASHG), 83 in Wandsworth and 196 in Westminster.

These additional social lettings come from new build, the purchase and rehabilitation of existing property and from empty properties brought into use for temporary social housing. The Approved Development Programme and LASHG also supports the provision of homes for shared ownership and incentive schemes which assist social tenants to move into home ownership and vacate their letting for others in housing need.

According to information provided to the Department by local authorities, there was no local authority new build in these boroughs during 1998–99 (other than any provided through LASHG).

Birds

Mr. Randall: To ask the Secretary of State for the Environment, Transport and the Regions how many special protection areas designated under the European Council Directive 79/409/EEC on the conservation of wild birds are subject to wildfowling; and what proportion of the total area so designated this constitutes. [89392]

Mr. Meale: I regret the information sought is not available. JNCC and the country agencies do not routinely gather statistical information on wildfowling activities at a national level. Wildfowling activities allowed under the Wildlife and Countryside Act 1981 take place on many coastal and other SPAs. These activities may be subject to certain management restrictions within those SPAs.

Driver Vehicle Licensing Agency

Mr. Gerrard: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the performance of the Driver and Vehicle Licensing Agency in meeting its targets over the past 12 months for the issue of driving licences. [90062]

Ms Glenda Jackson: The Secretary of State's key targets for DVLA in 1998–99 were announced on 29 April 1999, *Official Report*, columns *223–25*, and published in DVLA's 1998–99 Business Plan. There were four targets relating to the issue of driving licences, all of which DVLA achieved.

Refrigerants

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions how many refrigeration units are operating in his Department's buildings. [89936]

Mr. Meale: The Department has 102 air conditioning units in buildings across its estate.

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of the refrigerators inside his Department use HFCs as their refrigerant. [89935]

Mr. Meale: Decisions on the purchase of refrigerators are for the Department's local property centres and details are not recorded centrally. My Department's practice is not to purchase refrigerators which use hydrofluorocarbons where suitable substitutes exist. For example, the specification for refrigerators in our new London headquarters buildings resulted in the use of the alternative refrigerant R600a.

Bypasses

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions (1) when construction work is scheduled to commence on the Lamberhurst Bypass in Kent; [90078]

(2) when detailed plans for the landscaping and design of the Lamberhurst Bypass will be published; [90079]

(3) on which dates the last traffic surveys were carried out at the western end of the Pembury bypass on the A21 in Kent; and when the Government plan to carry out the next traffic survey at the western end of the Pembury bypass on the A21 in Kent. [90080]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to the hon. Gentleman.

Letter from Peter Nutt to Mr. Archie Norman, dated 12 July 1999:

The Transport Minister, Glenda Jackson, has asked the Chief Executive, Lawrie Haynes, to answer your recent Parliamentary Questions about the A21 Lamberhurst Bypass and traffic surveys at the western end of the A21 Pembury Bypass. I am replying in Lawrie's absence from the office.

In December last year Lord Whitty announced that the design and build contract for Lamberhurst Bypass would be let in the financial year 2001/02. That is the earliest practicable date having regard to the available funding and allowing for the outstanding processes. Those processes include finalising the arrangements for consultancy advice to the Highways Agency on the scheme and acquiring the land needed.

Landscaping proposals for the Lamberhurst Bypass were included in the Environmental Statement published in 1992 and then examined at the public inquiry later that year. I am sending you separately appropriate material from that time. Detailed final design will be undertaken by the company who are awarded the contract to build the bypass, though they will be required to do this within the constraints of the Environmental Statement. Their detailed landscaping and design plans would be available for inspection at public exhibitions just before the start of works on site, and plans would be finalised in consultation with the affected landowners and other appropriate bodies. I will send you copies of these plans when available.

Turning to your request for traffic information at the western end of the Pembury Bypass, traffic data were collected only up to and including 1992 during the development of the A21 Tonbridge to Pembury dualling scheme. However, traffic surveys are to be included in a study of the operational performance of the roundabout at the western end of the Pembury Bypass which we hope to be carried out towards the end of this financial year. Following the results of the main roads review announced in 1998, this scheme is now to be considered by the Regional Planning Conference as part of the Access to Hastings multi-modal study.

Single Regeneration Budget

Lorna Fitzsimons: To ask the Secretary of State for the Environment, Transport and the Regions what work is being done to identify and promote best practice in community consultation by statutory bodies when making bids for Single Regeneration Budget funds. [90305]

Mr. Meale: The Government believe it is crucial to ensure the active participation of local communities in the regeneration of their areas. The Single Regeneration Budget (SRB) Round 5 Bidding Guidance issued in September 1998 indicated the need for local communities to be involved in both the preparation and implementation of bids. SRB final bids have now been received and indications are that bidders have indeed involved local communities.

My Department runs a programme of information exchange and dissemination to support regeneration partnerships in the management and delivery of their schemes. In particular, my Department has published a guide for practitioners "Involving Communities in Urban and Rural Regeneration" which provides advice to those responsible for regeneration activity at the local level on how to set about involving the community. We also work with other organisations to encourage the identification and promotion of good practice, and will be learning from any relevant lessons the New Deal for Communities programme throws up.

Lorna Fitzsimons: To ask the Secretary of State for the Environment, Transport and the Regions what plans there are to twin or place senior civil servants with areas that qualify for Single Regeneration Budget funds. [90314]

Mr. Meale: The Government's Policy Action Team on Learning Lessons is considering the scope for more secondments of civil servants to work in local authority or voluntary sector projects in poor neighbourhoods, which could include projects involving SRB funds. The team is reporting this month and we will give serious consideration to any recommendations they may make.

Private Landlords

Mr. Kemp: To ask the Secretary of State for the Environment, Transport and the Regions what plans the Government have to give local authorities additional powers to require private landlords to improve and renovate housing. [90274]

Mr. Raynsford: We intend to reform the housing fitness standard by introducing a risk-based rating system which will enable local authorities to target enforcement action against unfit privately rented housing more effectively. We also intend to introduce a national mandatory licensing system for houses in multiple occupation.

Sites of Special Scientific Interest

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to give greater protection to sites of special scientific interest; and if he will make a statement. [90176]

Mr. Meale: Our proposals for giving greater protection to sites of special scientific interest were set out in the Government consultation paper "Sites of Special Scientific Interest—Better Protection and Management" issued in September 1998. We have recognised the need to give thorough consideration to the most effective measures we can introduce, and will be announcing our conclusions shortly.

Special Conservation Areas

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the effectiveness of special areas of conservation; and if he will make a statement. [90178]

Mr. Meale: The Government have recently announced that a completed list of 340 wildlife sites nominated for special protection (cSACs) under the Habitats Directive has been submitted to the European Commission. The next stage is for the national lists to be discussed at a meeting of member states in the Atlantic biogeographic region in September. It is too early to make a full scientific assessment of how far the identification of these sites has contributed to the conservation of the habitat types and species concerned but they are given the highest priority for conservation action by English Nature. I am confident that this is a further step forward, reaffirming our determination to protect our own natural heritage and our commitment to European and international conservation initiatives.

Planning Inspectors

Mr. John M. Taylor: To ask the Secretary of State for the Environment, Transport and the Regions for what reasons the Planning Inspectorate's Guidance Notes for

Candidates, in respect of the recruitment of planning inspectors (1999–2000) precludes candidates from membership of the Freemasons. [90246]

Mr. Raynsford: Because membership of a secret society such as the Freemasons may be incompatible with the requirement that Planning Inspectors should be fair, open and impartial.

Bus Lane, New London Road

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions what assessments he has made of the impact which his Department's funding of a bus lane on the New London Road, Chelmsford will have on *(a)* motorists, *(b)* traffic on roads running off the New London Road and *(c)* the number of people using buses. [90145]

Ms Glenda Jackson *[holding answer 8 July 1999]:* My Department has funded a local transport package for Chelmsford which encourages improved public transport, in line with our policies for integrated transport. It is for Essex County Council as the local transport authority, to decide on the detailed implementation of that package and to monitor the results. As we made clear in "From Workhorse to Thoroughbred: A better role for bus travel", published in March, a well-conceived scheme for bus priority can produce a rapid pay-back in time savings and improved service reliability.

Portsmouth Millennium Tower

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the objectors to the Portsmouth Millennium Tower Transport and Works Act 1992 application; what discussions he has had with them; and on what grounds. [90418]

Ms Glenda Jackson: The outstanding objections to the Portsmouth Millennium Tower Transport and Works Act application are from Railtrack, the Portsmouth Society, the Gosport Society and three private individuals. Their objections concern the appropriateness of locating the [illegible]ed Tower in Portsmouth Harbour, the environmental [illegible]conomic impacts of the scheme, and the need to pr[illegible]ct the pier supporting Portsmouth Harbour railway station. No discussions have been held with the objectors.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions for what reasons he has postponed making a decision on whether to hold a public inquiry into the Transport and Works Act application for Portsmouth Millennium Tower. [90966]

Ms Glenda Jackson: The Secretary of State has deferred his decision on whether to hold a public inquiry into this application at the request of the applicants, Berkeley Festival Waterfront Company Ltd., who intend to submit some amendments to their scheme. An informed decision on the appropriate procedural route can best be taken after the details of the amendments are known and interested parties have had the opportunity to consider and comment on them. This would also help to avoid the risk of potentially abortive work being undertaken on the basis of the present proposals.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a decision on the Transport and Works Act application for the Portsmouth Millennium Tower before the planning application for the tower has been considered by the local planning authority; and if he will make a statement. [90965]

Ms Glenda Jackson: Where a Transport and Works Act (TWA) Order is applied for, the promoters may either ask the Secretary of State to grant deemed planning permission at the same time as making an Order, or they may (as in this case) apply separately to the local planning authority for planning permission. In the latter situation, the Secretary of State would not make a TWA Order unless the works the subject of that Order had received planning permission.

New Deal for Communities

Dr. Lynne Jones: To ask the Secretary of State for the Environment, Transport and the Regions if local authority district areas designated for New Deal for Communities in the first round will be considered for subsequent schemes. [90390]

Mr. Meale: We are currently considering the targeting of future rounds of the New Deal for Communities. We intend to announce the outcome after the summer recess.

Biosafety Protocol

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions (1) what proposals were promoted by the Government at the EU Environment Council on 24 and 25 June in respect of the Biosafety Protocol; [90519]

(2) what steps the Government took at the EU Environment Council on 24 and 25 June to oppose attempts to exclude or exempt any genetically-engineered organisms from labelling requirements under the Biosafety Protocol; [90520]

(3) if he will make a statement on the Government's policy on the resumption of the Biosafety Protocol negotiations, and on the position the Government advocated at the EU Environment Council on 24 and 25 June in respect of any such resumption. [90518]

Mr. Meacher: The Environment Council Meeting held on 24 and 25 June concluded that the Commission and the member states should make every effort to promote a successful completion to negotiations of the Biosafety Protocol with the aim of concluding negotiations by about the end of the year. The meeting agreed that, based on consultations held so far, there was no need to amend the elements which formed the compromise package tabled by the EU at the end of the Cartagena meeting, including proposals for documentation. The UK fully supported these conclusions.

Waterside Park Business Park

Mr. Bennett: To ask the Secretary of State for the Environment, Transport and the Regions (1) if a notice of date, time and place of the public inquiry into Waterside Park business park was published in local newspapers; [90546]

(2) if all those people who *(a)* objected to the proposal for the Waterside Park business park directly and *(b)* had their objections forwarded to him by the hon. Member

for Denton and Reddish and the right hon. Member for Manchester, Gorton (Mr. Kaufman), were notified of the inquiry and the pre-inquiry hearing. [90547]

Mr. Raynsford: Details of the public inquiry were not published in the local press. However, in the interest of natural justice the inquiry has been adjourned to allow all interested parties additional time to prepare and make their views known on this proposal. I will write to my hon. Friend when I have more details.

Seahorse-Exodus Incident

Mr. Bercow: To ask the Secretary of State for the Environment, Transport and the Regions for what reason the Marine Accident Investigation Branch report into the Seahorse-Exodus incident of March 1997 has not been published; and if he will make a statement. [90703]

Ms Glenda Jackson: This accident, which took place in Irish territorial waters, was investigated by both the Irish and UK governments working in full co-operation. The Irish authorities have completed their investigation and are preparing their report for publication. The UK's Marine Accident Investigation Branch conducted the investigation under their "Inspector's Investigation" procedure whereby the report is not formally published but is made available to involved and interested parties. The report was sent to the Irish authorities.

Local Government (Organisation and Standards) Bill

Ms Blears: To ask the Secretary of State for the Environment, Transport and the Regions how many replies were received in response to consultation on the draft Local Government (Organisation and Standards) Bill. [90973]

Ms Armstrong: Two hundred and eighty one written responses have been received to consultation on the draft Local Government (Organisation and Standards) Bill, published in the Paper "Local leadership, local choice". Of these, only one has asked to remain confidential. A list of the rest has today been placed in the Library of the House and full copies of these have been made available in my Department's library for public scrutiny. Copies of the responses have also been passed to the Joint Committee which is currently examining the draft Bill.

In addition, 2,351 pre-printed postcards were received as part of a campaign by Charter 88 calling for the use of proportional representation in local government elections. One of these has also been placed in my Department's library.

Trains (Bicycle Spaces)

Mr. Bradshaw: To ask the Secretary of State for the Environment, Transport and the Regions if he will discuss with the Office of Passenger Rail Franchising and South West Trains, how many bicycle spaces were available on each five car Wessex Electric train operated by South West Trains in *(a)* January 1998 and *(b)* May 1999; and if he will establish the reasons for the change in provision. [90841]

Ms Glenda Jackson: In January 1998 bicycles were carried in the Guard's Van on South West Trains' Wessex Electric five car units. The number of bicycles which could be accommodated was dependant on the other demands for this space. A rebuild of the stock which was completed in May 1999 resulted in the former Guard's Van being replaced by 16 extra seats and a new area created for luggage. This included a dedicated bicycle rack designed to hold five machines. The reason for this decision was that commuters on SWT continue to experience overcrowding on their commuting journeys to London—in 1998 there was a 9.8 per cent. increase in the number of passengers. The Franchising Director's latest figures for Passengers in Excess of Capacity (PIXC), issued on 29 March, show that SWT's PIXC count was 3.9 per cent. against a target figure for the combined peaks of 3 per cent. Consequently SWT were required to agree a remedial plan with OPRAF. The provision of the 16 extra seats and consequently change in the arrangements for the carriage of bicycles was agreed by OPRAF as one of the remedial measures.

Road Traffic Reduction

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the principal councils which have submitted a report to him under the Road Traffic Reduction Act 1997; if he will list *(a)* the reductions in the levels of local road traffic and *(b)* the reduction in the rate of growth in the levels of such traffic contained in these reports; and what assessment of the road traffic reduction potential described in these reports he has made. [90952]

Ms Glenda Jackson: Statutory reports under the provisions of the Road Traffic Reduction Act 1997 are to be submitted—other than those produced by London Boroughs—in July 2000, as part of the first round of full local transport plans (LTPs). In London, the statutory reports will be linked with the submission of local implementation plans by the Boroughs, taking account of the Mayor's transport strategy. Authorities should also be submitting non-statutory 'interim' road traffic reduction reports at the end of July 1999, as part of their provisional LTPs—or as part of interim transport plans (ITPs) in the case of London Boroughs.

Correspondence

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90165]

Mr. Meale: I refer the hon. Member to the answer given by my right hon. Friend, the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members, in the 1998 calendar year.

The percentage of mail received in the last 12 months from right hon. and hon. Members which are replied to within the time scales specified could be provided only at disproportionate cost.

South West Regional Development Agency

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions if he will place

in the Library a list of the regional stakeholders who were invited to nominate members for the South West Regional Development Agency. [90956]

Mr. Meale: The appointments to the Boards of the RDAs were announced by the Deputy Prime Minister on 14 December 1998. A table which lists the regional stakeholders who were invited to nominate members for the Board of the South West Regional Development Agency has been placed in the Library of the House.

My Department has recently initiated a fresh round of recruitment for appointments to the Boards. A table which lists the regional stakeholders in the South West who have been invited to offer nominations has also been placed in the Library of the House.

Candidates for the Boards of the RDAs have been sought from as wide a field as possible. In addition to seeking nominations from stakeholders we have advertised in the national, regional and ethnic press.

HFC Emissions

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate what percentage of emissions of HFC used as refrigerant gases come from systems used in *(a)* manufacturing industry, *(b)* commercial offices, *(c)* public sector offices and (d)(i) retail and (ii) domestic premises. [90958]

Mr. Meale: Data are not available for exactly these sectors, but the latest published data from 1995 show that in the UK the percentage of emissions of HFC gas in use as a refrigerant were as follows:

(a) 2.4 per cent. from manufacturing/industrial refrigeration

(d)(i) 73 per cent. from supermarket refrigeration

(d)(ii) 1.2 per cent. from domestic refrigeration.

Of the remaining emissions 6 per cent. are from small commercial sources, 1.2 per cent. are from cold water chillers (which may be found in any sector), 16 per cent. are from vehicle air conditioning and 1.2 per cent. are from refrigerated lorries.

Waste Incineration

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what research he has commissioned or evaluated on the chemical content of bottom ash from incinerators; if its use as road-making material complies with his Department's specifications; and if he will make a statement. [90356]

Ms Glenda Jackson: Research carried out in 1993 for the Department of Transport looked into the chemical content of bottom ash from the incineration of municipal waste and its possible use in road construction. This concluded that due to the high concentration of soluble metals (eg. lead, zinc and arsenic) and sulphates, incinerator wastes are not suitable for use in road works in their unbound state. In certain circumstances it was suitable when combined with cement.

The specification used by the Highways Agency currently permits incinerator bottom ash to be used for road maintenance and construction in cement bound, lower strength road materials. High strength concrete made with incinerated municipal waste, even when sintered with clay, has not proved to be of suitable quality for use in road pavements.

Research is continuing to extend the use of incinerator bottom ash in construction.

Mobile Phones (Car Drivers)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce legislation to ban the use of hand-held mobile phones by drivers of a vehicle which is in transit. [89234]

Ms Glenda Jackson: My noble Friend Lord Carter stated the Government's position in the Second Reading debate on Lord Davies of Oldham Private Peer's Bill to make it an offence to drive while using a hand-held mobile phone. We are not persuaded at the moment that specific legislation is desirable.

Existing road traffic legislation places the responsibility on drivers to have proper control of their vehicles at all times. Any motorist who fails to do so, for whatever reason, is liable to prosecution. Drivers may be charged with failing to exercise proper control of a vehicle, or either careless and inconsiderate driving or dangerous driving, if using a mobile phone causes them to drive in such a manner. The Association of Chief Police Officers considers that this existing legislation is sufficient for the police to deal with cases arising from the use of a mobile phone while driving.

We believe that we are best placed to concentrate our efforts on publicising the dangers of using a mobile phone while driving. A publicity campaign was mounted last year. If persuasion is unsuccessful, we would be prepared to consider legislation at some time in the future.

Conflict Resolution Techniques

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the techniques used to resolve conflict within his Department and the circumstances in which each is used. [90548]

Mr. Meale: The Department's Complaints and Grievances Procedures provide for the resolution of disputes through informal local discussion between the parties or through formal independent investigation. Disputes over appraisal assessments are settled through local discussions or a review by a senior officer. The industrial relations practices and procedures in the Department are designed to enable management and the Trades Unions to endeavour to resolve difficulties through consultation and negotiation.

Objective 1 Programme (South Yorkshire)

Mr. Healey: To ask the Secretary of State for the Environment, Transport and the Regions by what means the director of the dedicated executive that will manage the Objective 1 programme in South Yorkshire will be recruited. [90625]

Mr. Meale: The management arrangements for the Objective 1 programme in South Yorkshire are currently being discussed between the South Yorkshire partners and the Government Office for Yorkshire and the Humber. These discussions include the role and appointment of the director.

Road Accidents

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* pedestrians and *(b)* cyclists were (i) killed, (ii) seriously injured and (iii) slightly injured in road accidents in the last year for which figures are available; and how many were under the age of 18 years in each category. [90854]

Ms Glenda Jackson: The numbers of pedestrians and cyclists recorded as being killed, seriously injured and slightly injured in road accidents, and the numbers of those who were aged under 18 years, are shown in the table.

Road accident casualties by road user type, severity and age: GB 1998

Number of casualties

Severity of casualty	*Casualty type* *Pedestrian*	*Cyclist*
All ages		
Fatal	906	158
Serious	9,575	3,154
Slight	34,405	19,611
Total	44,886	22,923
Under 18		
Fatal	120	35
Serious	3,988	1,072
Slight	15,729	7,247
Total	19,837	8,354

Local Government Finance

Mr. Stevenson: To ask the Secretary of State for the Environment, Transport and the Regions what are the factors and indices used to determine the provision of area cost adjustment additions to standard spending assessments for local authorities. [90775]

Mr. Meale: The factors for the area cost adjustment are described in Annex D to the Local Government Finance Report (England) 1999–2000 (HC 143). The numeric values of the factors for each authority are set out in Annex H to that report.

Pesticide Tax

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish details of the models, proposed in the ECOTEC Research and Consulting Ltd. study commissioned by his Department on a pesticide tax, to examine the economic effects of a pesticide tax on *(a)* farm incomes and *(b)* farmers' behaviour. [90955]

Mr. Meale: The details of the models are set out in the Ecotec report which was published on 24 March.

HOUSE OF COMMONS

Television Licences

Mr. Peter Bradley: To ask the Chairman of the Administration Committee how many television sets there are in the Parliamentary Estate; and how many licences are held. [90639]

Mrs. Roe: There are approximately 1,600 television sets within the Parliamentary Estate; buildings used and occupied by Parliamentary or Government employees do not require a television licence for sets used for official purposes. Television sets used for leisure or recreational purposes need to be separately licensed and a multiple licence is held for this throughout the Parliamentary Estate.

Parliamentary Time

Mr. Gerald Howarth: To ask the President of the Council how much time has been devoted to debate on the floor of the House, excluding questions and statements, on the subjects of *(a)* education, *(b)* health and *(c)* age of consent, in the present session to date. [90784]

Mrs. Beckett: Although it is clearly difficult to decide in some cases whether a debate falls under a particular heading, I am advised that the figures are:

Health: 55 hours and 28 minutes

Education: 17 hours and 1 minute.

The Committee stage on the Floor of the House on clause 1 of the Sexual Offences (Amendment) Bill took 3 hours and 38 minutes.

PRESIDENT OF THE COUNCIL

Correspondence

Mr. Burns: To ask the President of the Council what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by her within *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90158]

Mrs. Beckett: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members in the 1998 calendar year.

The percentage of mail received in the last 12 months from right hon. and hon. Members which are replied to within the time scales specified could be provided only at disproportionate cost.

WALES

European Communities Working Groups

Mr. Bercow: To ask the Secretary of State for Wales if he will list the European Communities working groups which met over the last 12 months with a representative from his Department in attendance; if he will list the

number of times each met; if he will indicate the nature of the Government's representation; and if he will make a statement. [88471]

Mr. Michael: In common with some other Government departments the Welsh Office has signed a protocol with the EC under which UK Internal Audit units and the EC's Financial Control directorate co-ordinate audit work on EC structural funds. There is one annual plenary meeting with the EC's Financial Control directorate attended by the Head of Internal Audit of each relevant department, a representative of HM Treasury and a representative of the European Court of Auditors. The Welsh Office's Head of Internal Audit attended the meeting of March, 1999.

Correspondence

Mr. Burns: To ask the Secretary of State for Wales what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90148]

Mr. Michael: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members in the 1998 calendar year.

The percentage of mail received in the last 12 months from right hon. and hon. Members which are replied to within the time scales specified in his question could be provided only at disproportionate cost.

INTERNATIONAL DEVELOPMENT

Jordan

Mr. Austin: To ask the Secretary of State for International Development what is the current level in pounds sterling of United Kingdom bilateral aid to Jordan. [R] [90337]

Clare Short: Last year our programme to Jordan was about £3.5 million. This year we plan to spend up to £4 million.

UN Relief and Works Agency

Mr. Austin: To ask the Secretary of State for International Development what plans she has to increase funding to the United Nations Relief and Works Agency. [90343]

Mr. Foulkes: In 1998 we increased our contribution to United Nations Relief and Works Agency's (UNRWA) core budget by £1 million to £7 million, and in addition provided project funding and technical assistance of about £1 million. This year we plan similar levels of expenditure. We would be prepared to consider giving more if UNRWA implements measures to increase its efficiency and transparency.

Correspondence

Mr. Burns: To ask the Secretary of State for International Development what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by her within *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90160]

Clare Short: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members, in the 1998 calendar year.

The percentage of mail received in the last 12 months from right hon. and hon. Members which are replied to within the time scales specified could be provided only at disproportionate cost.

CULTURE, MEDIA AND SPORT

Ministerial Meeting

Mr. Matthew Taylor: To ask the Secretary of State for Culture, Media and Sport what was the purpose and location of the meeting between the Minister for the Arts and Mr. Ed McBride, of the US President's Committee on the Arts and Humanities on 25 February. [90426]

Mr. Alan Howarth: Mr. Ed McBride was a guest at a lunch organised and hosted by the British Council in Washington DC which I attended in order to develop an understanding of arts policy in the United States. I was particularly interested to learn about the President's Committee on the Arts and the Humanities' Coming up Taller awards, which seek to focus attention on how the arts can make a difference in the lives of children from disadvantaged backgrounds. My right hon. Friend the Secretary of State and I are committed to promoting access and educational opportunities in the arts precisely because we believe that the arts can make a difference in peoples' lives and can assist in the fight against social exclusion in this country.

National Collections Centre

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what funds have been provided for the National Collections Centre from *(a)* the Government, *(b)* the National Lottery and *(c)* private sources since its inception. [90616]

Mr. Alan Howarth: The Government have allocated £1.4 million over the next two years to the National Museum of Science and Industry, for purchase of the site for the National Collections Centre and its refurbishment.

A bid to the Heritage Lottery Fund is being considered. No private funding is currently involved.

National Foundation for Youth Music

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the number of children who will benefit directly from the National Foundation for Youth Music. [90612]

Mr. Alan Howarth: The National Foundation for Youth Music is an independent body, and is responsible for identifying its outreach without reference to Ministers. The Foundation's ultimate aim is to ensure that all

children have the opportunity to access music-making, particularly those who for geographical or other reasons are currently denied such access.

Tobacco Sponsorship

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what is the total amount of money raised in lieu of tobacco sponsorship to date by the Tobacco Sport Sponsorship Task Force. [90615]

Mr. Chris Smith: All sports will be given up to July 2003 to secure alternative sponsorship and those meeting the criteria for global sports will be allowed up to July 2006. My hon. Friend the Minister for Sport has maintained close contact with the seven sports seeking assistance from the Tobacco Task Force. All these sports have existing contracts running at least up to 2001 and until 2003 in most cases.

It is too soon to be looking to replace existing contracts and our help can most effectively be targeted in the 12 to 18 months before these lapse, which is the normal lead time for negotiating new sponsorships. In the meantime, the Task Force will be advising the sports on how they can reposition themselves in the market place and supporting them in building new commercial relationships which can be sustained. My hon. Friend the Minister for Sport has also recently had a very positive meeting with Richard Branson about possible help he can offer.

Departmental Website

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport how many hits his Department's website has received since 1 January. [90606]

Mr. Chris Smith: The Department for Culture, Media and Sport's website has received over 1.3 million hits since 1 January 1999.

"Our Healthier Nation"

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what *(a)* discussions and *(b)* meetings (i) he and (ii) the Minister for Sport had with the Secretary of State for Health regarding the White Paper, "Our Healthier Nation". [90614]

Mr. Chris Smith: Officials from both Departments met in advance of the publication of the Health White Paper to ensure full integration between "Our Healthier Nation" and my Department's forthcoming sports strategy. My hon. Friend the Minister for Sport will be meeting my hon. Friend the Minister for Public Health later this month to discuss opportunities for further collaborative work between our Departments.

Pirated Material

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the annual cost to the British *(a)* film and *(b)* music industries of the distribution and sale of pirated material; and if he will make a statement. [90844]

Mr. Chris Smith: The recent launch of the Alliance Against Counterfeiting and Piracy (AACP) highlighted figures estimating a loss of revenue in 1998 of: *(a)* £120 million for the UK video industry (British Video Association research); and, *(b)* £10 million for the UK music industry (British Phonographic Industry/British Association of Record Dealers research), due to counterfeiting and piracy.

The Government are committed to the fight against counterfeiting and piracy. We welcome the formation of the AACP. My Department is working closely with colleagues in the FCO and DTI, to improve enforcement and to raise awareness of the value of intellectual property, such as through the Intellectual Property Rights Group of the Government's Creative Industries Task Force, as well as to encourage similar high standards in other countries, through trade negotiations.

HEALTH

Cancer Treatment

Mr. Paul Marsden: To ask the Secretary of State for Health (1) how much was spent by the NHS on drugs for cancer treatment in each year since 1992; and if he will make a statement; [84243]

(2) if he will estimate the expenditure per head on oncology services (i) in total and (ii) by type of treatment in *(a)* the UK, *(b)* each EU country, *(c)* Canada, *(d)* the USA and *(e)* Japan in the latest year for which figures are available; and if he will make a statement; [84241]

(3) if he will list for each health authority the amount spent on *(a)* cancer treatment drugs, *(b)* radiography, *(c)* cancer surgery and *(d)* other cancer treatment for the last available year; and if he will make a statement; [84419]

(4) if he will list the total spending on oncology drugs for each year since 1992; and if he will make a statement; [86628]

(5) what studies his Department has undertaken into oncology drug funding by health authorities; and if he will make a statement; [86633]

(6) if he will list the per capita spending on oncology drugs for each health authority in each year since 1992; and if he will make a statement. [86627]

Mr. Hutton: Cancer services are estimated to account for 6.3 per cent. (£1,479 million) of National Health Service hospital expenditure in England. The estimated population for England in 1998 was 49.44 million. This suggests expenditure on cancer services of £30 per head of population in England. Information on the cost per head by type of treatment in the United Kingdom and comparable expenditure per head for other countries is not available.

Information on expenditure per head on oncology services, expenditure on cancer treatment drugs, radiotherapy, cancer surgery and other cancer treatments and details of per capita spending on oncology drugs for each health authority is not available. The Department has not undertaken any studies into oncology drug funding by health authorities.

Information collected by the Department shows the net ingredient cost of drugs used in the treatment of cancer and dispensed in the community in England since 1992. This is shown in the table.

Expenditure on cancer drugs in England since 1992–97

£ million

	Net ingredient cost
1992	42.2
1993	46.9
1994	56.4
1995	65.4
1996	76.5
1997	85.9

Notes:

1. Drugs used for the treatment of cancer are those described in the British National Formulary (September 1998 edition) sections 8.1, "Cytotoxic drugs", 8.2.4 "Interferons", 8.2.5 "aldesleukin" and 8.3 "sex hormones and hormone antagonists in malignant disease".

2. Some of these drugs may have been used to treat other conditions. It is not possible to separately identify those. In addition drugs other than those in the specified sections may have been used to treat cancer patients.

3. The data are from the Prescription Cost Analysis system and cover all prescriptions dispensed by community pharmacists and dispensing doctors in England. Information on drugs dispensed in hospitals is not available.

4. The net ingredient cost is the basic cost of a drug and does not take account of discounts, dispensing costs, fees or prescription charges income.

Northern Devon Healthcare Trust

Mr. Harvey: To ask the Secretary of State for Health (1) if he will review the clinical indicator data for Northern Devon Healthcare Trust for 1997–98; [88071]

(2) what assessment he has made regarding Northern Devon Healthcare Trust's clinical performance in relation to that of other trusts; [88072]

(3) if he will make a statement about the quality of discharge data for 1997–98 clinical indicators for Northern Devon Healthcare Trust. [88070]

Mr. Denham: The capture of data and information is highly complex, and this is the first time National Health Service clinical indicators have been published at trust level, supporting one of the Government's main commitments to modernise the NHS and to improve the quality of the services delivered by hospitals and community and primary care services. Some data from some trusts and health authorities were more robust than others.

It is every trust's responsibility to ensure data are sent and received in good order. The Department will be working with all trusts to review the quality of the data provided and to agree actions for continuing improvement. A toolkit is also being developed with a clear purpose to support the interpretation and use of the indicators.

We do not propose to re-publish 1997–98 data this year. However, the 1997–98 data tables will be re-published in 2000 as part of the 1998–99 clinical indicator set.

Palliative Care

Lorna Fitzsimons: To ask the Secretary of State for Health (1) if he will ensure that the new clinical guidance indicators cover palliative care in hospitals; [88668]

(2) what his Department is doing to ensure that hospitals fulfil their duty to ensure palliative care is delivered to a high quality in a hospital setting. [88665]

Mr. Hutton: In June 1998, the Department endorsed and distributed throughout the National Health Service, under Health Service Circular 1998/115, three documents of good practice in palliative care produced by the National Council for Hospice and Specialist Palliative Care Services, which were already widely used in the voluntary sector. One of these was "Palliative Care in the Hospital Setting", which describes key aspects of palliative care provision in the hospital setting.

The other two documents were "Guidelines for Managing Pain in Adults" and "Changing Gear—Guidelines for Managing the Last Days of Life in Adults".

The Department is currently working to develop national standards and performance indicators for cancer. This will include work on palliative care.

Cabinet Joint Consultative Committee

Mr. Gordon Prentice: To ask the Secretary of State for Health how many meetings of the JCC he has attended. [89275]

Ms Jowell: I refer my hon. Friend to the reply given by my right hon. Friend the Prime Minister on 5 July 1999, *Official Report*, column *362*.

Multiple Sclerosis

Mr. Amess: To ask the Secretary of State for Health if the guidance set out in EL 95/97 in respect of relapsing/remitting multiple sclerosis remains his Department's advice to health authorities. [89831]

Mr. Denham: Yes.

Orthopaedic Physiotherapy

Dr. Cable: To ask the Secretary of State for Health if he will list the average waiting period for orthopaedic physiotherapy by health authority in England. [89677]

Mr. Denham: Information on average waiting times for physiotherapy is not available centrally.

Drugs

Mr. Peter Bradley: To ask the Secretary of State for Health (1) what was the estimated additional cost to the NHS of the use of branded drugs to generic drugs on the NHS category D list for the periods *(a)* June 1998 and *(b)* June 1999, assuming average dispensing levels for such drugs; [90054]

(2) what was the cost differential between the branded and generic versions of the drugs which appeared in the most recent NHS category D list. [90053]

Mr. Denham: Generic drugs are included in Category D of Part VIII of the Drug Tariff when community pharmacies are having difficulty obtaining supplies at the Drug Tariff price. Inclusion in Category D means that the price reimbursed to the pharmacy will be either the Drug Tariff price or, if the prescription is appropriately endorsed, the list price of the supplier from whom the drug was purchased. In some cases it may be necessary for the pharmacy to purchase a branded equivalent. For

many of the drugs concerned there will be a wide range of suppliers—in some cases both branded and generic—and hence prices. This means that calculating the thousands of permutations of price differential between the various branded versions and their many generic equivalents could be done only at disproportionate cost.

Toxic Shock Syndrome

Mr. Llwyd: To ask the Secretary of State for Health what steps he has taken to raise public awareness of toxic shock syndrome; and if he will make a statement. [89966]

Mr. Hutton: The Department works closely with the Toxic Shock Syndrome Information Service (TSSIS) to raise awareness of Toxic Shock Syndrome (TSS) among young people. The TSSIS provide a wide range of factual materials to increase awareness of TSS among both the public and the health profession. Earlier this year a joint mailing initiative was undertaken between the Department and the TSSIS to inform all media doctors and agony aunts of TSS. A letter about the work of the TSSIS and an information pack was sent out free of charge to enable them to advise their readers on the condition. Research by TSSIS suggests that awareness of TSS among young people is high.

In addition, the Absorbent Hygiene Products Manufacturers Association's Voluntary Code of Practice ensures that clear warnings about TSS are printed on the outside of every pack of tampons, and a leaflet inside the pack gives advice about the safe use of tampons and what to do if suspected TSS symptoms are experienced.

Training Standards

Mr. Clifton-Brown: To ask the Secretary of State for Health what procedures exist for NHS hospitals to ensure that staff training standards are consistently reviewed; and what performance targets are set. [90361]

Mr. Denham: Decisions regarding the training of National Health Service staff are most effectively taken by local employers. Local training and development plans should reflect nationally recognised standards for training and development, like *Investors in People;* guidance issued by the Department, like *Modernising Health and Social Services: Developing the Workforce* published under Health Service Circular 1999/111, and standards set by the regulatory bodies.

Essential Car User Allowance

Mr. Edwards: To ask the Secretary of State for Health what plans he has for NHS community midwives to be entitled to essential user car allowance; and if he will make a statement. [90645]

Mr. Denham: National Health Service community midwives who are employed on national terms and conditions may be already entitled to a Regular User allowance of up to £760 per annum in accordance with Section 24 of the General Whitley Council Handbook, copies of which are available in the Library. NHS trusts are free to determine their own arrangements for staff on local contracts.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for Health how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91069]

Ms Jowell: I refer the hon. Member to the reply I gave him on 15 April 1999, *Official Report*, column *337*.

Correspondence

Mr. Burns: To ask the Secretary of State for Health what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within, *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90153]

Ms Jowell: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members, in the 1998 calender year.

The percentage of mail received in the last 12 months from right hon. and hon. Members which is replied to within the time scales specified could be provided only at disproportionate cost.

Mr. Jenkin: To ask the Secretary of State for Health (1) when he plans to respond to the letter of 24 May from the hon. Member for North Essex to the Prime Minister about cancer services in North Essex, which was referred to him by the Prime Minister's Office on 17 June; and if he will make a statement; [90544]

(2) when he plans to respond to the letters from the hon. Member for North Essex about cancer services in North Essex, dated 6 May; and if he will make a statement. [90543]

Ms Jowell: My noble Friend Baroness Hayman replied to the hon. Member on 9 July offering a meeting to discuss the services in North Essex.

NHS Direct

Mr. Chope: To ask the Secretary of State for Health how many calls were made to the NHS Direct phone line in each of the last 12 months for which figures are available. [90957]

Mr. Denham: The information on the number of calls to NHS Direct for each of the last 12 months is shown in the table.

Thousand

Month	*Calls*
1998	
June	5.6
July	6.8
August	7.1
September	6.3
October	6.6
November	6.8
December	10.2

Month	Thousand Calls
1999	
January	10.9
February	16.5
March	23.7
April	55.0
May	69.4

Source:
NHS Direct sites

Cancer (Waste Incineration)

Mr. Corbyn: To ask the Secretary of State for Health if he will publish the information held by his Department on the incidence of cancers amongst people living in areas surrounding waste incinerators; and what recommendations his Department has made on emissions from incineration. [90353]

Ms Jowell: The study of cancer incidence near municipal solid waste incinerators, which was funded by this and five other Government Departments, was published in the British Journal of Cancer in 1996 (Elliott P., Shaddick G., Kleinschmidt I., Jolley D., Walls P., Beresford J. and Grundy C. (1996). Cancer incidence near municipal solid waste incinerators in Great Britain. British Journal of Cancer, volume 73, pp 702–710). This study found no evidence of an excess incidence of most of the cancer types studied among populations living near incinerators, although an excess incidence of liver cancer was reported. Because of particular problems with the accurate diagnosis of liver cancer, the Department has funded a further study to review the diagnosis of the liver cancer cases found in this study. The results of this study will be published in due course.

The Department does not make specific recommendations on emissions from incineration. However, the Department works closely with the Department of the Environment, Transport and the Regions, which has lead policy responsibility for industrial emissions controls, and also with the Environment Agency, which has regulatory responsibility for Integrated Pollution Control.

Prodigy

Mr. Jim Cunningham: To ask the Secretary of State for Health what assessment he has made regarding the ability of Prodigy to deliver the latest practical clinical guidance. [90248]

Mr. Denham: The recommended treatments in Prodigy have been chosen on the basis of clinical effectiveness, safety and appropriateness, and take account of existing national or well-recognised guidelines, where these are appropriate to general medical practice. When new products are introduced, they are added to the Prodigy system if appropriate and as soon as is practical. The commissioning and maintenance of the Prodigy guidance will come under the overview of the National Institute for Clinical Excellence (NICE). Details of how NICE will take this forward will be published in due course.

Investing in Dentistry

Mrs. Dean: To ask the Secretary of State for Health how many dental practices in England have benefited from the Investing in Dentistry initiative. [90953]

Mr. Denham: The Investing in Dentistry initiative ended in April this year. 301 Investing in Dentistry funding requests have been approved, primarily to help towards the cost of opening of new dental practices, relocating practices to larger premises, and providing extra surgeries in areas where there have been problems of access to National Health Service dentistry. A number of applications are currently being assessed. The applications approved so far will provide over 700,000 patients with the opportunity to access NHS dental services.

Mrs. Ann Winterton: To ask the Secretary of State for Health, pursuant to his oral Statement of 6 July 1999, *Official Report*, columns 821–23, what plans he has to replace the Investing in Dentistry scheme. [90539]

Mr. Denham: We are currently reviewing possible options on how best to use the resources available to build on the success of the Investing in Dentistry initiative in improving access to National Health Service dental services. A dental strategy is due to be published later this year.

Fittleworth Medical Ltd.

Mr. Illsley: To ask the Secretary of State for Health if he will make a statement on the reasons why payments from the Barnsley Health Authority to Fittleworth Medical Ltd. were withheld on the advice of the Prescription Pricing Authority. [90808]

Mr. Denham: I understand that Barnsley Health Authority has not withheld payments from Fittleworth Medical Ltd.

Carers Grant

Mr. Oaten: To ask the Secretary of State for Health if he will list by authority the amounts awarded under the Carers Grant for 1999–2000. [90517]

Mr. Hutton: The Promoting Independence: Carers Special Grant Allocations 1999–2000 are set out in Annex A of Special Grant Report (No. 44), a copy of which was laid before the House of Commons on 23 March 1999. Copies of the report are available in the Library.

Waiting Lists (Suffolk)

Mr. Ruffley: To ask the Secretary of State for Health how many people were on the hospital waiting list for the Suffolk Health Authority area; and what was the average length of time spent on the waiting list *(a)* in May 1999 and *(b)* in May 1997. [90452]

Mr. Denham: The information available is given in the table.

Figures for May 1997 are not available as information was collected on a quarterly basis until April 1998.

Number of people waiting for elective admission in Suffolk Health Authority and the average waiting time in months

Date	Total waiting	Mean average waiting time to admission (months)
31 May 1999	15,750	4.11
30 June 1997	16,546	4.42

Source:
Department of Health

DEFENCE

Submarine Upgrade

Dan Norris: To ask the Secretary of State for Defence what plans he has to upgrade submarines, in addition to HMS Splendid, to carry Tomahawk missiles. [91153]

Mr. George Robertson: HMS Triumph will be upgraded to carry Tomahawk land attack missiles in autumn 1999, followed by HMS Trafalgar and HMS Spartan next year. Longer term plans are that the full fleet of 10 nuclear powered submarines will be upgraded to carry TLAM by 2008.

Gulf War (Post-traumatic Stress Disorder)

Mr. Malins: To ask the Secretary of State for Defence how many civilians were seconded to the armed forces during the Gulf Crisis; and, of those, how many are known to be suffering from post-traumatic stress disorder. [84952]

Mr. Doug Henderson *[pursuant to his reply, 8 June 1999, c. 209]:* I regret that some of the information in my answer was incorrect. The last sentence of my answer should have read:

"As at 26 May 1999, 14 civilian contractors who worked in the Gulf had been seen by MAP physicians. The total number of civilians seen by the MAP at that date was 77."

Depleted Uranium

Mr. Mackinlay: To ask the Secretary of State for Defence, pursuant to his answer of 16 June 1999, *Official Report*, column *148*, on the radio programme "Costing the Earth", if he will place in the Library a copy of the Minister of State's contribution; and what assessment he has made of the *(a)* extent and *(b)* consequences of the use of depleted uranium ammunition. [87896]

Mr. Doug Henderson *[holding answer 24 June 1999]:* As I indicated in my reply of 16 June 1999, *Official Report*, column *148*, we did not tape the BBC Radio 4 programme "Costing the Earth" which was broadcast on 7 June. I am advised by the BBC's Copyright Adviser that if the Library of the House requires copies of the transcript of the broadcast, which would include my contribution to the programme, it should apply in writing to: BBC Information, Broadcasting House, Portland Place, London, W1A 1AA.

The potential hazards of depleted uranium (DU) are well understood and documented in scientific literature. The Ministry of Defence itself has published two reports on depleted uranium. In 1993, the Defence Radiological Protection Service published a summary report of its assessment of the potential hazards posed by depleted uranium; and in March this year I published a paper entitled "Testing for the presence of depleted uranium in UK veterans of the Gulf conflict: The Current Position". Copies of those documents have already been placed in the Library of the House.

Army Personnel

Mr. Key: To ask the Secretary of State for Defence what targets he has set for the speed and accuracy of salary payments by the Reserves Manning and Career Management Division in Glasgow; and if he will make a statement. [88870]

Mr. Doug Henderson *[holding answer 29 June 1999]:* The Territorial Army and Reserves Manning and Career Management Division of the Army Personnel Centre (APC) in Glasgow is not responsible for the payment of the salaries of Territorial Army or Reserve Forces personnel. Responsibility for pay record administration rests with the appropriate Pay Division within the Personnel, Pay and Pensions Administration (PPPA) Directorate of the APC. The performance target for the creation of an accurate Pay Account is 92 per cent. created within five working days of notification of enlistment, commission or conversion from a reserve to a regular or mobilised engagement.

Once an accurate and timely pay account has been created, the responsibility for the delivery of pay rests with the Armed Forces Personnel Administration Agency (AFPAA) in the case of bank payments, and Unit administration offices in the case of cash payments. AFPAA's key target for 1999–2000 in respect of pay delivery requires 100 per cent. of payments to be made by the due date, with errors not exceeding 2.5 per 1,000 payments.

Mr. Key: To ask the Secretary of State for Defence how many *(a)* military, *(b)* retired military and *(c)* civilian personnel, by rank or grade are employed at (i) the Reserve Training and Mobilisation Centre at Chilwell and (ii) the Reserve Manning and Career Management Division in the Army Personnel Centre, Glasgow; and how many in each category have experience of employment in (1) the private sector and (2) the public sector other than in their current employment. [88871]

Mr. Doug Henderson *[holding answer 29 June 1999]:* As at 28 June 1999, the details requested by number, grade and previous employment experience were as listed in the tables.

Reserves Manning and Career Management Division, Army Personnel Centre

Rank	*Location*	*Number in each grade*[1]	*Number of personnel with public sector experience*	*Number of personnel with private sector experience*	*Detail*
Regular Military Personnel—Res MCM Div. APC					
Colonel	Glasgow	1	1	1	TA Officer
Major	Glasgow	1	0	1	—
Major	Worthy Down	1	0	1	—
WO2	Glasgow	1	1	1	—
WO2	Worthy Down	1	0	0	—

[1] Some personnel have both private and other public sector employment experience

Rank/Grade	Location	Number in each grade[1]	Number of personnel with public sector experience	Number of personnel with private sector experience
Retired Military Personnel				
RO1	Worthy Down	1	0	0
RO1	Glasgow	1	1	1
RO2	Glasgow	2	1	1
Civilian Personnel				
EO	Glasgow	3	1	2
AO	Worthy Down	2	0	0
AO	Glasgow	30	18	22
AA	Glasgow	2	1	1

[1] Some personnel have both private and other public sector employment experience

Reserves Training and Mobilisation Centre, Chilwell

Rank	Location	Number in each grade[1]	Number of personnel with public sector experience	Number of personnel with private sector experience	Detail
Lt. Col.	Chilwell	1	0	0	Reg
Maj.	Chilwell	7	1	3	Reg
Capt.	Chilwell	7	3	5	4 x Reg: 3 x FTRS (FC)
WO1	Chilwell	1	1	0	Reg
WO2	Chilwell	5	0	4	Reg
C. Sgt.	Chilwell	8	1	5	6 x Reg: 2 x NRPS
Sgt.	Chilwell	21	7	16	14 x Reg: 7 x FTRS (FC)
Cpl.	Chilwell	8	0	5	7 x Reg: 1 x FTRS (FC)
L. Cpl.	Chilwell	1	0	1	Reg
Pte.	Chilwell	2	0	2	Reg

[1] Some personnel have both private and other public sector employment experience

Note:

1. Reg = Regular Army.
2. FTRS(FC) = Full Time Reserve Service (Full Commitment). Civilians on one year military contracts. Representative of 20 per cent. of the Military establishment.
3. NRPS = Non Regular Permanent Staff. Ex-Regulars employed on individual contracts by the Army. They hold Army rank and wear uniform.

Civilian Personnel

Grade	Location	Number in each grade[1]	Number of personnel with public sector experience	Number of personnel with private sector experience
EO	Chilwell	1	1	0
AO	Chilwell	8	8	6
AA	Chilwell	1	0	1
Snr. Storekeeper	Chilwell	2	2	2
Storekeeper	Chilwell	3	2	2
Asst. Storekeeper	Chilwell	2	2	2
Dvr. Artic	Chilwell	1	1	1

[1] Some personnel have both private and other public sector employment experience

Mr. Key: To ask the Secretary of State for Defence what his policy is on liaison between *(a)* the Reserves Manning and Career Management Division in Glasgow and *(b)* the Reserve Training and Mobilisation Centre at Chilwell and the employers of TA volunteers and regular reservists; and if he will make a statement. [88869]

Mr. Doug Henderson *[holding answer 29 June 1999]:* The Army Personnel Centre, Manning and Career Management (TA and Reserves) Division, is responsible for making payments to employers under the financial assistance arrangements set out in the Reserve Forces (Call-out and Recall) (Financial Assistance) Regulations (SI 1997/309). It therefore has contact with all employers whose employees have been called out for permanent military service. The Army Personnel Centre also has contact with employers on other matters related to the call-out of an individual. The Reserve Training and Mobilisation Centre at Chilwell is not expected to have contact with employers as a matter of course but there may be occasional contact to resolve particular administrative matters or to pass on information.

Correspondence

Mr. Burns: To ask the Secretary of State for Defence what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within, *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90154]

Mr. Spellar: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999 *Official Report*, columns *403–06*, which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members in the 1998 calendar year.

The percentage of mail received in the last 12 months from right hon. and hon. Members which are replied to within the time scales specified could be provided only at disproportionate cost.

Service Aircraft

Mr. Hancock: To ask the Secretary of State for Defence (1) what percentage of the FADEC software was rewritten, and when, prior to the Chinook Mk 2's release into service; [89945]

(2) if he will list the incidents involving electrical problems on Chinook helicopters between 1992 and 1996; [89969]

(3) on what occasions the findings of gross negligence against the pilots of a Chinook helicopter which crashed on the Mull of Kintyre in 1994 have been reviewed; by whom; and if he will publish the findings of the review; [89943]

(4) if he will list the occasions when his Department discounted pilot error as a cause of an aircraft crash which involved fatalities in the last 10 years; [90082]

(5) if he will list the software design and systems integration problems experienced from February to July 1994 as referred to in a note by the Assistant Director, Helicopter Projects on 11 January 1995; [89944]

(6) if he will list the occasions in the last 15 years when a service aircraft crashed because of an uncommanded flight manoeuvre without pilot error; [90083]

(7) what reports his Department has received from the United States Army about the FADEC-equipped Chinook which crashed in the US in March 1996; [89962]

(8) if the Aeroplane and Armament Experimental Establishment was able to read FADEC software without the use of automated tools prior to the crash of a Chinook helicopter on the Mull of Kintyre in June 1994; [89946]

(9) what guarantees his Department received from EDS-SCICON that it found the FADEC software on the Chinook Mk 2 to be satisfactory. [90081]

Mr. Doug Henderson: I will write, and a copy of my letter will be placed in the Library of the House.

Gurkhas (Pension Entitlements)

Sir John Stanley: To ask the Secretary of State for Defence what review he is conducting of the war pension entitlements of Gurkha soldiers following the death of Sergeant Balaram Rai in Kosovo; when he expects to complete his review; and if he will make a statement. [89897]

Mr. Doug Henderson *[holding answer 6 July 1999]*: As I announced on 1 July 1999, *Official Report*, column 471, I have set up a group to examine Gurkha pensions and gratuities. I will chair the group which will take into account all aspects of Gurkha pensions and gratuities within the context of the Tri-Partite Agreement between Nepal, India and the UK. I expect the work to be completed by the end of the year.

Military Records (Balkans)

Mr. Key: To ask the Secretary of State for Defence what orders have been given and arrangements put in hand for the repatriation, cataloguing and storage of *(a)* paper-based and *(b)* electronic records of (i) the allied rapid reaction corps since its deployment from Germany to Macedonia and Kosovo and (ii) every British military unit since their deployment as part of joint allied operations in Kosovo, Macedonia, Albania, Serbia and Montenegro. [90260]

Mr. George Robertson: There are long-standing procedures already in place, set out in Service Instructions, which cover the creation and return to MOD UK of appropriate records of operational deployments by British forces. MOD is of course in touch with British forces in the Balkan theatre on this matter.

Such records, whether in paper or electronic format, once returned to the United Kingdom are handled in accordance with the Department's standard procedures to make them available for MOD purposes, and for subsequent archiving and consideration for eventual transfer to the Public Record Office in accordance with the Public Records Acts 1958 and 1967.

The Allied Command Europe Rapid Reaction Corps is however a NATO force; accordingly the treatment of the records from HQ ARRC itself must also reflect NATO requirements.

Married Quarters

Mr. Key: To ask the Secretary of State for Defence if the sum of £100 million set aside from the proceeds of the sale of the married quarters estate to Annington Homes Ltd. in 1996 for the refurbishment and upgrading of married quarters remains outside and additional to the Defence budget. [90626]

Mr. Spellar: The £100 million additional funding derived from the proceeds of the married quarters estate to Annington Homes Ltd. in 1996 was added to the Defence Programme at the time of the sale. This funding is ringfenced and on current expenditure plans is expected to have been fully utilised by FY 2002–03.

Mr. Key: To ask the Secretary of State for Defence how much of the £100 million earmarked from the sale of the married quarters estate has been *(a)* spent and *(b)* committed to be spent on upgrading and refurbishment of married quarters in each year from 1996 to 2002 inclusive. [90630]

Mr. Spellar: The information requested is as follows:

Year	*£ million*
Spent	
1996–97	8.0
1997–98	20.0
1998–99	20.0
Committed	
1999–2000	20.0

Year	£ million
Balance uncommitted	
2000–01	20.0
2001–02	10.4
2002–03	1.6

MOD Police

Mr. Key: To ask the Secretary of State for Defence what changes he has made to the Ministry of Defence Police regulations since 30 March 1998. [89388]

Mr. Doug Henderson: None. However, changes to the MDP Complaints and Discipline regulations, in parallel with those introduced for Home Department Police Forces, are currently subject to consultation with interested parties.

Millennium Compliance

Mr. Key: To ask the Secretary of State for Defence what steps he is taking to ensure his Department's computer systems are millennium compliant; how many officials of his Department are tasked on the issue and how many of them are technically qualified; and how many consultancy staff are supplementing in-house resources. [89824]

Mr. Spellar: The Ministry of Defence has a comprehensive Year 2000 programme, which has been in place since 1996. The focus of the programme is on the maintenance of Defence capability across the millennium period. Around 75 per cent. of MOD critical systems are now compliant, with the remainder due to be made compliant and tested by the end of the year.

There are currently approximately 1,170 full and part-time officials working on Y2K within MOD, with 215 consultants supplementing the in-house staff. All have the skills necessary for the tasks allocated to them.

A programme of audits, using both internal and external specialist assessors, has been established to assure the quality of the work undertaken. A series of exercises is underway to demonstrate the adequacy of technical compliance measures and contingency.

Defence Evaluation and Research Agency

Sir Michael Spicer: To ask the Secretary of State for Defence, pursuant to his answer of 30 June, on DERA, if his public/private partnership proposals for DERA will permit it to borrow freely on the private financial market. [89811]

Mr. Spellar: No decisions have been made on the future of DERA. If the outcome of the DERA Public Private Partnership study is that we establish DERA as a private company, it would have freedom of access to the private capital markets like any other private company.

RNAS Culdrose

Ms Atherton: To ask the Secretary of State for Defence what research his Department has evaluated on the effects of noise pollution caused by operations directed from RNAS Culdrose in Cornwall. [90245]

Mr. Spellar: A noise survey was undertaken in 1996 at RNAS Culdrose and noise levels caused by the air operations at the station were measured. A noise map was produced from the survey and used to identify those homes that qualified for a grant under the MOD's voluntary noise insulation grant scheme. In addition, MOD has sponsored or reviewed a number of research studies on the effects of noise pollution which, although not specific to RNAS Culdrose, are generally applicable to air operations.

Empty Properties

Mr. Garnier: To ask the Secretary of State for Defence how many of his Department's houses or flats there are in the Borough of Oadby and Wigston which are unoccupied; of that number, how many there are for which his Department has no immediate plans to use for military personnel and their families; and what plans his Department has to *(a)* lend, lease or otherwise dispose of these dwellings to a housing association, the borough council or other landlords for civilian rented use and *(b)* sell the freehold. [90243]

Mr. Spellar: MOD currently has a stock of 64 Service Families Quarters at South Wigston which are owned by Annington Homes Ltd. (AHL) and underleased from them by the Defence Housing Executive (DHE). DHE plans to release 34 of these properties back to AHL in December 1999. It will then be for AHL to decide the future of these properties. An estate of 30 properties for use by Service families will remain. Of these seven properties are currently unoccupied, although three will shortly be occupied by Service families.

Armed Forces Personnel Debate

Mr. John M. Taylor: To ask the Secretary of State for Defence if he will write to the hon. Member for Solihull on the matters raised in the debate on Armed Forces Personnel, 1 July 1999, *Official Report*, columns 464–534. [90262]

Mr. Doug Henderson: Yes, I will write very shortly, and a copy of my letter will be placed in the Library of the House.

Aircraft Sorties (Iraq)

Mr. Maples: To ask the Secretary of State for Defence how many sorties have been undertaken by British aircraft over Iraq since 1 January. [90142]

Mr. George Robertson: RAF aircraft undertook some 1,600 operational sorties in the period 1 January to 30 June 1999 in pursuit of their mission to prevent Saddam's air forces from persecuting the Kurds and Shia Muslims of northern and southern Iraq. The figure includes sorties by aircraft such as VC10 tankers which, although directly involved in this mission, did not enter Iraqi airspace.

Centre for Defence Medicine

Mr. Key: To ask the Secretary of State for Defence if he will list the NHS trusts that expressed interest in becoming the host for the Centre for Defence Medicine. [90627]

Mr. Doug Henderson: Eighteen Hospital Trusts expressed an interest in becoming the host for the Centre for Defence Medicine by responding to a Pre-Qualification Questionnaire. The full list is as follows:

Frimley Park Hospital NHS Trust
Guy's and St. Thomas' Hospital Trust
Leeds Teaching Hospitals NHS Trust
North Bristol NHS Trust
North Glasgow University Hospitals NHS Trust
Northern General Hospital NHS Trust (Sheffield)
Oxford Radcliffe Hospitals
Peterborough Hospitals NHS Trust
Plymouth Hospitals NHS Trust
Salisbury Healthcare NHS Trust
St. Richard's Hospital, The Royal West Sussex Trust
Swindon and Marlborough NHS Trust
The Lothian University Hospitals Trust (Edinburgh)
The Newcastle-upon-Tyne Hospitals NHS Trust
The Royal Hospitals Trust
The University College London Hospitals Trust
University Hospital Birmingham NHS Trust
University Hospital NHS Trust (Nottingham).

TRADE AND INDUSTRY

Waste

Mr. Corbyn: To ask the Secretary of State for Trade and Industry what actions are taken by his Department to restrict price fluctuations of waste *(a)* glass, *(b)* paper and *(c)* household metal waste. [90349]

Dr. Howells: These wastes constitute potential secondary raw materials and internationally-traded commodities which compete with virgin supplies. Their prices are best set by the operation of the market rather than by Government. However, we are committed to increasing recycling rates and consider the development of new and stable markets for recycled materials as being key to achieving this objective. A range of options for action which might assist in this process have been identified for the DTI by the Recycling Advisory Unit at AEA Technology plc, in a report entitled "Development of Markets for Recycled Materials", and these will be considered in tandem with the recently-published recommendations of DETR's Market Development Group.

Mr. Corbyn: To ask the Secretary of State for Trade and Industry if he will list for each of the past 10 years the total of energy produced by waste incineration; how many incinerators were operating in each of those years; and what is his Department's estimate of the fuel efficiency of incinerators compared to coal, gas and nuclear generation. [90352]

Mr. Battle: Eleven energy from waste projects contracted under the Non-Fossil Fuel Obligation arrangements in England and Wales generated almost 981 GW hours of electricity in 1998 and in so doing derived value from about 2 million tonnes of waste and made around 100,000 tonnes of ferrous metals available for recycling. These facilities operated with an average load factor in excess of 80 per cent.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for Trade and Industry how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91070]

Mr. Byers: I refer the hon. Member to the reply I gave on 15 April 1999, *Official Report*, column *307*.

Credit Card Fraud (Mobile Telephones)

Mr. Burstow: To ask the Secretary of State for Trade and Industry what representations he has received on the adequacy of arrangements to detect and prevent credit card fraud by users of pay-as-you-go mobile telephones. [90447]

Mr. Wills: I am aware of some cases where credit cards have been used fraudulently to buy additional minutes for pre-paid mobile phones. I understand that the mobile phone operators have taken measures to prevent such use of credit cards and continue to implement tighter controls. While I am not aware of any representations being made to the DTI on this issue, I shall keep it under review.

Textphones

Mr. Burstow: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 28 June 1999, *Official Report*, column *33*, concerning public textphones, what factors underlie the difference between the figures provided and those in the answer of 17 November 1997, *Official Report*, column *52*; what assessment he has made of British Telecom's plans to increase provision by 2000; what were the results of the Oftel consultation; and what plans there are for the further consultation exercise. [90451]

Mr. Wills: The difference between the figures given in 1997 and in my answer of 28 June lies in variations in the needs of establishments which public textphone users frequent, and numbers fluctuate marginally over time. BT's plans in 1997 to increase numbers of public textphones by 2000 have been superseded by Oftel's subsequent consultation on improving telecommunications services for people with disabilities. BT is discussing future needs with disability groups.

Following the consultation, Oftel has recommended that the Secretary of State introduce new regulatory requirements including requirements for public textphones. The Government are planning to consult later this year on measures to improve access to telecommunications for the disabled.

Inward Investment (South-West)

Mr. Chope: To ask the Secretary of State for Trade and Industry what estimate he has made of the level of inward investment into the South West Government Office region for the last five years for which figures are available. [90962]

Mr. Wills: The following figures are based on information provided by companies at the time of the announcement of the decision to invest in the UK. They are based on the companies' best estimate, at that time, of the number of jobs to be created/safeguarded by the investment in its first three years.

There is no requirement to notify the Department and so the figures include only those projects where the Department's Invest in Britain Bureau and its regional partners were involved or which have come to their notice. Comprehensive capital expenditure details are often not available at the time of the decision to invest, and are therefore not included.

Region/year	*Number of projects*	*Total number new jobs*	*Total number safeguarded jobs*	*Total number associated jobs*
South West				
1993–94	12	1,065	1,112	2,117
1994–95	21	1,366	707	2,093
1995–96	17	1,718	2,582	4,300
1996–97	30	2,304	8,928	11,232
1997–98	40	3,205	1,735	4,940

Edmonton Incinerator

Mr. Corbyn: To ask the Secretary of State for Trade and Industry what inquiries have been held by his Department into the future expansion of the Edmonton incinerator. [90354]

Mr. Battle: My Department is currently considering an application under section 36 of the Electricity Act 1989 to extend the Edmonton energy from waste power station. As part of that consideration we are obliged to take into action the views of statutory consultees such as the relevant local planning authority and the Environment Agency, as well as other representations and comments made.

Mr. Corbyn: To ask the Secretary of State for Trade and Industry what *(a)* representations and *(b)* information on public consultations he has received on the future of the Edmonton incinerator. [90355]

Mr. Battle: My Department has received over 40 representations on the application under section 36 of the Electricity Act 1989 to extend the Edmonton energy from waste power station. The applicant, local planning authority and the Environment Agency have all carried out public consultations on the application.

Honda, Swindon

Mr. Gibb: To ask the Secretary of State for Trade and Industry what Government financial support was *(a)* requested and *(b)* given for Honda's investment in Swindon announced on 6 July. [90545]

Mr. Battle: There was no Government financial support requested or given for Honda's further investment in their Swindon plant.

Agency Steering Board

Mr. Gibb: To ask the Secretary of State for Trade and Industry if private sector representatives on the Agency Steering Board will be remunerated. [90298]

Mr. Wills *[holding answer 8 July 1999]:* Private sector representatives on Agency Steering Boards are not remunerated, but receive an honorarium.

Enterprise Council

Mr. Gibb: To ask the Secretary of State for Trade and Industry if members of the Enterprise Council will be remunerated. [90297]

Mr. Wills *[holding answer 8 July 1999]:* No decision has been taken. The proposal to create the Enterprise Council, its composition and related matters are covered by the consultation exercise currently underway on the Small Business Service.

Small Business Service

Mr. Gibb: To ask the Secretary of State for Trade and Industry when he expects to advertise the post of the Small Business Service Chief Executive. [90296]

Mr. Wills *[holding answer 8 July 1999]:* We are hoping to advertise the post of Chief Executive of the Small Business Service in the near future. The post will be publicly advertised.

Insolvency and Bankruptcy

Mrs. Browning: To ask the Secretary of State for Trade and Industry what plans he has to abolish the floating charge. [90329]

Mr. Byers *[holding answer 8 July 1999]:* A re-assessment of the relative rights and remedies of secured creditors in insolvencies, including the position of creditors secured by floating charges, is part of the Terms of Reference of the Joint Department of Trade and Industry and HM Treasury Review of Company Rescue Mechanisms which I announced on 2 February 1999, *Official Report*, column *580*. It was subsequently agreed that the review should make a final report by the end of 1999.

Mrs. Browning: To ask the Secretary of State for Trade and Industry what changes he intends to make in respect of *(a)* the Inland Revenue and *(b)* Customs and Excise as priority creditors in bankruptcy cases. [90330]

Mr. Byers *[holding answer 8 July 1999]:* A re-assessment of the position of the Crown as a preferential creditor in insolvencies is part of the Terms of Reference of the Joint Department of Trade and Industry and HM Treasury Review of Company Rescue Mechanisms which I announced on 2 February 1999, *Official Report*, column *580*. It was subsequently agreed that the review should make a final report by the end of 1999.

Mrs. Browning: To ask the Secretary of State for Trade and Industry if he will define responsible risk-takers for the purpose of proposed changes in bankruptcy law; and if he will make a statement. [90331]

Mr. Byers *[holding answer 8 July 1999]:* I intend to issue a consultation document on this issue in the future.

Street Lighting

Mr. Derek Foster: To ask the Secretary of State for Trade and Industry when his Department will publish the results of the consultation on competition in connections in the street lighting sector. [90382]

Mr. Battle: The consultation was carried out by the Office of Gas and Electricity Markets (OFGEM). I understand that it is OFGEM's intention to publish a follow up document, outlining their proposals resulting from the consultation, in the near future.

Financial Services Industry

Mr. Loughton: To ask the Secretary of State for Trade and Industry if he will make a statement on the future role of the Office of Fair Trading in the monitoring of the financial services industry. [R] [89319]

Dr. Howells *[holding answer 1 July 1999]:* The duties of the Director General of Fair Trading (DGFT) in relation to the financial services industry under the Consumer Credit Act 1974 will not change under the Financial Services and Markets Bill. When the prohibitions in the Competition Act 1998 come into force on 1 March 2000, agreements between undertakings, decisions by associations of undertakings, and concerted practices which may affect trade in the UK and have as their object and effect the restriction, distortion or prevention of competition will be prohibited subject to certain exclusions. Any conduct on the part of one or more undertakings which amounts to the abuse of a dominant position affecting trade within the UK and which may affect trade in the UK will also be prohibited. These prohibitions will apply to the financial services industry subject to certain exemptions and exclusions. The DGFT will have powers to carry out investigations if he has reasonable grounds for suspecting either of these prohibitions has been infringed, to bring infringements to an end, and to impose penalties. The DGFT will continue to scrutinise the rules of the Financial Services Authority, self regulatory organisations, investment exchanges and clearing houses using his powers in section 122 of the Financial Services Act 1986 and will report to the Treasury on any that appear to him to restrict, distort or prevent competition to a significant extent.

Photovoltaic Energy

Mr. Wigley: To ask the Secretary of State for Trade and Industry what proposals he has to encourage the development of the generation of electricity from photovoltaic roofing tiles; and if he will make a statement. [89189]

Mr. Battle: Photovoltaic (PV) systems which may be incorporated into the fabric of buildings offer the prospect of clean and silent electricity production and are a form of renewable energy which is clearly suited to an urban environment. However there are a number of barriers to the deployment of PV, of which the most significant is the current high cost of the modules. My Department is working with the PV industry to reduce the barriers. In February I announced three new PV initiatives: a call for R&D proposals for components and systems; a field trial of 100 domestic PV systems and the design of a scheme to demonstrate PV on large commercial and industrial buildings. A total of 28 responses to the call for proposals have been received, of which 14 are related to building integrated PV. In addition there are two PV roofing product development projects currently underway with support from DTI. The domestic PV field trial scheme is currently under discussion with the industry. I hope to make an announcement regarding the third initiative later in the year.

SCOTLAND

Scottish Parliament

Mr. Gordon Prentice: To ask the Secretary of State for Scotland what was the cost of the opening of the Scottish Parliament on 1 July. [89926]

Dr. Reid: The costs which will be borne directly by the Scottish Office, the Scottish Executive and the Scottish Parliament Corporate body are expected to be in the region of £670,000. Some invoices have yet to be received and therefore the final cost cannot be identified at present.

Non-domestic Rates

Mr. Davidson: To ask the Secretary of State for Scotland if he will list, for each local authority in Scotland, the gross *(a)* contribution to and *(b)* receipts from the non-domestic rates pool for 1998–99. [90093]

Mr. Macdonald: The information requested is given in the table. As the non-domestic rates pool operates across years, contributions and receipts are not directly comparable in any single year. The pool ensures that each authority receives its share of central government support (Aggregate External Finance) each year according to its relative need as assessed by Grant Aided Expenditure levels.

Contributable and distributable amounts of non-domestic rate income for Scotland in 1998–99

	Contributions[1]	*Distributable amount (receipts from the pool)*
Aberdeen City	98,283,648	59,112,000
Aberdeenshire	50,003,631	61,879,000
Angus	17,733,533	30,141,000
Argyll and Bute	31,505,985	24,716,000
Clackmannanshire	10,783,558	13,280,000
Dumfries and Galloway	33,050,236	40,159,000
City of Dundee	39,949,830	40,880,000
East Ayrshire	23,491,480	33,289,000
East Dunbartonshire	19,414,595	30,133,000
East Lothian	23,594,974	23,981,000
East Renfrewshire	12,001,739	23,965,000
City of Edinburgh	184,069,509	122,123,000
Eilean Siar	4,972,986	7,858,000
Falkirk	41,123,076	38,918,000
Fife	94,650,060	95,038,000
Glasgow City	200,827,273	167,718,000
Highland	55,807,806	56,783,000
Inverclyde	20,110,974	23,698,000
Midlothian	12,002,030	21,777,000
Moray	20,399,596	23,538,000
North Ayrshire	35,455,084	37,961,000
North Lanarkshire	55,350,594	88,682,000
Orkney	5,415,131	5,387,000
Perth and Kinross	34,595,937	36,070,000
Renfrewshire	53,298,462	48,580,000
Scottish Borders	17,950,509	28,868,000
Shetland	11,750,912	6,263,000

Contributable and distributable amounts of non-domestic rate income for Scotland in 1998–99

	Contributions[1]	*Distributable amount (receipts from the pool)*
South Ayrshire	30,218,419	31,189,000
South Lanarkshire	59,208,458	83,651,000
Stirling	24,585,152	22,515,000
West Dunbartonshire	23,109,090	26,054,000
West Lothian	45,219,494	41,022,000
Scotland	1,389,933,761	1,395,228,000

[1] Contributions = Provisional Contributable Amounts adjusted to take into account flows in and out of NDR Pool in 1998–99 for previous years.

Correspondence

Mr. Burns: To ask the Secretary of State for Scotland what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within, *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90155]

Dr. Reid: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members in the 1998 calendar year.

The percentage of mail received in the last 12 months from right hon. and hon. Members which are replied to within the time scales specified could be provided only at disproportionate cost.

LORD CHANCELLOR'S DEPARTMENT

Correspondence

Mr. Burns: To ask the Parliamentary Secretary, Lord Chancellor's Department what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90162]

Mr. Vaz: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members, in the 1998 calendar year.

The percentage of mail received in the last 12 months from right hon. and hon. Members which are replied to within the time scales specified could be provided only at disproportionate cost.

Public Records

Mr. John M. Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will take steps to encourage communications between members of the public who make use of the facilities provided by the Public Record Office and individual members of the Advisory Council on Public Records about those facilities. [90169]

Mr. Vaz: For some years the Council has published information about itself and a list of members, with an invitation to communicate with the secretary, on notice boards at the Public Record Office in Kew and the Family Records Centre in Islington and on the Advisory Council's pages on the Public Record Office website.

Some members of the public who are users of the Public Record Office facilities have communicated with members in order to bring matters of concern to them to the attention of the Council.

Mr. John M. Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department what guidance the Lord Chancellor has issued since May 1997 to members of the Advisory Council on Public Records on the provisions of (i) Instrument No. 12 (Access to Public Records) of 1966, and (ii) the Census (Confidentiality) Act 1991. [90170]

Mr. Vaz: None.

Separation of Powers

Mr. Hawkins: To ask the Parliamentary Secretary, Lord Chancellor's Department what further safeguards the Lord Chancellor plans to introduce to prevent political influence over matters which are properly the province of the judiciary. [90538]

Mr. Vaz: None. The judiciary are not subject to political influence. Their independence is already fully protected by long-standing laws and convention and by the office of Lord Chancellor.

Court Case Adjournments

Lorna Fitzsimons: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps his Department takes to monitor the extent to which cases before the courts are adjourned; what statistics he collects on the subject; and what plans he has to limit the use of adjournments or to monitor more closely how adjournments are used. [90311]

Mr. Vaz: Information on the number of ineffective Crown Court trials is kept, but no central reports on adjournments is collected for civil cases. Applications for cases to be adjourned are varied and adjournments in both civil and criminal cases are judicial decisions in which I cannot intervene. However, since 26 April 1999, there are systems in the civil courts, which monitor adjournments of cases listed for trial and the reasons for adjournment. The whole ethos of the Civil Procedure Rules is that defended cases are managed by the court and adjournments are the exception.

EDUCATION AND EMPLOYMENT

Funding

Mr. Healey: To ask the Secretary of State for Education and Employment, pursuant to his answer of 11 June 1999, *Official Report*, column *437*, on local authority funding, if he will place in the Library tables in paper and machine-readable form which exclude the

contributions of local authorities from the amounts set out in his previous answer but are otherwise consistent with that answer. [90449]

Ms Estelle Morris: Details of the revenue grants within aggregate external finance other than revenue support grant for 1997–98, 1998–99 and 1999–2000, for each local education authority, each class of local authority and for England as a whole are given in tables that have been placed in the Library in paper and machine-readable form. The figures shown in the tables exclude contributions made by local education authorities.

Departmental Expenditure

Mr. Don Foster: To ask the Secretary of State for Education and Employment (1) what is the total budget announced since May 1997 for *(a)* lifelong learning development plans, *(b)* qualifications, *(c)* drug prevention, *(d)* youth service, *(e)* school security and *(f)* ethnic minority pupil achievement; and what amount and what percentage of that budget in each financial year is to be (i) spent within his Department, agencies and non-departmental public bodies and (ii) allocated in grants; [90558]

(2) if he will list actual and planned expenditure in each of the last three financial years by his Department, agencies and non-departmental public bodies on *(a)* market research, *(b)* conferences, *(c)* direct mail, *(d)* advertising, publicity and publications, *(e)* opinion polling, *(f)* web sites, *(g)* hospitality, *(h)* central administration costs and *(i)* external consultants and advisers in relation to (1) lifelong learning development plans, (2) qualifications, (3) drug prevention, (4) youth service, (5) school security and (6) ethnic minority pupil achievement; [90551]

(3) if he will list actual and planned expenditure in each of the last three financial years by his Department, agencies and non-departmental public bodies on *(a)* market research, *(b)* conferences, *(c)* direct mail, *(d)* advertising, publicity and publications, *(e)* opinion polling, *(f)* web sites, *(g)* hospitality, *(h)* central administration costs and *(i)* external consultants and advisers in relation to (1) infant class size reduction, (2) Phases 1 and 2 of the New Deal for Schools, (3) removal of outside toilets, (4) energy management and (5) asset management plans; [90550]

(4) what is the total budget announced since May 1997 for *(a)* reduction in infant class sizes, *(b)* Phases 1 and 2 of the New Deal for Schools, *(c)* removal of outside toilets, *(d)* energy management and *(e)* asset management plans; and what amount and what percentage of that budget in each financial year is to be (i) spent within his Department, agencies and non-departmental public bodies and (ii) allocated in grants; [90549]

(5) if he will list actual and planned expenditure in each of the last three financial years by his Department, agencies and non-departmental public bodies on *(a)* market research, *(b)* conferences, *(c)* direct mail, *(d)* advertising, publicity and publications, *(e)* opinion polling, *(f)* web sites, *(g)* hospitality, *(h)* central administration costs and *(i)* external consultants and advisers in relation to (1) school effectiveness and improvement, (ii) specialist schools, (iii) beacon schools, (iv) school leadership, (v) advanced skills teachers and (vi) numeracy consultants and leading maths teachers; [90552]

(6) if he will list actual and planned expenditure in each of the last three financial years by his Department, agencies and non-departmental public bodies on *(a)* market research, *(b)* conferences, *(c)* direct mail, *(d)* advertising, publicity and publications, *(e)* opinion polling, *(f)* web sites, *(g)* hospitality, *(h)* central administration costs and *(i)* external consultants and advisers in relation to (1) health education partnerships, (2) Year 6 booster classes, (3) books for schools and (4) the children's parliament; [90554]

(7) what is the total budget announced since May 1997 for *(a)* school effectiveness/improvement, *(b)* specialist schools, *(c)* beacon schools, *(d)* school leadership, *(e)* advanced skills teachers, *(f)* numeracy consultants and leading maths teachers; and what amount and what percentage of that budget in each financial year is to be (i) spent within his Department, agencies and non-departmental public bodies and (ii) allocated in grants; [90555]

(8) what is the total budget announced since May 1997 for *(a)* health education partnerships, *(b)* Year 6 booster classes, *(c)* books for schools and *(d)* children's parliament; and what amount and what percentage of that budget in each financial year is to be (i) spent within his Department, agencies and non-departmental public bodies and (ii) allocated in grants; [90557]

(9) what is the total budget announced since May 1997 for *(a)* early years training and development for three and four year olds, *(b)* early excellence centres, *(c)* national literacy strategy in primary schools, *(d)* national numeracy strategy in primary schools, *(e)* nursery education grant and *(f)* family literacy; and what amount and what percentage of that budget in each financial year is to be (i) spent within his Department, agencies and non-departmental public bodies and (ii) allocated in grants; [90556]

(10) if he will list actual and planned expenditure in each of the last three financial years by his Department, agencies and non-departmental public bodies on *(a)* market research, *(b)* conferences, *(c)* direct mail, *(d)* advertising, publicity and publications, *(e)* opinion polling, *(f)* web sites, *(g)* hospitality, *(h)* central administration costs and *(i)* external consultants and advisers in relation to (i) early years training and development for three and four year olds, (ii) early excellence centres, (iii) national literacy strategy in primary schools, (iv) national numeracy strategy in primary schools, (v) nursery education grant and (vi) family literacy. [90553]

Ms Estelle Morris: A reply to these questions would involve disproportionate cost. General information on expenditure by the Department for Education and Employment, agencies and non-departmental public bodies is given in the annual Departmental Records, copies of which are held in the Library.

Correspondence

Mr. Burns: To ask the Secretary of State for Education and Employment what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90157]

Mr. Mudie: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members in the 1998 calendar year.

The percentage of mail received in the last 12 months from right hon. and hon. Members which are replied to within time scales specified could be provided only at disproportionate cost.

Mr. Kaufman: To ask the Secretary of State for Education and Employment when he intends to reply to the letters to him dated 30 March, 29 April and 4 June from the right hon. Member for Manchester, Gorton with regard to Mr. Pat McGuinness. [90592]

Mr. Mudie: A letter in response to all three letters was dispatched to the hon. Member on 8 July 1999.

FOREIGN AND COMMONWEALTH AFFAIRS

Turkey

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Turkey concerning the death penalty passed on Abdullah Ocalan; and if he will make a statement. [90347]

Ms Quin: We endorse the declaration of 29 June by the EU Presidency, which reflected member states' opposition to capital punishment as a matter of principle, irrespective of the defendant and the offence of which he is convicted. I raised our opposition to capital punishment with senior officials from the Ministry of Foreign Affairs on 7 June, and will do so again during my visit to Turkey this month.

Jordan

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the Government's policy regarding freedom of trade between Jordan and the West Bank. [R] [90335]

Mr. Hoon: Trade between Jordan and the West Bank and Jordan and Israel is of central importance to increasing stability and prosperity. The Government support the European Community's Association Agreements with Jordan, Israel and the PLO, and the Euromed process which promotes regional economic and commercial integration. The Government are pressing for further examination of ways to increase trade within the region.

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current level of military assistance to Jordan. [R] [90333]

Mr. Hoon: Our budget for the current financial year for military assistance to Jordan is £450,000. This will largely be spent on courses and Short Term Training Teams.

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received about the effects of the sanctions on Iraq on the Jordanian economy. [R] [90334]

Mr. Hoon: The Jordanian authorities regularly raise their concern about the effects that sanctions on Iraq have on the Jordanian economy, while continuing to call for Iraq to comply fully with UN Security Council resolutions.

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the United Kingdom has taken to assist the Jordanian Government with debt relief. [R] [90332]

Mr. Hoon: We promised King Abdullah to raise debt relief for Jordan with our G8 partners, and did so ahead of, and at, the recent Summit in Cologne. That Summit concluded by calling on the international community to provide economic assistance (for Jordan), including, where appropriate, debt relief. The UK strongly supported the Paris Club decision to reschedule Jordanian debt.

Jerusalem

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the human rights situation in Jerusalem. [R] [90340]

Mr. Hoon: Concern for human rights forms an essential part of our policy on the Peace Process. Our Missions in Tel Aviv and Jerusalem monitor the situation closely, including through contacts with NGOs. The UK and the EU regularly raise human rights issues with the Israeli authorities. We also support projects aimed at promoting human rights in Jerusalem through our Consulate General and the British Council. Finally we also raise concerns with the Palestinian Authority about human rights infringements in areas under their authority.

Drought (Middle East)

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the problem of drought in the Middle East. [R] [90336]

Mr. Hoon: There is a drought this year affecting the whole of the Middle East. Rainfall is down to a third of normal levels—reportedly the lowest it has been for at least thirty years. It is not possible to assess at this stage whether this year's low rainfall is an anomaly.

The Department for International Development have prepared an assessment of the drought in the Middle East, a copy of which will shortly be in the House of Commons Library.

Geneva Convention

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the convening of a meeting of the high-contracting parties to the Geneva Convention in July; and if he will list the issues which Her Majesty's Government intends to raise. [R] [90339]

Mr. Hoon: In the period to the convening of a meeting of the high-contracting parties to the Geneva Convention, the highest priority will be to support the efforts of all direct parties to the Peace Process to make progress in the negotiations.

Ministerial Visits

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to visit the Middle East. [90342]

Mr. Hoon: My right hon. Friend the Secretary of State has no firm plans to visit the Middle East in the near future though such options are kept under review.

Israel

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Israeli Government about the implementation of the E1 plan and the expansion of the Ma'ale Adumin settlement. [R] [90338]

Mr. Hoon: We have indicated to the Israeli Government our concern that Israeli settlement building and access road construction in the Occupied Territories is an obstacle to peace. We shall continue to do so. Meanwhile, we welcome the stated commitment in Prime Minister Barak's coalition guidelines that no new settlements will be created pending the outcome of the final status negotiations.

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the policy of Her Majesty's Government in respect of recent Israeli attacks on Lebanon. [R] [90341]

Mr. Hoon: We were concerned at the recent Hizbullah attacks on northern Israel and the subsequent Israeli bombing of Lebanon. We have made representations to urge all parties to show restraint and to respect the April Understandings.

Ascension Island

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason he has decided not to charge the United States for the use of Wideawake Airfield on Ascension Island for civil charter flights. [90521]

Mr. Tony Lloyd: The United States Base on Ascension is provided free from rent and charges under the terms of the 1956 Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States America Concerning the Extension of the Bahamas Long Range Proving Ground by the Establishment of the Additional Sites in Ascension Island, as amended. The Base is used by the United States Space Command.

The 1956 Agreement provides that commercial aircraft shall not be authorised to operate from any of the Sites except in accordance with the provision of an agreement between the UK and US Governments. We are shortly to begin negotiating an Agreement with the US Government which would allow the use of Wideawake by civil flights not engaged in scheduled international air services. This will not affect either the United Kingdom's or the United States' use of Wideawake for military purposes.

Our proposals anticipate that any civil airline operator who wished to use Wideawake would be expected to pay to do so. If, after amending the 1956 Agreement to allow civil flights into Ascension, a United States carrier did wish to operate civil charter flights to the airfield, we anticipate that they would be charged the same rate as other civil operators.

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is his policy to allow countries, other than the United States of America, the use of Wideawake Airfield on Ascension Island for civil charter flights. [90522]

Mr. Tony Lloyd: The United States Base on Ascension is provided under the terms of the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America Concerning the Extension of the Bahamas Long Range Proving Ground by the Establishment of the Additional Sites in Ascension Island, as amended. This Agreement entered into force in 1956.

We are shortly to begin negotiating a further Agreement with the US Government which would allow the use of Wideawake by civil flights not engaged in scheduled international air services. Subject to this, we would envisage also allowing civil air operators from countries other than the UK or US to use Wideawake.

Correspondence

Mr. Burns: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90164]

Mr. Hoon: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06* which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members in the 1998 calendar year.

The percentage of mail received in the last 12 months from right hon. and hon. Members which are replied to within the timescales specified could be provided only at disproportionate cost.

East Timor

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans are being prepared by his Department for the monitoring of the referendum on the future Government of East Timor; and if he will make a statement. [90344]

Mr. Hoon: EU member states will be sending a team of observers to the UN supervised consultation in East Timor.

Diplomatic Posts (Locally Engaged Staff)

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the locally engaged staff in the British Embassies or High Commissions in *(a)* China, *(b)* Brazil, *(c)* India, *(d)* Indonesia, *(e)* Pakistan and *(f)* Nigeria who are paid less than the United Kingdom national minimum wage, together with their hourly salary expressed in the Sterling equivalent. [90640]

Mr. Tony Lloyd: This information is not held centrally. To obtain it from the diplomatic posts concerned would involve disproportionate cost.

Guatemala

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has to send observers from the United Kingdom to monitor the election in Guatemala in November 1999. [90345]

Mr. Tony Lloyd: We are giving careful consideration, in consultation with other member states of the European Union, as to how we might best respond to any invitation from the appropriate Guatemalan authorities to participate in election monitoring.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have been held by staff of the British Embassy in Guatemala with political parties and human rights groups concerning the conduct of the elections due to be held in November. [90346]

Mr. Tony Lloyd: The Ambassador and his staff are in regular contact with politicians, human rights workers and senior election officials about the forthcoming elections. These will be an important step in Guatemala's peace process and the strengthening of democratic institutions.

British Council

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effect of the loss of Department for International Development contract work to the British Council on his Department's operations in developing countries. [90634]

Mr. Hoon: The British Council continues to manage most existing DFID contracts. The lack of new contracts for which to bid will have a progressive effect on the British Council's operation in developing countries over the next few years. The FCO will be working with the British Council and DFID to achieve the most effective co-operation possible in their work in developing countries.

Treaty of Utrecht

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is the Government's policy to abide by all the provisions of the Treaty of Utrecht. [90939]

Ms Quin: The agreement signed in 1713 and known as the Treaty of Utrecht was part of a series of treaties which ended the War of the Spanish Succession. The full Treaty contained provisions relating to a wide range of areas and issues, many of which are no longer applicable.

British title to the Rock of Gibraltar is based on Article X of the Treaty. In determining title to the Rock, this remains binding under international law upon the two parties, the UK and Spain. Both parties have so conducted themselves for many years.

European Communities Working Groups

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 18 June 1999, *Official Report*, column 255, for what reason the reports of working groups on legislative proposals are not published for scrutiny prior to decision. [88681]

Ms Quin: Government Departments inform Parliamentary scrutiny committees of legislative proposals through the submission of Explanatory Memorandums. These outline the draft proposal, the impact on UK law and the Government's policy towards it.

The Council's Rules of Procedure state that

"deliberations of the Council shall be covered by the obligation of professional secrecy".

This covers preparatory meetings such as COREPER and Council working groups.

The Government are, however, committed to the effective parliamentary scrutiny of EU legislative proposals. Departments therefore usually aim to give the scrutiny committees as full a read-out of negotiations as possible while respecting the Council's confidentiality.

Cyprus

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his efforts to find a settlement of the situation in Cyprus. [90141]

Ms Quin: We remain determined to see a major, sustained effort this year in support of the UN Secretary-General's initiative to secure a just and lasting settlement in Cyprus.

G8 Heads of Government, in their statement of 20 June, and the UN Security Council, in its resolution 1250 of 29 June, have urged UN Secretary-General Kofi Annan to invite the leaders of both Cypriot sides to enter without preconditions into comprehensive negotiations starting in the Autumn, and to commit themselves in good faith to continue to negotiate until a settlement is reached. As a G8 member and a permanent member of the UN Security Council, the UK has been closely involved in this process. The Prime Minister and Foreign Secretary confirmed to Mr. Annan, during his visit to London on 24–25 June, that he will have our full support in efforts to get negotiations underway.

China

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on China's human rights record since 1 July 1997. [90134]

Mr. Hoon: Since July 1997 China has taken several positive steps which will bring about closer co-operation with UN human rights mechanisms. These include signature of the international covenants on Economic, Social and Cultural Rights and Civil and Political Rights, and agreement to report to the UN under those covenants in respect of Hong Kong. It has received visits by the UN High Commissioner for Human Rights and the UN working Group on Arbitrary detention, as well as allowing a visit to Tibet by EU Troika Ambassadors. It has also extended an invitation to visit to the UN Special Rapporteur on Torture. We have been able to discuss issues of serious concern including the death penalty, religion, Tibet and individual cases in our EU and UK/China dialogues. China has also begun to work

with the UK and EU on human rights co-operation programmes. Through dialogue we are pressing for further positive steps, including early ratification and implementation of the international covenants, changes on the death penalty and detention regimes.

Kosovo

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the deadline for sending an international police task force to Kosovo; and how many of the planned international police task force have arrived to Kosovo. [90130]

Mr. Tony Lloyd: It was agreed at the Friends of the UN Secretary-General for Kosovo meeting in New York on 30 June that the United Nations Mission in Kosovo should acquire the capacity to take over responsibility for policing from KFOR as soon as possible. As of 1 July, 2,400 police had been pledged to the United Nations, out of the total 3,110 required. The UN has already deployed an advance party of 39 police officers to Kosovo to establish a headquarters and to liaise with KFOR. It is expected that the main component of the UN Police Force will start to deploy from 17 July.

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs how many police officers from the UN mission in Bosnia have been deployed to Kosovo. [90131]

Mr. Tony Lloyd: As of 7 July, 37 police officers had been transferred from the International Police Task Force in Bosnia to the UN Police Force in Kosovo. A further 40 will follow soon.

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the deadline for *(a)* appointing the UN Secretary General's special representative to Kosovo and *(b)* appointing five regional administrators to Kosovo. [90129]

Mr. Tony Lloyd: The UN Secretary-General announced on 2 July the appointment of Bernard Kouchner as his Special Representative to head the United Nations Mission in Kosovo. He has also announced Kouchner's five deputies: Jack Covey as Principal Deputy, Dominique Vian as Deputy for Interim Civil Administration, Dennis McNamara as Deputy: Humanitarian Affairs, Daan Everts as Deputy: Institution Building and Joly Dixon as Deputy: Reconstruction.

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the UK contribution to the civil police in Kosovo. [90132]

Mr. Tony Lloyd: The United Nations have requested 60 UK police officers for Kosovo. We have offered to provide these officers to recruit, to train and to monitor a civil police force for Kosovo. We are currently discussing with the United Nations and the OSCE what specific roles these officers might undertake.

The united Kingdom has already deployed 16 Scene of Crime experts to Kosovo to assist the International War Crimes Tribunal with their investigation of alleged atrocities there.

Kashmir

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the future of Kashmir. [90140]

Mr. Hoon: We are deeply concerned by the continuing fighting in Jammu and Kashmir, following armed infiltration across the Line of Control. We welcomed the joint statement issued by President Clinton and Prime Minister Sharif on 4 July and look forward to the early implementation of the actions proposed. We consider the dialogue initiated by Prime Ministers Vajpayee and Sharif in Lahore in February offers the best hope of resolving the long standing differences between Pakistan and India and urge its resumption.

Hong Kong

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the independence of the judiciary in Hong Kong. [90135]

Mr. Hoon: We have the highest regard for the integrity of Hong Kong's legal institutions, particularly the Court of Final Appeal. The principles of independent judicial power and final adjudication, which are enshrined in the Joint Declaration, are integral to Hong Kong's high degree of autonomy.

Korea

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the future stability of the Korean peninsula. [90138]

Mr. Hoon: Prospects for stability depend on North Korean readiness to work with the international community to overcome contentious issues. We continue to support South Korea's policy of engagement as a way of encouraging North Korean co-operation.

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of North Korea concerning routine international inspection of nuclear sites. [90139]

Mr. Hoon: The UK is concerned that the International Atomic Energy Agency (IAEA) is not receiving full co-operation from North Korea. We frequently make clear our views to North Korea, most recently in statements together with our EU partners at the June IAEA Board of Governors and the May Preparatory Committee for the 2000 Review Conference of the Non-Proliferation Treaty. We will continue to do so.

British EU Citizens

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the steps his Department is taking to ensure the free movement of British EU citizens within the states of the EU. [90133]

Ms Quin: Free Movement rights for EU citizens are enshrined within the Treaties. The Government attach importance to ensuring that these rights are upheld.

Chile

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he will take to improve the UK's relations with Chile. [90144]

Mr. Tony Lloyd: My right hon. Friend the Secretary of State had an open and cordial meeting with the new Chilean Foreign Minister, Sr. Valdes, in Rio on 27 June. My right hon. Friend emphasised the need for our two governments to work together to steer our relationship through this difficult period without serious damage. Both agreed to keep open the lines of communication between them.

Centre for European Reform

Mr. Norman: To ask the Secretary of State for Foreign and Commonwealth Affairs what contact *(a)* he and *(b)* his officials had with the Centre for European Reform, in relation to its lecture programme, during June. [90119]

Ms Quin: Ministers and officials have regular contact with a wide range of non-governmental organisations, including the Centre for European Reform. The Government believe that contact with this type of organisation is an important part of running a modern, inclusive government. The Government keep no official log of contact with such groups.

European Union Activities

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the total number of (i) Commission decisions, (ii) directives, (iii) Council directives, (iv) Working Group proposals and (v) Committee opinions, agreed in 1998. [89726]

Ms Quin: According to the Commission's "General Report on the Activities of the European Union 1998", in 1998 there were 537 Commission Decisions, 44 Commission Directives, 27 Council Directives and 26 Council/European Parliament Directives. These figures exclude instruments not published in the official Journal and routine management instruments valid for a limited period.

Working groups do not make proposals for legislation. They carry out preparatory work for legislative decisions taken by the Council. There is no central record of the Opinions given by comitology committees. However, all legislation enacted following consideration by comitology committees is published in the Official Journal, copies of which are placed in the Library of the House.

European Commission Staff

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 21 June 1999, *Official Report*, column *276*, concerning secondary employment of senior European Commission Staff; if he will request the information sought from the European Commission; and what his policy is on secondary employment of European Commission staff. [89807]

Ms Quin: For reasons of personal confidentiality, the Commission does not publish information about the secondary employment of officials below the level of Commissioner. As my answer of 21 June made clear, it does, however, have a system in place designed to prevent officials taking outside work which could impair their independence or be detrimental to the work of the Communities. The Government agree that any such secondary employment should be forbidden.

CABINET OFFICE

European Communities Working Groups

Mr. Bercow: To ask the Minister for the Cabinet Office if he will list the European Communities working groups which met over the last 12 months with a representative from his Department in attendance; if he will list the number of times each met; if he will indicate the nature of the Government's representation; and if he will make a statement. [88477]

Mr. Kilfoyle: Officials from my Department occasionally attend meetings of Council working groups. Sometimes my Department is represented by officials from the United Kingdom's Permanent Representation to the European Union. I have listed the working groups with which my Department is most closely involved, and the number of times these have met in the last 12 months with a representative from my Department in attendance.

Horizontal Questions Working Group: 5

Telecommunications Council Working Group: 7

General Affairs Working Group: 1

Quality of Legislation Working Group: 4.

Public Appointments

Jackie Ballard: To ask the Minister for the Cabinet Office if he will list the *(a)* numbers of and *(b)* ratio between men and women in public appointments made since 1997. [90181]

Mr. Kilfoyle: Appointments made to non-departmental public bodies (NDPBs) are the responsibility of individual Ministers and their departments. However, the Commissioner for Public Appointments collects statistics on appointments to NDPBs within her remit on an annual basis. The Commissioner's fourth report, copies of which have been placed in the Libraries of the House, contains information on appointments made during the year ending 31 March 1999.

Correspondence

Mr. Burns: To ask the Minister for the Cabinet Office what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within, *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90156]

Mr. Kilfoyle: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members in the 1998 calendar year. More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

Parliamentary Questions

Mr. Brady: To ask the Minister for the Cabinet Office how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91057]

Dr. Jack Cunningham: For the period between May 1997 to 31 March 1999, I refer the hon. Member to the answer I gave him on 15 April 1999, *Official Report*, column *339*.

Owing to the Easter recess there were only three sitting days between the period 1 April—14 April 1999. During that period there have been four named day parliamentary questions tabled to my Department of which 75 per cent. received a substantive reply on the day specified.

SOCIAL SECURITY

Compensation

Mr. Willetts: To ask the Secretary of State for Social Security if he will specify the matters, other than those relating to the NIRS2 computer system, in respect of which his Department has paid compensation to members of the public since May 1997. [90540]

Mr. Timms: The reasons for which compensation payments have been made to members of the public, other than those relating to the NIRS2 computer system, since May 1997, are as follows:

Extra-statutory payments: made in respect of defective legislation where the law has not reflected the original intention of Ministers.

In addition, payments have been made as a result of Departmental maladministration where any of the following have occurred:

Actual financial loss: made in respect of losses incurred by customers as a direct result of maladministration;

Delay: made for the loss of use of money arising where payments have been unreasonably delayed (payment made has been in the form of interest on the arrears due);

Gross inconvenience: as a result of persistent Departmental error;

Gross embarrassment, humiliation or unnecessary personal intrusion;

Severe distress, where maladministration has had a serious impact on a customer's physical or mental health; and

Loss of statutory entitlement: where entitlement to benefit has been lost due to maladministration or official error.

Where maladministration occurs the Department aims to restore the person to the position that he or she would have been in but for that maladministration. Payments have been made by DSS agencies as a result of maladministration under all the categories listed.

Payments made from 1 April 1998 to 31 March 1999 by Agency are as follows:

Type of payment	*Number of payments*
Benefits Agency	
Extra-Statutory	1,333
Actual Financial Loss	3,836
Delay	2,496
Consolatory[1]	300
Loss Of Statutory Entitlement	1,879
Total	9,844
Contributions Agency	
Extra-Statutory	1
Actual Financial Loss	653
Delay	2,635
Consolatory[1]	95
Loss Of Statutory Entitlement	1
Total	3,385
Child Support Agency	
Extra-Statutory	170
Actual Financial Loss	4,264
Delay	1,144
Consolatory[1]	4,235
Loss Of Statutory Entitlement	0
Total	9,813
War Pensions Agency	
Extra-Statutory	1,210
Actual Financial Loss	8
Delay	191
Consolatory[1]	3
Loss Of Statutory Entitlement	2
Total	1,414
Independent Tribunal Service	
Extra-Statutory	0
Actual Financial Loss	21
Delay	2
Consolatory[1]	12
Loss Of Statutory Entitlement	0
Total	35

[1] Consolatory payments consist of payments made under the categories of gross inconvenience, gross embarrassment, humiliation, unnecessary personal intrusion and severe distress.

A copy of the Department's guide to special payments, known as the "Financial Redress for Maladministration" is held in the House of Commons Library.

Correspondence

Mr. Burns: To ask the Secretary of State for Social Security what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within, *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90151]

Mr. Darling: Figures are not available in the format requested. In the 12 months ending June 1999, Ministers replied to 47 per cent. of letters from right hon. and hon. Members within our target of 20 working days, 37 per cent. within 21 to 40 working days; and 16 per cent. were sent after 40 working days. So far this year, Ministers have answered 60 per cent. of letters within 20 working days. Ministers in my Department reply to around 18,000 letters a year and we are committed fully to improving turnaround times.

Income Support

Mr. Chisholm: To ask the Secretary of State for Social Security what estimate he has made of the cost of increasing the earnings disregard on income support to *(a)* £20 and *(b)* £25 per week. [90753]

Mr. Timms: The cost of an earnings disregard for all benefit units on Income Support (IS) of the requested levels is shown in the table:

Earnings disregard for IS benefit units	*Cost (£ million)*
£20	20
£25	35

Notes:
1. Estimates based on February 1999 Income Support Statistics Quarterly Enquiry and the Policy Simulation Model.
2. Estimates exclude movements between Working Families Tax Credit (WFTC) and IS, and behavioural effects.
3. Estimates assume no change to the earnings disregards in Housing Benefit (HB) and Council Tax Benefit (CTB).
4. Estimates are rounded to the nearest £5m.

Housing Benefit

Dr. Lynne Jones: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Edmonton (Mr. Love) of 3 March 1999, *Official Report*, column *802*, how many of the 522 responses the consultation document, "Supporting People", *(a)* supported, *(b)* opposed and *(c)* did not mention, the inclusion of sheltered housing within the proposals; and if he will publish a summary of the responses. [90391]

Angela Eagle: Information is not available in the format requested. Of the 522 responses received, 128 referred to the position of sheltered housing. We hope to be in a position to publish the summary of responses shortly.

Pensions

Mr. Martlew: To ask the Secretary of State for Social Security when he expects to receive the Occupational Pensions Regulatory Authority's third annual report; and if he will make a statement. [91149]

Mr. Timms: My right hon. Friend the Secretary of State has received the third report of the Occupational Pensions Regulatory Authority (OPRA). I am pleased to see that OPRA has now consolidated its position as a respected and effective regulator. I am delighted that it continues to work closely with other organisations in the pensions industry to help, and protect the interests of, members of occupational pension schemes. Copies of the report have been laid before both Houses today.

Mr. Martlew: To ask the Secretary of State for Social Security when the next stage of formal consultation on stakeholder pensions policy will commence. [91150]

Mr. Timms: The consultation paper "Stakeholder Pensions: Clearing Arrangements—The Government Proposals" is published today. This is the third in a series of consultation papers on stakeholder pensions and further consultation papers will be issued in the coming weeks.

Copies of the consultation paper have been placed in the Library and are available in the Vote Office.

Mr. Field: To ask the Secretary of State for Social Security if he will estimate *(a)* the cost and *(b)* the effect on the distribution of pensioners aged over 80 years by each income quintile for the population as a whole, of raising the level of basic state pension by (i) £5, (ii) £10 and (iii) £15 per week for this age group. [90249]

Mr. Timms: The answer to part *(a)* is provided in the table. Reliable estimates, of the effects of such changes on the distribution of pensioners aged over 80 years by each income quintile of the population as a whole, are not available.

Cost of increasing basic state pension paid to pensioners aged over 80

	£ million
£5	350
£10	720
£15	1,130

Notes:
1. Estimates for Retirement Pension have been provided by the Government Actuary's Department.
2. Means-tested benefit offsets have been estimated using the 1999–2000 Income Support Simulation Model and the 1996–97 Family Resources Survey.
3. Estimates are consistent with the Departmental Report, are in current prices and benefit rates, and are rounded to the nearest £10 million.

Income Maintenance

Mr. Bradshaw: To ask the Secretary of State for Social Security if he will estimate the average weekly Government expenditure on income maintenance per head of population in the United Kingdom. [90118]

Angela Eagle: For 1998–99, the total amount of Income Related Benefits paid in GB was £31.5 billion. This equates to an average of £10.50 per week per head of the population.

Notes:
1. Income maintenance is taken to mean the main Income Related Benefits (Income Support, Housing Benefit, Council Tax Benefit, JSA (income-based), Family Credit and Disability Working Allowance).
2. Figures are for GB. Figures in Northern Ireland are available separately from the Northern Ireland office.
3. The weekly figure given is rounded to the nearest 50 pence.

Data Matching

Mr. Cohen: To ask the Secretary of State for Social Security what instructions and guidance he has given to staff to forbid them from approaching employers requiring copies of complete databases of personal data; and if he will place a copy of such guidance in the Library. [89593]

Mr. Timms: Fraud investigators have the power to request information from employers about their employees under Section 110 of the Social Security Administration Act 1992 and the Jobseeker's Act 1995. Guidance on how to operate these powers is contained in a number of Departmental sources. These set out the Department's procedures for deterring and investigating fraud and it would not normally be appropriate to make them public.

Mr. Cohen: To ask the Secretary of State for Social Security if he will list *(a)* the total number of claimant matches undertaken by his Department's data matching programme, *(b)* the number of matches which resulted in no further action, *(c)* the number of matches which required investigation by staff, *(d)* the number of matches

which, following such investigation, resulted in no further action, *(e)* the number of withdrawn claims and prosecutions identified by data matching, *(f)* the cost of the data matching programme so far, including all direct and indirect staff costs and (h) the amounts of benefits saved by the data matching programme. [89591]

Mr. Timms: The information is not available in the format requested. Such information as is available is in the tables.

This Department operates two data matching services: the Generalised Matching Service, which matches different DSS computer systems against each other and against data acquired from other Government Departments to identify anomalies for investigation; and the Housing Benefit Matching Service which matches data from Local Authority (LA) Housing and Council Tax benefit administration systems against data held by the DSS and other LAs to identify anomalies for the LAs to investigate.

Generalised Matching Service

Year ending	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Anomalies referred for investigation	—	62,937	85,071	137,307	139,292
Referrals resulting in benefit savings or identified overpayments	—	20,998	34,989	56,290	87,670
Referrals requiring no further action pre investigation	—	25,862	32,482	45,749	62,719
Referrals requiring no further action post investigation	—	1,668	4,039	9,324	10,565
Total referrals cleared[1]	—	48,528	71,510	111,363	160,954
Weekly Benefit Savings	—	£28.8m	£51.1m	£83.7m	£154.2m
Funding	£2.6m	£10.7m	£11.4m	£14.1m	£16.5m

[1] The Department's data matching programmes are rolling programmes. The referrals they produce can take a number of months to investigate and cannot all be cleared in the year that they are generated.

Housing Benefit Matching Service

Year ending	*1996–97*	*1997–98*	*1998–99*
Anomalies referred to Local Authorities for investigation[1]	—	25,940	49,084
Referrals resulting in benefit savings or identified overpayments[2]	—	5,235	15,109
Weekly Benefit Savings[3]	—	£4,388,496	£12,970,952
Recoverable overpayments[3]	—	£2,815,950	£7,303,508
Funding[3]	£1,617,213	£2,428,314	£2,437,313

[1] The 1997–98 figures include the figures for 1996–97.
[2] The Department only records details of the referrals to Local Authorities which result in benefit savings or identified overpayments.
[3] The figures given only relate to the costs of operating the Housing Benefit Matching Service. They do not include the Local Authorities' cost of investigating those referrals, which are not recorded by the DSS. This is a voluntary scheme and responsibility for recording the cost of participation would fall to the Local Authorities.

HOME DEPARTMENT

Youth Crime

16. **Fiona Mactaggart:** To ask the Secretary of State for the Home Department what progress has been made on tackling criminal activity by young people. [89226]

Mr. Boateng: Following the Crime and Disorder Act 1998, we are piloting in 10 areas the final warning scheme, a range of new community-based court disposals and Youth Offending Teams. We expect to implement these nationally next year. Under this Session's Youth Justice and Criminal Evidence Bill we are proposing referrals to youth offender panels. The youth justice system is also being speeded up, and we have established the Youth Justice Board to provide advice and promote and monitor local good performance.

Air Guns

17. **Mr. Hinchliffe:** To ask the Secretary of State for the Home Department if he will bring forward legislation to control the use of air guns. [89227]

Mr. Boateng: We have no immediate plans to change the law relating to air weapons but firearms legislation will be kept under close scrutiny to see if there is anything further which needs to be done to protect public safety. To this end, I have asked the Firearms Consultative Committee, the independent statutory body that advises the Government on firearms matters, to consider again the controls on air weapons as part of their programme of work for this year. I look forward to receiving their report later in the year and considering any recommendations they may make about airguns.

Stephen Lawrence Inquiry Report

20. **Mr. Efford:** To ask the Secretary of State for the Home Department if he will make a statement on the Government's progress towards implementing the recommendations of the Macpherson report. [89230]

Mr. Straw: On 23 March I published an Action Plan which sets out how the report's recommendations will be taken forward. Progress has been made on implementing the recommendations in line with the published plan. The Steering Group, which I chair, which has responsibility for overseeing implementation of the report, met for the first time on 18 May. It next meets on 27 July.

Cricket World Cup

21. **Mr. Grogan:** To ask the Secretary of State for the Home Department what assessment he has made of the measures taken to maintain public order for the cricket world cup. [89231]

Kate Hoey: It is a matter for the cricketing authorities and the police to assess the impact of security measures taken during the tournament. The Association of Chief Police Officers are presently compiling a report to see what lessons can be learned from the policing

arrangements during the tournament. The tournament attracted almost 498,000 spectators and ACPO advise that there were 52 arrests and 323 ejections by stewards from grounds. These figures show that the vast majority of people attended matches for all the right reasons and were able to watch the cricket in a safe and secure environment.

Kosovar Refugees

22. **Mr. Corbett:** To ask the Secretary of State for the Home Department if he will make a statement on the number of Kosovan refugees settled into temporary accommodation in Birmingham; and how many have moved from their original locations to London and the south-east. [89232]

Mr. Mike O'Brien: Four thousand, three hundred and forty-six evacuees have been airlifted to the United Kingdom under the United Nations High Commissioner for Refugees Humanitarian Evacuation Programme (HEP) from Macedonia. Most have been housed in reception centres in the Midlands, the North of England and Scotland; no reception centres have been established in Birmingham.

The latest estimates indicate that 572 of the refugees arriving under the HEP have moved from reception centres to London and the South East. A further 115 refugees did not enter reception centres and are thought to have moved to the South East.

34. **Mr. Khabra:** To ask the Secretary of State for the Home Department if he will make a statement about the settling of Kosovan refugees into temporary accommodation across the country; and how many have moved from their original locations into London and the south-east. [89245]

Mr. Mike O'Brien: Four thousand, three hundred and forty-six evacuees have been airlifted to the United Kingdom under the United Nations High Commissioner for Refugees Humanitarian Evacuation Programme (HEP) from Macedonia. Most have been housed in reception centres in the Midlands, the North of England and Scotland.

At the reception centres each refugee is given a health check and assigned a GP; children of school age are assigned to a local school; and refugees are put in touch with any known relatives and friends. Reception services for the refugees have been organised by the Local Authorities and the Refugee Council. Airport authorities, the immigration service and local medical services have also been heavily involved.

The refugees are free to move within the United Kingdom as they choose and it is inevitable that some refugees will go to areas where they have family or where other Kosovans have already settled, including London and the South East. The latest estimates indicate that 572 of the refugees arriving under the HEP have moved from reception centres to London and the South East. A further 115 refugees did not enter reception centres and are thought to have moved to the South East. 179 refugees have moved out of reception centres to other areas.

Mrs. Gillan: To ask the Secretary of State for the Home Department, pursuant to his answer of 2 July 1999, *Official Report*, column *310*, how many of the refugees who arrived under the Humanitarian Evacuation Programme and are not currently resident in reception centres are currently residing at addresses notified to his Department. [90635]

Mr. Mike O'Brien: There is no requirement for refugees arriving under the Humanitarian Evacuation Programme to inform the Home Office of their address, and none have done so.

Mrs. Gillan: To ask the Secretary of State for the Home Department how many Kosovar refugees have been evacuated to the UK since 1 June; and on what dates they arrived in the UK. [90638]

Mr. Mike O'Brien: The numbers of arrivals of refugees from Kosovo since 1 June are given in the table:

Date	*Airport of arrival*	*Number of refugees (Immigration Service statistics)*
1 June 1999	Manchester	82
2 June 1999	Manchester	142
3 June 1999	Manchester	138
4 June 1999	Manchester	160
5 June 1999	Manchester	163
7 June 1999	Leeds/Bradford	171
8 June 1999	Leeds/Bradford	167
9 June 1999	Leeds/Bradford	165
10 June 1999	Leeds/Bradford	164
11 June 1999	Leeds/Bradford	149
12 June 1999	Leeds/Bradford	158
14 June 1999	Leeds/Bradford	157
15 June 1999	Leeds/Bradford	143
18 June 1999	Leeds/Bradford	135
23 June 1999	Leeds/Bradford	136
25 June 1999	Leeds/Bradford	102
2 July 1999	Glasgow	34
Total		2,266

Medical flight
Nine medical patients

Mrs. Gillan: To ask the Secretary of State for the Home Department, pursuant to his answer of 2 July 1999, *Official Report*, column *310*, how many of the evacuees received from Kosovo into the UK have applied for asylum in the UK. [90637]

Mr. Mike O'Brien: I regret that the information requested is not available as it could be obtained only at disproportionate cost.

Mrs. Gillan: To ask the Secretary of State for the Home Department when the first of the refugees who arrived in the UK under the UNHCR Humanitarian Evacuation Programme will return to Kosovo. [90636]

Mr. Mike O'Brien: It is our aim that refugees should return home as soon as possible and we are planning to start return flights from 19 July.

Severe Personality Disorders

23. **Mr. Stringer:** To ask the Secretary of State for the Home Department what discussions he has had with the Secretary of State for Health on people with severe personality disorders; and if he will make a statement. [89233]

Mr. Straw: My statement to the House on 15 February 1999, *Official Report*, columns *601–03*, set out our proposals to introduce powers of indeterminate detention

for dangerously severely personality disorder individuals. The development of this policy has required joint working at all levels between the Home Office and the Department of Health—including extensive discussions between my right hon. Friend the Secretary of State for Health and myself.

I am pleased to announce, on behalf of both myself and my right hon. Friend the Secretary of State for Health, that we will publish the consultation paper on the management of dangerous severely personality disordered individuals on 19 July.

Police Constables

24. **Mr. Letwin:** To ask the Secretary of State for the Home Department how many police constables were employed in England at the latest date for which figures are available. [89235]

Mr. Boateng: Figures show that there were 91,047 constables in the 39 police forces in England as at 31 March 1999.

Millennium Compliance

25. **Mr. David Atkinson:** To ask the Secretary of State for the Home Department if he will make a statement on progress on the millennium compliance of the date-related computer systems for which his Department is responsible. [89236]

Mr. Straw: All business critical computer systems in the Home Department are expected to be Millennium compliant by September 1999. 83 per cent. of these systems are now compliant, with 95 per cent. due to be compliant by the end of this month. 71 per cent. of non-critical computer systems are now compliant, with the remaining systems due to be compliant by November.

Prison Service, United Kingdom Passport Agency and Forensic Science Service critical computer systems will be compliant by the end of this month, with non-critical systems compliant by August. All Fire Service College computer systems will be compliant by September.

Anti-social Behaviour Orders

26. **Mr. Jenkins:** To ask the Secretary of State for the Home Department if he will make a statement about the use to date of anti-social behaviour orders. [89237]

32. **Mr. Peter Bradley:** To ask the Secretary of State for the Home Department if he will make a statement on the use to date of anti-social behaviour orders. [89243]

Mr. Boateng: We understand that, to date, there has been at least one order granted and that a number of others are in the pipeline. The provisions relating to anti social behaviour orders only came into effect on 1 April 1999. It is, therefore, still early days to know what use local crime and disorder partnerships will make of them.

Ms Blears: To ask the Secretary of State for the Home Department what progress has been made in implementing the Anti-social Behaviour Orders under the Crime and Disorder Act 1998. [89241]

Mr. Boateng: The provisions in the Crime and Disorder Act 1998 which introduce Anti-Social Behaviour Orders (ASBO) came into effect on 1 April 1999. It is, therefore, still early days to know what use local crime and disorder partnerships will make of them. The decision as to whether an ASBO should be granted, however, is a matter for the courts. We understand that, to date, there has been at least one order granted and that a number of others are in the pipeline.

Passports

27. **Mr. Bercow:** To ask the Secretary of State for the Home Department by what method he plans to calculate compensation payments to citizens missing overseas trips due to difficulties at the UK Passport Agency. [89238]

Mr. Mike O'Brien: Compensation is calculated to restore the claimant to the financial position they would have enjoyed had an acceptable level of service in processing their passports been provided. Each case is considered carefully on its merits and a claimant will be asked to provide documentary evidence of the cost of their loss of an overseas trip and confirm they have made no other claim for compensation.

33. **Ann Clwyd:** To ask the Secretary of State for the Home Department if he will make a statement on progress with measures to reduce delays at the Passport Agency. [89244]

Mr. Mike O'Brien: The Passport Agency is continuing to prioritise applications by travel dates, and is meeting those dates in 99.99 per cent. of cases. In order to improve on this it is recruiting an additional 100 staff above the 300 already deployed. The Agency is working extended hours and straightforward renewal applications are being exceptionally extended by passport offices, and from 7 July at main Post Offices. These measures have boosted output by 24 per cent. over last year.

Adverts were placed in the national and regional media on 2 July advising the general public awaiting or applying for a passport what to do. A special telephone helpline has been set up for inquiries.

The Agency's intake is now falling, and this together with the measures it is taking should enable it to reduce current delays, and get its turnround time down to 10 days by the end of September.

Mr. Beith: To ask the Secretary of State for the Home Department what representations the Passport Agency made to his Department on the impact of *(a)* the changes relating to the issuing of passports for children and *(b)* the introduction of new information technology systems on (i) staffing and (ii) resource levels; and if he will make a statement. [90946]

Mr. Mike O'Brien: The impact of separate passports for children and the new Information Technology system were built into the Passport Agency's planning assumptions which underpinned its 1998–99 Business Plan and 1998–2001 Corporate Plan.

As indicated by my right hon. Friend the Secretary of State for the Home Department in the debate on Passport Delays on 29 June 1999, *Official Report*, columns 140–96, we were aware in late-March that the Agency's turnround times and arrears were higher than expected. An action plan was agreed including the recruitment of 300 extra staff and other measures which the Agency's management believed would deal with the problems.

The surge in intake from April led to a further deterioration, and further measures have been taken to reduce processing delays.

The Agency has continued to meet more than 99.99 per cent. of travel dates, and expects to continue to do so. The Agency very much regrets the difficulties that have arisen this year. It aims to reduce its turnround time for clearing straightforward applications to ten days by the end of September.

Mr. Healey: To ask the Secretary of State for the Home Department if he will make a statement on the latest situation on delays in issuing passports by the Passport Agency. [89249]

Mr. Mike O'Brien: As of yesterday, the number of applications waiting to be processed was just under 500,000, a reduction of 6 per cent. on the previous week's figure. This figure is equivalent to just under four weeks output.

However more than half of these applications are for people indicating travel dates for August, September and beyond. The Passport Agency is prioritising work according to travel dates, and in the vast majority of cases—99.99 per cent.—applicants are receiving their passports in time to travel. It is taking steps to improve on this. The Agency have employed 300 additional staff, and are recruiting a further 100. It is working extended hours, streamlining its processes and using exceptional extensions to renew passports both at Passport Offices and main Post Offices. The Agency's intake is now falling, and this together with the special measures it is taking will reduce delays and enable it to hit its target of processing all properly completed applications by the end of September.

Mr. Lidington: To ask the Secretary of State for the Home Department, pursuant to his answer of 28 June 1999, *Official Report*, columns *77–78*, how many passport applications have been endorsed with a two-year extension in each week from the week beginning 31 May to the last week for which information is available; and how many of those renewals were of passports which included the names of children aged under 16 years. [90560]

Mr. Mike O'Brien: The table shows the number of extensions that have been made in the weeks requested:

Week commencing	*Number of extensions*
31 May 1999	5,585
7 June 1999	5,141
14 June 1999	4,553
21 June 1999	4,098
28 June 1999	4,530
Total	23,907

Separate records are not kept of extensions made where children are included on a passport.

Victims of Crime

28. **Mr. Goggins:** To ask the Secretary of State for the Home Department what steps he is taking to ensure that the police give more information to victims of crime about action being taken. [89239]

Mr. Boateng: Interim findings from pilot projects established to see how the Victim's Charter commitment to keep victims informed might best be met were promulgated in Home Office Circular 55/1998 of 23 December 1998. Following final evaluation, we hope to issue good practice guidelines to the police, and other agencies, later this year.

Drug Abuse (Prisons)

29. **Mr. Blunt:** To ask the Secretary of State for the Home Department if he will make a statement on the level of drug abuse in prisons. [89240]

Mr. George Howarth: The result of random mandatory drug testing (MDT) provide the best information available on the level of drug misuse in prison. In 1998–99, 18.3 per cent. of random MDT samples were positive for drugs; well within the KPI target of 20 per cent. for that year.

Cycling Offences

31. **Mr. Bradshaw:** To ask the Secretary of State for the Home Department what plans he has to give police the powers to levy spot fines on cyclists. [89242]

Mr. Boateng: The police already have powers to issue fixed penalty notices for a number of cycling offences. We propose to introduce a further one for cycling on the pavement from 1 August. The fixed penalty is not an on the spot fine, payment will not be required on the spot and the person receiving it can challenge its issue in court.

Crime Rates

35. **Mr. Loughton:** To ask the Secretary of State for the Home Department if he will make a statement on the changes in crime rates since 2 May 1997. [89246]

Mr. Straw: The most recent data available are for the 12 months to 31 March 1998. These show an overall decrease of 8 per cent. in notifiable offences recorded by the police in England and Wales in comparison to the previous year.

MI5

36. **Dr. Julian Lewis:** To ask the Secretary of State for the Home Department if he will make a statement about the role, status and functioning of F Branch of the Security Service since the publication of the Home Office's 1998 booklet about MI5. [89247]

Mr. Straw: I refer the hon. Member to my reply to his question on 30 June 1999, *Official Report*, column *186*. The 1998 booklet "MI5 The Security Service" contains a great deal of information about the work of the Service and provides as much information as it is possible to disclose on the subject of interest to the hon. Member.

Prison Population

37. **Miss McIntosh:** To ask the Secretary of State for the Home Department if he will make a statement on the numbers of *(a)* young and *(b)* other offenders in prison (i) currently and (ii) on 1 May 1997. [89248]

Mr. George Howarth: The available information is given in the table.

Population in prisons in England and Wales on 30 April 1997 and 30 April 1999 by type of custody

Date	Young offenders[1]	Others[2]	Total
30 April 1997	10,597	49,534	60,131
30 April 1999	11,334	53,062	64,396

[1] Persons aged under 21 years
[2] Persons aged 21 years and over

Data Protection

Dr. Starkey: To ask the Secretary of State for the Home Department what progress he is making towards implementing the Data Protection Act 1998. [91227]

Mr. George Howarth: The work on the essential subordinate legislation is well advanced, but it will not be completed before the summer recess. We intend to lay the instruments before Parliament in the autumn. To allow business and others adequate time to prepare, we intend to bring the 1998 Act into force on 1 March 2000. Meanwhile, drafts of three further statutory instruments will be published on the Internet at www.homeoffice.gov.uk on 13 July 1999. I am also placing copies in the Library.

Prison Service

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what measures are taken to ensure that risk assessments in the Prison Service conform to a uniform approach. [90116]

Mr. George Howarth: The Prison Service undertakes risk assessments for a variety of purposes. These need to be based on consistent principles, but responsive to the complexities of individual situations. Arrangements are supported by detailed guidance, defined procedures and standards audit. Prisoners dissatisfied with decisions can make use of the request and complaints procedures.

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what arrangements are in place to ensure parity of treatment in respect of entitlement to home leave across the Prison Service. [90113]

Mr. George Howarth: There is no entitlement to resettlement licence, which replaced home leave in 1995. The criteria for eligibility for resettlement licence is set out in Prison Service Instruction 36/1995, a copy of which is in the Library. The Instruction is mandatory which ensures consistency of treatment in respect of eligibility for resettlement licence.

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what arrangements are in place to monitor the consistency of approach in the use by governors in the Prison Service of their discretionary powers. [90115]

Mr. George Howarth: Eligibility for temporary release does not pre-suppose it will be granted by the governor. Applications from eligible prisoners are considered on a case by case basis and subject to a risk assessment. Governors use their discretion in the light of the risk assessment and reasonableness under the Wednesbury Principle. These decisions are subject to judicial review.

Women Prisoner (Breastfeeding)

Dr. Vis: To ask the Secretary of State for the Home Department on how many occasions in the past year a woman prisoner has been told that she had to stop breastfeeding in order to attend educational or other courses inside a prison. [89344]

Mr. George Howarth: There are no occasions in the past year when a woman prisoner has been told to stop breastfeeding in order to attend educational or other courses inside a prison. The Prison Service supports the good practice of women breastfeeding their babies. A woman prisoner can express milk and leave the milk with nursery nurses to feed her baby or she can leave the class to breastfeed her baby and rejoin when she has finished. The choice is left to the breastfeeding mother.

The four mother and baby units in the female prison estate actively encourage breastfeeding and pregnant women have access to information and professional advice to enable them to make an informed choice about how to feed their babies.

Drive for Youth

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department when he last met and when he next expects to meet representatives of Drive for Youth. [90301]

Mr. Straw: I met the Chairman of Drive for Youth briefly on Monday 5 July. I have no current plans to meet with representatives in the near future, but I have asked them to let me have written representation about their concerns which I shall consider.

Mr. Jay Abatan

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department if he will meet a representative group on behalf of Mr. Jay Abatan's family to discuss the actions of the police and the prosecution process following his death after an attack in Brighton. [90747]

Mr. Straw: As criminal proceedings are still outstanding in respect of two defendants, it would be inappropriate for me to discuss this case.

Correspondence

Mr. Burns: To ask the Secretary of State for the Home Department what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90161]

Mr. Straw: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members in the 1998 calendar year.

The percentage of mail received in the last 12 months from right hon. and hon. Members which are replied to within the time scales specified could be provided only at disproportionate cost.

Tax Discs

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many individuals in Merseyside have been recorded as failing to display a current tax disc in each of the preceding 12 months; how many have been fined; and what fines have been levied. [90695]

Mr. Boateng: The available information held centrally relates to prosecutions in Merseyside in 1997 for offences of failing to pay the appropriate motor vehicle licence duty and for having the licence disc obscured or not affixed, the number of fines imposed and the average fine amount.

Prosecutions for failing to pay motor vehicle licence duty, Merseyside, 1997

	Failing to pay appropriate duty			*Licence obscured or not affixed*		
Month	*Number of prosecutions*	*Number of fines*	*Average fine (£)*	*Number of prosecutions*	*Number of fines*	*Average fine (£)*
January	93	83	106	19	8	38
February	120	95	120	9	4	38
March	167	132	99	8	—	—
April	165	145	84	21	2	65
May	153	121	128	21	10	45
June	91	68	120	26	5	25
July	91	72	59	21	3	15
August	177	154	104	15	6	33
September	209	173	131	12	1	15
October	251	205	90	16	2	15
November	268	233	99	19	3	32
December	248	202	102	9	1	20
Total 1997	2,033	1,683	105	196	45	35

In addition to the fine, it is normal for the court to order back-payment of duty and costs.

There may be additional offences dealt with by means of fixed penalty notices and written warnings but in neither case are figures by individual offence or month held centrally. Figures for 1998 are not yet available.

Operation CARE

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many individuals have been *(a)* charged and *(b)* arrested in connection with operation CARE (Merseyside); and how many individuals to date have claimed to have been abused and over what period of time. [90696]

Mr. Boateng: Operation CARE, which commenced in April 1996, is a joint investigation between Merseyside Police and Social Services Departments into mostly historical allegations of sexual and physical abuse upon children in care establishments and voluntary care settings.

The table gives an overview of the current situation:

Period under investigation	*1960-date*
Persons arrested	66
Persons convicted	20
Persons acquitted after trial	2
Persons arrested and no further action	5
Persons charged and awaiting trial	14
Persons on police bail	25
Separate complaints received	759
Offenders/suspects	358

Police Authorities

Ms Lawrence: To ask the Secretary of State for the Home Department when he will publish the report into the sparsity element of the funding formula for police authorities. [90631]

Mr. Boateng: The external research project commissioned by the Home Office examined whether there are any additional costs associated with the policing of sparsely populated rural areas. The final report from the researchers was considered by a Home Office-led Working Group, which includes representatives of the police, police authorities and local authorities, on 8 July. The Home Secretary and I will be considering the report shortly, and a copy will be placed in the Library.

Children's Passports

Mr. Lidington: To ask the Secretary of State for the Home Department what his reasons were for deciding that summaries of court orders should not be endorsed on children's passports. [90516]

Mr. Mike O'Brien: Where children hold passports, a court can require the surrender of a passport and so the endorsement of a court order may not be necessary.

However, there has not been a decision that summaries of court orders should not be endorsed on children's passports. This issue has been considered by the Parent/Carer Child Abduction Co-ordinating Group, which is an inter-departmental group of officials, together with Re-unite. The Group will be looking at the effectiveness of introducing endorsements of the passports of children at risk of abduction.

Mrs. Sabina Morison

Mr. McLoughlin: To ask the Secretary of State for the Home Department when it is expected that a decision will be reached on the application of Mrs. Sabina Mbiri Morison (Home Office reference M636323) to have the deportation order on her lifted. [90840]

Mr. Mike O'Brien: The papers relating to Mrs. Morison's case are not immediately available and I regret that it is accordingly not possible to give an indication of the likely timescale involved. I will write to the hon. Member.

Prisoner Repatriation (Ireland)

Mr. McNamara: To ask the Secretary of State for the Home Department how many applications for prisoner repatriation to the Republic of Ireland are under consideration; and how many of these are from prisoners convicted of terrorist offences. [89905]

Mr. George Howarth: 48 applications for repatriation to the Republic of Ireland are currently under consideration, including three from prisoners convicted of Irish terrorist related offences.

Mr. McNamara: To ask the Secretary of State for the Home Department what, in each year since 1997, was the average length of time taken for a prison transfer from the submission of a successful application to their arrival in the Republic of Ireland for *(a)* IRA prisoners and *(b)* non-IRA prisoners. [89906]

Mr. George Howarth: The information requested is given in the table.

Average periods [1], from date of submission of a successful application for repatriation to the Republic of Ireland to date of arrival in the Republic, in 1997 and 1998

	Prisoners convicted of terrorist related offences [2]	*Non-terrorist prisoners*
1997	Approximately 9 months	Approximately 23 months
1998	Approximately 10 months	All applications submitted in 1998 remain outstanding

[1] Not all applications were resolved in the same calendar year as that in which they were submitted

[2] Details of prisoners' alleged paramilitary affiliations are not centrally recorded

Local Inmates Database System

Mr. McNamara: To ask the Secretary of State for the Home Department what are the principal functions of the Local Inmates Database System; how many records the system contains; under what fields information is recorded about inmates; what would be the cost of adding an extra field to this system; how many fields would be required to monitor the ethnic composition of the prison population along the lines of the proposed questions for Census 2001; and what arrangements are in place to link information on inmates detained elsewhere in the United Kingdom. [89907]

Mr. George Howarth: The Local Inmates Database System (LIDS) operates at each public prison to support the administration of prisoners' sentences. It covers a wide range of administrative functions including the recording of all movements of prisoners including: reception, transfers to and from courts, adjudications while in prisons; details of prisoners earnings and private cash; related work and activities; and all forms of release. It holds a broad set of information needed to support these processes, much of which is transferred to a separate central system which supports overall management and monitoring of the Prison Service. LIDS records are transferred automatically between prisons in England and Wales when prisoners move location.

The individual prison LIDS systems hold full details of all current prisoners and those who have recently been released. The total number of records held, therefore, varies according to the size of the overall prison population but is generally some 20,000 to 30,000 above this.

In addition to standard fields such as name, date of birth, place of birth, the system holds several hundred fields supporting the functionality described. The cost of adding an additional field to the system is heavily dependent on the extent to which the change can be combined with other activity, whether it warrants significant staff training or needs complex programming.

LIDS already has fields which hold details of ethnic origin, country of birth and place of birth. The coding system used for these fields is not identical to that proposed for the Census in 2001 but could be adapted for that purpose.

There are no arrangements in place to link LIDS data with similar systems maintained by other jurisdictions.

Learmont Inquiry

Mr. McNamara: To ask the Secretary of State for the Home Department when he will publish his response to the Learmont Inquiry. [89908]

Mr. George Howarth: I refer my hon. Friend to the answer given to my hon. Friend the Member for Enfield, North (Ms Ryan) on 26 January 1999, *Official Report*, columns *201–02*.

Special Secure Units

Mr. McNamara: To ask the Secretary of State for the Home Department how many prisoners are detained in each special secure unit; and if he will list for each *(a)* the nature of crime for which the prisoner was convicted, *(b)* the (i) national origin and (ii) citizenship of the prisoner, *(c)* their special category status, *(d)* their length of detention in the unit and *(e)* how many medical examinations have been conducted in that time; and what supervisory mechanism is in place to ensure that any abnormal medical observations are acted upon. [89909]

Mr. George Howarth: On 5 July 1999, seven prisoners were held in special secure units (SSUs), five at Whitemoor and two at Belmarsh. Only prisoners categorised as category A exceptional escape risk are held in SSUs.

The table gives the information requested including the number of three monthly medical reviews conducted. These reviews are part of the operating standards for SSUs and are provided in addition to the normal health care facilities available to every prisoner. Any prisoner who is observed to be presenting abnormal medical conditions will be discussed by the senior medical officer and the unit governor. The senior medical officer will provide or recommend medical services as appropriate according to his judgment.

Category A exceptional risk prisoners held in special secure units

Nationality	*Offence*	*Time spent in SSU*	*Number of three-monthly health reviews*
Turkish	Importation and supply of drugs	4 months	2
British	Murder	2 months	1
British	Conspiracy to supply drugs	1 month	0
British	Armed robbery	2 months	0
American	Conspiracy to murder	3 years	7
Colombian	Customs evasion	2 years	6
Turkish	Conspiracy to supply drugs	7 months	2

Mr. McNamara: To ask the Secretary of State for the Home Department what measures have been taken to address deficiencies in the completion of visitor records for the special secure unit at Whitemoor Prison; and on what dates between 1 September 1998 and 1 April 1999 the Governor of Whitemoor Prison visited its special secure unit. [89910]

Mr. George Howarth: The operating standards for the special secure unit at Whitemoor include a requirement for weekly visits by the governing governor or, in his absence, a nominated representative. These visits are recorded. This is in response to recommendation 44 of the Woodcock report that frequent supervisory visits should be carried out and recorded in a matrix to be produced monthly to the prison governor. The table provides the specific information requested.

Governor's visits to Special Secure Unit at Whitemoor Prison

Visitor	*Governor*	*Nominated representative*
1998		
September	8, 14, 29	23
October	6, 13, 16	29
November	16, 25	5, 9, 19
December	7, 22, 25	11
1999		
January	18, 28	5, 15
February	19, 26	1, 11
March	3, 16, 19, 29	(2 April)

Firearms

Mr. Oaten: To ask the Secretary of State for the Home Department if he will make it his policy to pay interest on the compensation paid to gunholders who have handled firearms under the Firearms (Amendment) Acts. [90541]

Mr. Boateng: There is no provision to include interest as part of the payments made under the terms of the statutory firearms compensation scheme. Compensation claims made under this scheme are not commercial debts requiring payment within the standard 30 days.

Jury Trial

Mr. Stinchcombe: To ask the Secretary of State for the Home Department on what evidence he based his statement to the Police Federation on 19 May concerning the proportion of either-way cases in the previous year in which defendants chose to be heard before a jury and the plea was changed to a guilty one. [90754]

Mr. Boateng: Crown Prosecution Service statistics for 1998 show that 18,500 defendants elected trial in 1998 in addition to 46,800 either-way cases directed to the Crown Court by magistrates. During the same period 74 per cent. of all defendants pleaded guilty before the commencement of the Crown Court trial.

TREASURY

VAT

Mr. Pearson: To ask the Chancellor of the Exchequer if he will publish the list of questions put to the VAT authorities of the other member states and the Commission on the interpretation of Article 13.B(d)(1) to (6) of the Sixth Directive and the responses received. [88921]

Dawn Primarolo: Member states and the Commission were asked a number of questions designed to ascertain the meaning of the Directive term "negotiation" by reference: to the equivalent terms used in each Community language and the national laws of Member states; to any litigation in national courts; and to a number of case studies drawn from the UK courts.

This consultation was undertaken on an inter-governmental confidential basis, and publication of member states' responses would breach the confidence of the authorities consulted.

Mr. Maude: To ask the Chancellor of the Exchequer, pursuant to paragraph 10 (Other Comments) of Her Majesty's Customs and Excise Summary of Responses (May 1999) to the VAT: Consultation Document on European Commission Proposal for Revised Rules on Input Tax Deduction, how many contributors *(a)* questioned what exchange rate would be used if foreign invoice amounts had to be converted to sterling, *(b)* suggested that it would be beneficial if all accounting were in euros and *(c)* suggested that the periodic rates of exchange published by Customs and Excise should be used. [88917]

Dawn Primarolo: Six contributors questioned what exchange rate should be used if foreign invoice amounts had to be converted to sterling; three suggested that it would be beneficial if the accounting were in euros; and three suggested that the periodic rates of exchange published by Customs and Excise should be used.

Company Liquidations

Mr. Gibb: To ask the Chancellor of the Exchequer how many companies were put into receivership or liquidation at the suit of *(a)* the Inland Revenue and *(b)* Her Majesty's Customs and Excise in (i) 1994–95, (ii) 1995–96, (iii) 1996–97, (iv) 1997–98 and (v) 1998–99. [90294]

Dawn Primarolo *[holding answer 8 July 1999]:* The following figures show the number of company liquidations in England and Wales on Inland Revenue and

HM Customs and Excise petitions, and also show those numbers as a proportion of the total number of company liquidations. Receiverships usually result from actions by debenture holders, and neither the Inland Revenue nor Customs take such actions.

Year	Inland Revenue	Percentage of total liquidations	HM Customs and Excise	Percentage of total liquidations
1994–95	761	5	2,409	15
1995–96	646	4.5	2,121	15
1996–97	625	5	2,120	16
1997–98	438	3.5	1,785	14
1998–99	519	4	1,399[1]	10

[1] Latest available figure

Bankruptcies

Mr. Gibb: To ask the Chancellor of the Exchequer how many individuals were made bankrupt at the suit of *(a)* the Inland Revenue and *(b)* Her Majesty's Customs and Excise in (i) 1994–95, (ii) 1995–96, (iii) 1996–97, (iv) 1997–98 and (v) 1998–99. [90295]

Dawn Primarolo *[holding answer 8 July 1999]:* The figures in the following table show the number of individual bankruptcies in England and Wales on Inland Revenue and HM Customs and Excise petitions, and also show those numbers as a proportion of the total number of individual bankruptcies.

Year	Inland Revenue	Percentage of total bankruptcies	HM Customs and Excise	Percentage of total bankruptcies
1994–95	2,179	9	2,270	10
1995–96	2,217	10	2,524	11
1996–97	2,677	12.5	2,884	14
1997–98	2,428	12	2,548	13
1998–99	1,863	9	1,848[1]	9

[1] Latest available figures

Savings Income (Overpaid Tax)

Mr. Burstow: To ask the Chancellor of the Exchequer, pursuant to his answer of 1 July 1999, *Official Report*, column *229*, concerning overpayment of tax on savings income, what discussions have taken place between his Department and the Department for Social Security concerning the Taxback campaign. [90453]

Dawn Primarolo: The Inland Revenue are planning to have discussions with a number of organisations, including the Department of Social Security, during the summer about a possible Taxback campaign next year.

Economic and Monetary Union

Mr. Bercow: To ask the Chancellor of the Exchequer for what reason the current applicants to the EU are not required (i) to adopt the euro immediately on accession or (ii) to join an exchange rate mechanism. [90756]

Ms Hewitt: The accession partnerships between the European Union and the accession countries state that the applicants are not expected to adopt the euro immediately on accession. The partnerships do however require the applicants to pursue policies aimed at achieving real convergence with the European Union, with the ultimate goal of adoption of the euro. The partnerships impose no obligation to join the exchange rate mechanism, which remains voluntary for all member states.

Correspondence

Mr. Burns: To ask the Chancellor of the Exchequer what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90163]

Ms Hewitt: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members in the 1998 calendar year.

More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

Overseas Tax Evasion

Mr. Flight: To ask the Chancellor of the Exchequer if he has agreed, with the relevant professionals, guidance on the conduct by corporate clients which they should regard as evidence of overseas tax evasion in cases where they are obliged to report suspicion thereof to the NICS. [89921]

Ms Hewitt: The Joint Money Laundering Steering Group, a body of representatives from the financial services industry, chaired by the British Bankers Association, provides guidance to the financial sector on money laundering issues. They have recently consulted the Treasury and Home Office on new guidelines on the proceeds of tax-related crimes, including those committed overseas. Those guidelines have now been published, and are endorsed by the Treasury.

Under the Criminal Justice Act 1993, financial institutions should report to the National Criminal Intelligence Service all transactions which they suspect involve the proceeds of criminal conduct. This obligation is a central element of our defence against money laundering, and provides valuable intelligence in the fight against crime. The obligation applies equally to the proceeds of overseas offences (including overseas tax offences), where the conduct would have been criminal if it had occurred in the UK. "Evidence" is not required: the obligation applies where there is knowledge or suspicion that the relevant conduct has occurred or is occurring.

Climate Change Levy

Mrs. Brinton: To ask the Chancellor of the Exchequer what response he will make to the letter addressed to him by the Royal Commission on Environmental Pollution in relation to the compatibility of maintaining coal burn in electricity generation with the stated aim of the climate change levy. [88741]

Ms Hewitt: The climate change levy is expected to save around 1.5 million tonnes of carbon a year by 2010, thereby making a significant contribution to meeting both the legally binding target for reducing greenhouse emissions

set under Kyoto Protocol, and the Government's domestic goal of a 20 per cent. cut in carbon dioxide emissions by 2020.

The final rates of the climate change levy will not be set until the Finance Bill 2000. It is proposed to set them on an "energy" basis with one rate applying to all electricity. This is entirely consistent with the Government's Review of Energy Sources for Power Generation, which identified distortions in the generation market as a potential threat to the security and diversity of energy supplies and announced a programme of reform to ensure fair competition between fuels.

It also reflects the fact that under current electricity trading arrangements it is only possible to determine the carbon content of electricity as a broad average with a downstream tax. Thus, the extent of switching between fuels is likely to be limited with a tax set to reflect the carbon content. Given that the carbon content of electricity is changing all the time, a tax structured on an energy basis also has the advantage of simplicity.

We are liaising closely with DTI colleagues on how electricity trading arrangements might change in the future. We have also consulted on the specific issue of whether it might be possible to offer tax relief to new forms of renewable sources of electricity like wind power. The consultation document issued by Customs and Excise on Budget day asked for views on whether—and if so, how—this could be done.

Savings (Marginal Tax Rates)

Mr. Field: To ask the Chancellor of the Exchequer if he will estimate the effective marginal tax rates on income from savings for pensioners, and the number of pensioners at each level. [88808]

Dawn Primarolo: If all taxpaying pensioners received an extra £1 of (non-dividend) savings income, then 3.1 million of them would pay 20p more tax, 150,000 would pay 25p more tax, 200,000 would pay 30p more tax and 150,000 of them would pay 40p more tax.

These numbers are based on the 1996–97 Survey of Personal incomes projected to 1999–2000. Pensioners have been defined as women aged 60 and over and men aged 65 and over.

Vehicle Excise Duty

Mr. Coaker: To ask the Chancellor of the Exchequer what assessment he has made of the number of cars which will attract the small engine size rate of vehicle excise duty announced in his last budget. [89300]

Ms Hewitt: Over 1.8 million cars are recorded by DVLA as eligible for the reduced rate of VED for cars of 1100cc or less. This represents approximately 8 per cent. of the total recorded by DVLA as licensed in the Private and Light Goods vehicle class.

Well-known manufacturers currently producing cars with engines up to 1100cc include Citroen, Daewoo, Daihatsu, Fiat, Hyundai, Seat, Suzuki, Vauxhall and Volkswagen.

Mr. Coaker: To ask the Chancellor of the Exchequer what representations he has received from owners of cars under 1120 cc concerning the engine size level at which the lower rate of vehicle excise duty was set in his budget; and if he will make a statement. [89301]

Ms Hewitt: In his March Budget, the Chancellor detailed how changes to vehicle excise duty will encourage the use of more fuel efficient vehicles. He announced a cut in the vehicle excise duty rate for those cars with engines up to 1100cc and, that from Autumn 2000, a new system of graduated vehicle excise duty would be introduced for all new cars based upon the level of carbon emissions.

We have received representations from people whose vehicles are just over the threshold.

Dr. Cable: To ask the Chancellor of the Exchequer if he will refund the vehicle excise duty of new car owners whose engine capacity exceeds 1.1 litres by 0.05 litres. [89923]

Ms Hewitt: In his March Budget, the Chancellor announced a reduced vehicle excise duty rate of £100 for both new and existing cars with engines up to 1,100cc as recorded on the vehicle registration document.

Unfortunately it is inevitable that, however small the margin, some people will miss out at the boundaries of any threshold.

Banknotes

Mr. Letwin: To ask the Chancellor of the Exchequer for what reasons the new 20 pound note does not have a £ sign. [89264]

Ms Hewitt *[holding answer 1 July 1999]:* The design of notes is a matter for the Bank of England.

The new £20 note features the numeral 20 in the top corners of both sides and the pound sign appears before three of those. The exception is before the numeral in the top right hand corner above the portrait of The Queen.

To assist the partially sighted (and tourists who may be unfamiliar with the note), all four numerals have been designed to be as large and as bold as possible in the limited space available; to maximise this visibility, the pound sign was omitted in one place. In addition the words "Twenty Pounds" appear on both sides of the note.

Financial Services Industry

Mr. Loughton: To ask the Chancellor of the Exchequer if the terms of the Financial Services and Markets Bill require a reduction in the powers of the Office of Fair Trading in the monitoring of the financial services industry. [R] [89320]

Ms Hewitt *[holding answer 1 July 1999]:* There is nothing in the Financial Services and Markets Bill which requires a reduction in the powers of the Office of Fair Trading to monitor the financial services industry. On the contrary, it will extend the powers which the Office has to scrutinise the regulatory activities of the Financial Services Authority.

Royal Mint

Mr. Caplin: To ask the Chancellor of the Exchequer what the outcome is of the Treasury's review of the future status of the Royal Mint. [91238]

Ms Hewitt: On 8 July 1998, *Official Report*, column *569*, the then Economic Secretary announced the terms of reference of a review of the Royal Mint. The review was wide ranging with the aim of identifying the actions needed to enable the Royal Mint to develop closer partnership with the private sector. The review was conducted by the Treasury working closely with the Royal Mint's management and taking the views of employees and other interested parties.

After weighing the options, the Government have decided in favour of a new direction for the Royal Mint, which will bring it up to date with best practice in the private sector. A package of measures will put the Royal Mint on a modern, commercial footing updating the way it is run, the business it does, and its relationship with the Treasury, private partners and customers.

This a bold step forward in the Government's approach to managing their agencies. The new framework will make the Treasury a better shareholder and the Royal Mint a better enterprise to the benefit of all stakeholders. It will ensure the Royal Mint makes the best possible use of the opportunities it faces, including the ability to offer an extended range of goods and services and to make fuller use of its expertise and its capacity.

The new framework contains a number of elements. First, more rigorous shareholder discipline, delivered through a new Treasury panel of top private sector analysts and managers. The panel will inject greater private sector expertise into the Treasury's oversight of the Royal Mint, as shareholder. The expertise of the panel will be used to improve and sharpen the incentives on the Royal Mint, with the aim of making its decision taking more transparent, and more commercial.

Building on this new relationship, we will better define the role of the non-executive directors of the Royal Mint, who, like the directors of private companies, will in future have a clear responsibility to enhance the prosperity of the business over time. We will also bring the number of executives and non-executives on the board into more even balance, in line with best-practice corporate governance.

Consistent with this process of modernisation, the Royal Mint's financial reporting will be more closely aligned with that of private companies, making it more easily understood by customers, potential partners and analysts.

These changes will complement a relaxation of the controls which currently restrict the Royal Mint's activities. At present it can only make coins and a narrow range of related products. In future it will be free to exploit its technical skills and assets by offering a wider range of products and by expanding into non-coinage business, where commercially viable. It will also be able to participate in a wider range of ventures with the private sector. With these new freedoms, the Royal Mint will be able to reach its full potential, on its own, or in partnership with private sector firms.

The updated model of corporate governance, and the private sector expertise it will inject, will help develop the Royal Mint as a business. It will also be vital in securing the best possible use of the new commercial freedoms that will be given to the Royal Mint. I believe the Royal Mint has the skills, the aptitudes and the opportunities to expand into wider markets on its own, and in partnership with commercial companies. In future it will be able to exploit them to the full.

These fundamental changes will put real business expertise at the heart of the management of the Royal Mint, and will help maximise its value as a business and its contribution to the UK economy, to the benefit of all stakeholders.

The Royal Mint has a successful track record. It has seen its business grow internationally, making it a world leader we can all be proud of. But the coinage business is increasingly competitive across the world, and we cannot stand still if we want to maintain its position at the forefront in the global marketplace. The package outlined above is an important first step in laying the foundations for the Royal Mint's future prosperity.

We envisage a process of continuing development and improvement of the Royal Mint, its strategic direction, and its operating framework. We will be looking on a continuing basis at how best to expand and improve the business, and to help it adapt and respond to the challenges ahead.

AGRICULTURE, FISHERIES AND FOOD

European Communities Working Groups

Mr. Bercow: To ask the Minister of Agriculture, Fisheries and Food if he will list the European Communities working groups which met over the last 12 months with a representative from his Department in attendance; if he will list the number of times each met; if he will indicate the nature of the Government's representation; and if he will make a statement. [88483]

Mr. Rooker: Officials from my Department regularly attend working groups in Brussels. These working groups comprise: Council working groups; Commission working groups; and Committees involved in matters relating to agriculture and rural development, the majority of which are management committees for common market organisations.

Statistics are retained for a six monthly period. During the last six months, my Department was represented at some 350 working groups (by some 750 officials in total). A similar number of working groups would have taken place in the previous six months.

We attach a great deal of importance to UK representation at these groups, which both undertake technical work on EU legislation which will apply in the UK and handle the day-to-day management of markets.

EU Food and Veterinary Office

Mr. Paterson: To ask the Minister of Agriculture, Fisheries and Food if applicants for *(a)* professional posts in the European Union Food and Veterinary Office and

(b) public service posts with the UK Government or its agencies are permitted to canvas in support of their applications. [88299]

Mr. Rooker: The procedure for applications for professional posts in the European Union Food and Veterinary Office is a matter for the European Commission. In the UK, all appointments to posts in the Civil Service are legally subject to the Civil Service Commissioners' Recruitment Code which is designed to ensure fair and open competition, selection on merit, and equal opportunities.

Correspondence

Mr. Burns: To ask the Minister of Agriculture, Fisheries and Food what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within, *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90150]

Mr. Nick Brown: I refer the hon. Member to the reply given by my right hon. Friend the Minister for the Cabinet Office to my right hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members in the 1998 calendar year.

The percentage of mail received in the last 12 months from right hon. and hon. Members replied to within the time scales specified could be provided only at disproportionate cost.

Raw Milk Processing Plants

Mrs. Dean: To ask the Minister of Agriculture, Fisheries and Food how many raw milk processing plants closed in the United Kingdom in the *(a)* 1970s, *(b)* 1980s and *(c)* 1990s. [90954]

Mr. Rooker: The 1994 edition of Dairy Facts and Figures, published by the Residuary Milk Marketing Board, indicates net reductions in establishments receiving ex-farm milk of 401 between 1970 and 1980; of 111 between 1980 and 1990; and of 61 between 1990 and 1994. Industry figures indicate a further reduction of 24 between 1994 and 1998.

Cabinet Joint Consultative Committee

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food how many meetings of the CJCC he has attended. [89274]

Mr. Nick Brown: I refer my hon. Friend to the reply given to him by my right hon. Friend the Prime Minister on 5 July 1999, *Official Report*, columns *362–63*.

Chocolate Directive

Mr. Bercow: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the nature of Commission objections to the comitology provisions of the chocolate directive. [90397]

Mr. Rooker: I refer the hon. Member to the reply given to the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) on 7 July 1999, *Official Report*, column *552*.

School Milk

Sir Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food under what powers the European Commission is seeking to end school milk subsidies in infant and junior schools in the UK; and if he will make a statement. [90183]

Mr. Rooker *[holding answer 8 July 1999]:* The European Commission would have to submit a formal proposal to the EC Agriculture Council to amend the Council Regulation concerning the common organisation of the market in milk and milk products (Regulation 1255/99 from 1 January 2000). It has not yet done so.

BSE (USA)

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food on what date his Department asked the United States Government to comment on the recent reports of the presence of BSE in the USA; to which United States departments these requests were addressed; and on what date the United States departments replied. [90402]

Mr. Rooker: On 10 May an official in my Department wrote to the Agricultural Economist at the US Embassy in London drawing attention to allegations in a letter published in *Farmers Weekly* that there were cases of BSE in the USA. A substantive reply was received by my Department on 17 June drawing on advice supplied to the Embassy by the Animal and Plant Health Inspection Service (APHIS).

Written Answers to Questions

Tuesday 13 July 1999

PRIME MINISTER

Social Exclusion

Ms Drown: To ask the Prime Minister when he intends to publish the Social Exclusion Unit report on 16 to 18-year-olds not in education, employment or training; and if he will make a statement. [91008]

The Prime Minister: Last summer, I asked the Social Exclusion Unit to assess how many 16 to 18-year-olds are not in education, work or training, to analyse the reasons why and to produce proposals to reduce the number significantly. I am publishing the Unit's report today. Copies have been placed in the Libraries of both Houses.

At any one time, more than 160,000 16 to 18-year-olds—one in 11 of the age group—are not in education, training or work. The young people most likely not to participate in education, training or work during this period of their lives come from backgrounds of poverty or unemployment in the family, have truanted or been excluded from school, have been in care or live in the poorest neighbourhoods. There are clear links between non-participation and other problems encountered in adolescence. Half the young women who are outside education, work or training are teenage parents or carers, and there are links also with homelessness, offending and serious drug misuse.

Non-participation at this time in their lives has a dire effect on young people's future life prospects. By their mid-twenties, they are much more likely than their peers to have no qualifications, to be unemployed, to be poor, to experience poor health and depression and, if they are men, to have a criminal record which damages their prospects of work. The Government have a number of programmes in place to tackle educational under-achievement and youth disaffection, including the setting up of youth offending teams. But more needs to be done. The Unit's Report shows that there is little joined-up delivery of services to young people, and that the end of compulsory schooling at 16 is seen by too many young people as the end of education, rather than as a basis for its continuation. For too many of them, no one is responsible outside the family for guiding them through adolescence and there is not enough effective support to help them overcome personal problems that get in the way of learning. There are also strong arguments for giving more financial help to young people from poor families who want to stay on in education.

The Unit's Report plots a way forward in combating social exclusion among this age group. The Government believe that young people should be given every encouragement and support to stay in full-time education after they are 16 and reach at least a Level 2 qualification. It will ask the Qualifications and Curriculum Authority to consult on ways of giving young people who stay in education until 16 recognition for what they have achieved in education and elsewhere. It will build on improvements already in train in education and skills for 13 to 19-year-olds, with a particular emphasis on the education received by young people in custody.

To extend the financial support available to young people to stay in education, the pilots of the Education Maintenance Allowance will be extended to include homeless and disabled young people, and those with high transport costs, for example in rural areas.

The Report also provides more detail on the new Youth Support Service, which was announced in the White Paper "Learning to Succeed" (Cm 4392) on 30 June. The aim of the new service will be to provide for young people between the ages of 13 and 19 individually tailored guidance and support, in places and ways which meet their needs. The youth support service will be a new service operating in a radically different way. It will look at the broad range of needs which a young person may have, focusing on those who require most help with the clear goal of supporting participation in learning. It will link closely with other agencies in doing this.

It is clear that the best defence against social exclusion is having a job, and the best chance of having a job is to be well educated. This will be more the case in the information age of the future than it has ever been. The years between 16 and 18 are crucial ones; making the wrong decision at that stage can affect a young person's prospects for the rest of their life. This action plan for the whole of Government will help to put young people firmly on the right track.

ATTORNEY-GENERAL

Data Series

Jackie Ballard: To ask the Attorney-General what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90534]

The Attorney-General: The Treasury Solicitor's department holds, as a matter of course, information as to the age and gender of all its staff. In 1998, the department conducted fresh surveys of staff then in post, requesting information on ethnic origin and disability. The survey information is regularly updated as new entrants are invited to complete survey forms on joining. No new 'data series' (internal surveys) have been commissioned by my other departments (the Crown Prosecution Service and the Serious Fraud Office).

All my departments contribute to the 'Mandate' database maintained by the Cabinet Office from which data are taken for the publications "Civil Service Statistics" and "Equal Opportunities in the Civil Service". Furthermore, my departments contributed to the Schneider-Ross report on under-representation of women, ethnic minorities and people with disabilities in the Senior Civil Service, published on 7 July by my right hon. Friend the Minister for the Cabinet Office.

Crown Prosecution Service

Mr. Dismore: To ask the Attorney-General how many *(a)* race and *(b)* sex discrimination cases have been lodged against the CPS at industrial/employment tribunals by CPS staff in each of the last five years; and how many of the cases within *(a)* and *(b)* were (i) successfully pursued to a tribunal decision favourable to the applicant, (ii) settled and (iii) discontinued. [90379]

The Attorney-General: The statistics from April 1994 until March 1999 are set out in the following table. My hon. Friend's attention is drawn to the footnote which accompanies the table.

	Cases lodged	*Result favourable to applicant*	*Settled*	*Discontinued*	*Ongoing*
Race discrimination cases lodged by CPS staff					
April 1994 to March 1995	—	—	—	—	—
April 1995 to March 1996	2	—	—	1	[1]1
April 1996 to March 1997	1	—	—	[1]1	—
April 1997 to March 1998	3	1	—	1	[1]1
April 1998 to March 1999	8	[1]1	[1]3	[1]1	[1]3
Sex discrimination cases lodged by CPS staff					
April 1994 to March 1995	—	—	—	—	—
April 1995 to March 1996	1	—	—	—	[1]1
April 1996 to March 1997	2	—	—	[1]2	—
April 1997 to March 1998	2	—	—	[1]1	[1]1
April 1998 to March 1999	6	[1]1	—	[1]2	[1]3

[1] The table includes one case claiming race and sex discrimination

Mr. Dismore: To ask the Attorney-General (1) what plans he has to review the operation of performance appraisal reports in the CPS in the light of the Bamieh case; [90377]

(2) what plans he has to review the operation of CPS promotion boards following the Bamieh case; [90378]

(3) what plans he has to review the operation of acting up arrangements in the CPS following the Bamieh case. [90380]

The Attorney-General: The recent decision of the Employment Tribunal, to which I believe my hon. Friend refers, concerns a case brought by Mrs. Bamieh against the Crown Prosecution Service relating to events which took place after 1 July 1997 and before 22 June 1998. The Tribunal found for Mrs. Bamieh in respect of the conduct of a promotion board that took place in 1998 but against her in the other three matters that she put forward.

Mrs. Bamieh's complaint in relation to her performance appraisal report in 1998 failed; however, the Crown Prosecution Service, in any event, introduced a new performance appraisal report that year. The appraisal system is being kept under regular review.

Equally, the Tribunal did not find that Mrs. Bamieh was discriminated against in relation to deputising and temporary promotion procedures; however, it did make observations about the systems in place. The deputising and temporary promotion procedures are currently under review and are being discussed with the departmental Trade Unions. The comments made by the Tribunal are being taken into account.

The Tribunal's Decision in relation to the conduct of the promotion boards is being taken very seriously by the Crown Prosecution Service, which is currently reviewing its promotion board procedures.

Departmental Travel

Mr. Brake: To ask the Attorney-General how many kilometres have been travelled on his Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by his Department's employees; and if he will make a statement. [91023]

The Attorney-General: The information on business travel is not collected in the form requested and therefore cannot be provided. As published in the integrated transport White Paper in July 1998, the Government have set a target that all Government Department headquarters buildings and main buildings occupied by Executive Agencies and Government Offices for the Regions should have green transport plans by March 1999 and all other key buildings by March 2000.

My Departments have completed green transport plans for their headquarters buildings and are developing plans for all other key buildings in line with the target set in the White Paper. The plans include measures to reduce single occupancy car use by employees for commuting and business travel, including ensuring that journeys are necessary, by making available loans for the purchase of season tickets for public transport and bicycles, and by providing secure bicycle storage facilities and showers.

Racism (Disciplinary Action)

Mr. Dismore: To ask the Attorney-General if the remarks made by the Director of Public Prosecutions in early May 1999 to a Law Society meeting of ethnic minority lawyers, concerning disciplinary action against staff found to have committed racist behaviour or made racist comments, represent Government policy. [90381]

The Attorney-General: Government policy is to deliver real change in race equality in Britain through policy formulation and implementation. The Government

do not condone racist behaviour of any sort. This policy applies to the Crown Prosecution Service, and those who are found to display racist behaviour or attitudes will have action taken against them under the Service's disciplinary code.

DEFENCE

Deployment

Mr. Duncan Smith: To ask the Secretary of State for Defence what percentage of *(a)* Army, *(b)* Royal Navy and *(c)* Royal Air Force personnel are currently committed to active service operations; and what percentage are warned to deploy to such operations. [88124]

Mr. Doug Henderson *[holding answer 24 June 1999]:* *(a)* Of the Army, 28.6 per cent. actually deployed on operations. The total percentage of the Army committed to operations is 47 per cent. This includes not only the troops actually deployed, but those preparing for imminent deployment as well as those who are in the process of post-deployment recovery and recuperation.

(b) Of the Naval Service (including Royal Marines) around 45 per cent. are on operational sea service.

(c) Of the Royal Air Force, a total of 40 per cent. of personnel are currently deployed, ready to deploy or in immediate support of operations, based in UK and abroad.

Royal Hospital, Haslar

Mr. Viggers: To ask the Secretary of State for Defence what was the establishment for orthopaedic surgeons at the Royal Hospital, Haslar on the basis of the full implementation of Defence Cost Study 15. [88339]

Mr. Doug Henderson *[holding answer 25 June 1999]:* Following Defence Cost Study 15, it was agreed that eight orthopaedic surgeons were required at the Royal Hospital Haslar.

Operation Joint Guardian

Mr. Duncan Smith: To ask the Secretary of State for Defence what percentage of troops earmarked for Operation Joint Guardian are at present deployed in *(a)* Kosovo, *(b)* Macedonia and *(c)* Albania. [88781]

Mr. George Robertson *[holding answer 28 June 1999]:* Of the forces we expect to deploy in support of Operation Joint Guardian, some 73 per cent. are deployed in Kosovo and 21 per cent. in the Former Yugoslav Republic of Macedonia. None are deployed in Albania.

Armed Forces (Under-18s)

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many members of the Army committed to operations in Northern Ireland were under 18 years of age on 23 June; and in which units. [89041]

Mr. Doug Henderson *[holding answer 30 June 1999]:* A total of 28 UK Trained Army Personnel under the age of 18 years were serving in Northern Ireland as at 1 June 1999, the latest date for which information is held centrally. A breakdown by individual regiments is shown in the table.

Regiment/Unit	*Number*
Guards	5
Scots Guards	2
1 Black Watch	2
Royal Regiment Fusiliers	1
Royal Anglian Regiment	3
Green Howards	1
Royal Irish (General Service)	7
Queen's Lancastrian Regiment	3
Royal Welch Fusiliers	1
Light Infantry	2
Royal Logistics Corps	1
Total	28

Age is taken into account in selecting the types of duty in which under 18s can be employed. The Army does not, as a general rule, currently deploy those under 17½ who are usually involved in initial training. The minimum ages currently applied for deployment on active service in Northern Ireland are 18 years for an Emergency Tour, and 17½ for Resident Units where they are confined to duties within the Barracks only.

Defence Evaluation and Research Agency

Mr. Fallon: To ask the Secretary of State for Defence if he will list the sites of the Defence Evaluation and Research Agency visited by Defence Ministers since May 1997. [89621]

Mr. Spellar *[holding answer 2 July 1999]:* Since May 1997, Defence Ministers have visited the following DERA sites:

Farnborough
Malvern
Porton Down
Chertsey
Portsdown West.

Mr. Fallon: To ask the Secretary of State for Defence if he will list the meetings he and his Ministers have held with trade union representatives of staff employed by the Defence Evaluation and Research Agency to discuss the Public Private Partnership proposals [90632]

Mr. Spellar *[holding answer 12 July 1999]:* In July 1998, the Strategic Defence Review—SDR—announced a Public Private partnership—PPP—for the Defence Evaluation and Research Agency—DERA. Since then, there have been a number of meetings between Ministers and trade union representatives of DERA staff. Many of these meetings were intended to discuss a range of SDR issues, but the subject of DERA PPP often featured prominently.

Date	*Attendees*	*Location*
22 July 1998	Minister (DP), DERA management, staff and trade unions	DERA Farnborough
28 July 1998	Secretary of State, Parliamentary Under-Secretary of State and trade unions	MOD
28 January 1999	Secretary of State and the trade unions	The Royal United Services Institute
10 February 1999	Under-Secretary of State and trade unions	Defence Industrial Whitley Committee, MOD

Date	Attendees	Location
19 February 1999	Minister(DP), DERA Management, staff and trade unions	DERA Malvern
26 February 1999	Minister(DP), DERA staff and trade unions	DERA Portsdown West
28 April 1999	Under-Secretary of State and trade unions	Defence Industrial Whitley Committee, MOD

The formal method for consultation with the trade unions is through the DERA Consultative Committee, and regular meetings, attended by DERA senior management and MOD, have been held. On a less formal basis, DERA management has taken every opportunity to keep the trade unions informed of progress on the DERA PPP study and staff issues. DERA site managers have also met with local representatives. The MOD study team has a continuing dialogue with both local and national trade union representatives.

We intend this level of dialogue to continue throughout the project.

Mr. Fallon: To ask the Secretary of State for Defence how many people are currently employed by the Defence Evaluation and Research Agency; and how many at each site. [90559]

Mr. Spellar *[holding answer 12 July 1999]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Sir John Chisholm to Mr. Michael Fallon, dated 13 July 1999:

I have been asked to reply to your parliamentary question concerning the number of people currently employed by the Defence Evaluation and Research Agency and the number employed on each DERA site.

As of 2 July 1999 DERA employed a total of 11,647 people. The numbers employed on the major DERA sites are as follows:

Site	
Hebrides	70
Aberporth	282
Alverstoke	123
Aquila	182
Bedford	305
Bincleaves	184
Boscombe Down	1,062
Chertsey	396.5
Defford	111
Bridgwater	28
Eskmeals	41
Farnborough	2,594.5
Fort Halstead	1,174.5
Fraser	55
Funtington	24
Glasgow	50.5
Haslar	190.5
Larkhill	41
Loch Goil	26.5
Malvern	1,871
Pendine	38
Portland Bill	26
Porton Down	637.5
Portsdown	35.5
Portsdown West	610.5
Pyestock	548.5
Rosyth	135.5
Shoeburyness	53
West Drayton	26
West Freugh	30
Winfrith	442

DERA also has a small number of staff, currently 64, manning various ranges and facilities in the UK. There are also another 188.5 staff on secondment to non-DERA establishments or lodging in small numbers on non-DERA sites.

I hope that this information is helpful.

Chinook Helicopters

Mr. Swayne: To ask the Secretary of State for Defence, pursuant to his answer of 22 June 1999, *Official Report*, columns *326–27*, on FADEC software, when, between 1989 and June 1994, the FADEC software was redesigned on the Chinook MK2; what was the nature of the redesign work undertaken; and which contractor was responsible for carrying out the work. [89860]

Mr. Doug Henderson: Between 1989 and June 1994, there were 58 design changes incorporated in the FADEC software. The changes (categorised in the table) were all undertaken by the prime contractor Textron Lycoming.

Software	Changes
Improved maintainability of software	7
Improved fault logic	10
Customer request	11
Fault logic corrections	9
Improved accuracy	6
Modification due to Hardware changes	5
Improved Comms link and Qualification test changes	4
Corrections and Improvements in reliability	6

Mr. Swayne: To ask the Secretary of State for Defence, pursuant to his answer of 22 June 1999, *Official Report*, column *327*, on the inquiry into the loss of the RAF Chinook on the Mull of Kintyre in 1994, if he will place in the Library the letters his Department has received from the public requesting the re-opening of the inquiry. [89859]

Mr. Doug Henderson: Correspondence between the Ministry of Defence and members of the public is a private matter between my Department and the individuals concerned. Release of these letters into the public domain could be done only with the consent of these individuals and seeking this for all correspondence on the accident since 1994 could be provided only at a disproportionate cost.

RNAS Culdrose

Ms Atherton: To ask the Secretary of State for Defence what plans he has *(a)* to respond to complaints of local residents with regard to aircraft from RNAS Culdrose and *(b)* to alter air routes used to and from the base to avoid residential areas. [90244]

Mr. Spellar: All complaints concerning military aircraft activity at RNAS Culdrose are carefully considered and where there is sufficient evidence to

suggest that a breach of flying regulations may have occurred, a thorough investigation is undertaken. The approach and climb out routes to and from the base are dictated by the position of the runways and the prevailing weather conditions, and although they do not take aircraft over major residential areas, overflight of some individual properties is unavoidable. There are no other established air routes in the vicinity of RNAS Culdrose and every effort is made to mitigate the disturbance caused to local communities within the limitations imposed by the need to maintain operational capability.

Army Widows

Mr. Clappison: To ask the Secretary of State for Defence if he will ensure that widows of all pre-1973 Army pensioners are identified and reimbursed with full refund and supplement; and that reasonable effort is made to make refunds to estates where neither pensioner nor spouse has survived. [90620]

Mr. Doug Henderson: We are making every effort to review the case files of pre-1973 Army pensioners to identify the widows/widowers of individuals who might be eligible for a tax refund. Because of the numbers of files, their age and the way in which they are indexed, the process is not straightforward. Individual cases can be processed more quickly if widows who believe they may be entitled to a refund submit a claim to my Department. We have therefore sought to publicise the possible entitlement, and we are grateful for the assistance of the ex-Service organisations in this. It is more difficult to trace more distant entitlements where no pension is in payment because the scheme member and his immediate dependants have died or (in the case of children's pensions) have reached adulthood. But if claims with supporting evidence were submitted, the Inland Revenue would consider them and make a refund if entitlement is proved.

Data Series

Jackie Ballard: To ask the Secretary of State for Defence what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90825]

Mr. Spellar: My Department publishes statistical data on the age, gender and ethnicity of Service personnel and the gender, ethnicity and the disability status of civilian staff annually in the publication "UK Defence Statistics", copies of which are available in the Library of the House.

Armed Forces Insignia

Mr. Letwin: To ask the Secretary of State for Defence what amount of revenue his Department expects to receive from the 3 per cent. reproduction fee being charged by the Ministry of Defence for products displaying insignia of the armed forces. [90776]

Mr. Doug Henderson *[holding answer 12 July 1999]:* Reproduction fees charged by MOD in respect of Crown Copyright material are discretionary. Where they are charged they vary between 1 per cent. and 7.5 per cent. The amount of revenue my Department expects to receive from reproduction fees charged for products displaying insignia of the armed forces is expected to be in the region of £45,000 in the current financial year.

Military Visits

Mr. McNamara: To ask the Secretary of State for Defence if he will *(a)* list the countries from which military officers have visited Northern Ireland since 1 May 1997, *(b)* set out the purpose of each visit, *(c)* set out the nature of the related training programme, *(d)* indicate which delegations have participated in (i) military and (ii) RUC patrols and *(e)* indicate which delegations have visited surveillance and observation posts in South Armagh. [89912]

Mr. Doug Henderson *[holding answer 12 July 1999]:* The information requested is as follows:

The New Zealand Defence Attache to London accompanied the Chief of Staff of the General Staff on his St. Patrick's Day visit to Omagh and Ballykelly on 17 March 1998.

Military officers from the following countries visited the Army in Northern Ireland on 1 April 1998 as part of a visit by the Royal College of Defence Studies:

Colonel, Omani Ministry of Defence
Colonel, Spanish Air Force
Colonel, French Gendarmerie
Colonel, Hellenic Army
Colonel, Czech Air Force
Colonel, US Air Force.

Two Russian officers carried out an Arms Control Inspection in Northern Ireland from 17–24 October 1998.

Military officers from the following countries visited the Army in Northern Ireland on 24 March 1999 as part of a visit by the Royal College of Defence Studies:

Air Commodore, Omani Air Force
Colonel, Royal Netherlands Army
Captain, Italian Navy
Lieutenant Colonel, Polish Army
Colonel, New Zealand Army
Colonel, US Marine Corps.

Twelve Czech officers carried out an Arms Control Inspection in Northern Ireland from 21–24 April 1999.

None of the visitors listed participated in military or RUC patrols or visited surveillance and observation posts in South Armagh.

Departmental Travel

Mr. Brake: To ask the Secretary of State for Defence how many kilometres have been travelled on his Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by his Department's employees; and if he will make a statement. [91012]

Mr. Spellar: The information on the number of kilometres travelled on departmental business is not collected in the form requested and therefore cannot be provided.

Like other departments, we are working to develop green transport plans in line with the targets for government buildings set out in the integrated transport White Paper in July 1998. These plans, which we are taking forward in the context of wider Environmental Management Systems, will as a matter of course seek to reduce the environmental impact of commuting, business travel and fleet operations—for all departmental sites, and not solely for HQ and other key buildings.

Nuclear Test Veterans

Mr. Keith Simpson: To ask the Secretary of State for Defence what plans he has for reassessing the National Radiological Protection Board's report of 1997 on the impact of radiation on British service personnel who participated in atomic weapons tests. [91013]

Mr. Spellar: I assume the hon. Member is referring to the report published by the National Radiological Protection Board (NRPB) in 1993, in which case I have no such plans: and nothing to add to my responses of 1 July 1999, *Official Report*, column 534, to the hon. Member for Portsmouth, South (Mr. Hancock), during the recent Armed Forces Personnel Debate and subsequently in writing. A copy of my letter of 7 July has been placed in the Library of the House.

NORTHERN IRELAND

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for Northern Ireland how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91060]

Marjorie Mowlam: I refer the hon. Member to the reply I gave him on 15 April 1999, *Official Report*, column *306*.

Single Currency

Mr. MacKay: To ask the Secretary of State for Northern Ireland how much expenditure her Department *(a)* has incurred to date and *(b)* expects to incur in the future on preparations for possible United Kingdom entry into the European single currency; and if she will make a statement. [91038]

Mr. Paul Murphy: The information for the NIO and NI departments is as follows:

(a) The cost incurred to date in preparing for the euro is approximately £80,000.

(b) The expenditure expected to be incurred in the future on preparations for possible United Kingdom entry is estimated at £104,000.

The costs incurred to date have largely been spent on making the private and public sector aware of the implications of a single currency. The largest element of the estimated costs at *(b)* are based on manpower requirements to complete departmental changeover plans later this year.

INTERNATIONAL DEVELOPMENT

Artificial Limbs (Sierra Leone)

Mr. Gordon Prentice: To ask the Secretary of State for International Development how many artificial limbs have been supplied and fitted by her Department to victims of mutilation in Sierra Leone; and if she will make a statement. [90497]

Mr. Foulkes: We are not supplying artificial limbs to victims of mutilation in Sierra Leone. An EU-funded NGO, Handicap International—Vivre Debout, are working in Freetown and Bo to help victims of mutilations in this way. To date Handicap International have fitted 76 prostheses. A joint project involving Handicap International and the GoSL demobilisation programme, which we are funding, has recently been agreed.

We are also providing humanitarian assistance and support for reform of the judiciary and legal systems, the independent media, and reform of the police and security forces. Currently we are considering what more we can do to support the implementation of the peace agreement.

Ministerial Meetings

Mr. Matthew Taylor: To ask the Secretary of State for International Development how many times Ministers in her Department have held meetings with ministers and officials of the Irish Government since 1 January 1998, indicating the dates and locations of each meeting; the Ministers involved, and the names of the Irish ministers and officials at each meeting. [90405]

Clare Short: None.

Bosnia-Herzegovina

Mr. Paul Marsden: To ask the Secretary of State for International Development what assistance the Government are giving to Bosnia-Herzegovina to rebuild its economy. [91203]

Mr. Foulkes: At the donors conference in May, we pledged £17 million in new, bilateral, funds to help the future development of Bosnia-Herzegovina. Our objectives are to reduce levels of social exclusion and social conflict through strengthening civil society, to support the establishment of an effective, accountable and responsive public administration and help in the development of viable, well regulated markets.

A team from the Department for International Development (DFID) is in the region this week (12–17 July) to discuss how best to implement these objectives with government officials and representatives of civil society.

Mr. Paul Marsden: To ask the Secretary of State for International Development what funding is available to encourage cultural exchanges with students and Government officials from Bosnia-Herzegovina; and if she will make a statement. [91189]

Mr. Foulkes: We do not provide funding for cultural exchanges with students or government officials from Bosnia-Herzegovina. Our programme provides in-country support to help civil society organisations, to support the

establishment of an effective, accountable and responsive public administration and assist with the development of a well regulated market economy.

Departmental Travel

Mr. Brake: To ask the Secretary of State for International Development how many kilometres have been travelled on her Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets her Department has to reduce the kilometres travelled by private transport by her Department's employees; and if she will make a statement. [91029]

Mr. Foulkes: The information on business travel is not collected in the form requested and therefore cannot be provided. As published in the Integrated Transport White Paper in July 1998, the Government have set a target that all Government Department headquarters buildings and main buildings occupied by Executive Agencies and Government Offices for the Regions should have green transport plans by March 1999 and all other key buildings by March 2000.

We have completed a green transport plan for our London headquarters buildings which is awaiting final approval from our Green Minister and are in the process of developing a plan for our office in East Kilbride.

Also, we have committed ourselves to reduce our central London car parking provision by 73 per cent.

Departmental Staff

Ms Roseanna Cunningham: To ask the Secretary of State for International Development how many staff are employed in Scotland *(a)* by her Department and *(b)* by executive agencies responsible to her Department; where these staff are located; and how many staff are employed in (i) England, (ii) London and the South East, (iii) Wales, (iv) Northern Ireland and (v) United Kingdom in total. [90561]

Mr. Foulkes: The Department for International Development (DFID) employs 410 staff in Scotland based in East Kilbride. A further 746 staff are employed in England based in London. No staff are employed in Wales or Northern Ireland. The total number of staff employed by DFID in the UK is 1,156. There are no executive agencies responsible to DFID.

Children (Disabilities)

Mr. Streeter: To ask the Secretary of State for International Development what her Department's policy is on children with disabilities. [91195]

Mr. Foulkes: We support a significant number of initiatives around the world aimed at assisting children with disabilities to secure their rights. This is an important part of our wider work in seeking to uphold the rights of all people, and particularly the poor, to economic and social development as well as to the civil, political and cultural liberties and freedoms set out in international agreements. Our policy in respect of disabled children aims to support the implementation of the provisions of the Convention on the Rights of the Child, and other associated agreements.

Our work in education provides a good illustration of our approach. One of our key priorities is helping meet the International Development Goal of Universal Primary Education (UPE) in all countries by 2015. In many developing countries, the disabled are a group whose chances of gaining access to primary education are slim. We recognise that reaching them and other disadvantaged groups is a distinct challenge for national governments which requires resources, political commitment and flexibility of response.

In India, we have recently agreed to provide substantial support (up to £34.5 million over five years) for Lok Jumbish, a grass roots movement in Rajasthan, which seeks to support UPE through a range of interventions including the enrolment of vulnerable groups such as the disabled in school. This offers a potential model for developing a more equitable approach to primary education in general, as well as bringing immediate benefits to disabled children. Initiatives such as this are contributing to a wider assessment we are undertaking, with partner countries, of the effectiveness of our support for reaching the "missing children" within the context of overall sector strategies for education.

We are currently taking stock more generally of our work with people with disabilities, and will be pleased to report back on this in due course.

Mr. Streeter: To ask the Secretary of State for International Development what proportion of her Department's budget has been allocated to children with disabilities in *(a)* Africa, *(b)* Asia, *(c)* Latin America, *(d)* the Middle East and *(e)* Eastern Europe. [91194]

Mr. Foulkes: The information requested is not readily available. The cost of collecting and recording such information would be disproportionately high.

Tobacco

Mr. Streeter: To ask the Secretary of State for International Development, pursuant to paragraph 8.18 of the White Paper, "Smoking Kills," what steps have been taken, and what funding has been provided, by her Department to help developing countries reduce tobacco dependence and help farmers dependent on tobacco crops to diversify. [91083]

Mr. Foulkes: We fully support the World Health Organisation's (WHO) "Tobacco Free" initiative and the development of an International Framework Convention (IFC) on tobacco control and have contributed £200,000 this financial year. The IFC is expected to set out detailed protocols on the range of measures, including agricultural diversification, which a country could usefully include in its tobacco reduction strategy. Development funds are not used for any purpose which identifiably supports the tobacco sector. Our programmes have explored alternative livelihood opportunities for poor farmers in countries where tobacco is a significant crop.

Mr. Streeter: To ask the Secretary of State for International Development what steps she is taking to prevent children in the developing world being exposed to tobacco advertising. [91191]

Mr. Foulkes: In our White Papers on "International Development" and "Tobacco" we clearly state our commitment to working with other governments to achieve a global ban on tobacco advertising and to support an International Framework Convention (IFC) code of conduct for transnational companies advertising tobacco products. We have provided the World Health Organisation (WHO) with £200,000 towards work this year. The universal ban we are working towards, therefore, addresses the issue of children's exposure to advertising in the developed and developing world.

Single Currency

Mr. Streeter: To ask the Secretary of State for International Development how much expenditure her Department *(a)* has incurred to date and *(b)* expects to incur on preparations for possible United Kingdom entry into the European single currency; and if she will make a statement. [91192]

Mr. Foulkes: We have incurred no expenditure to date. Our accounting software caters for multi-currencies. The cost of possible entry to a European single currency would not therefore be material.

HIV/AIDS

Mr. Streeter: To ask the Secretary of State for International Development what percentage of her Department's budget is allocated to *(a)* treatment, *(b)* prevention and *(c)* care, rehabilitation and social inclusion in respect of children and HIV/AIDS. [91196]

Mr. Foulkes: We currently spend about £35 million per year directly on HIV/AIDS activities. We expect this to increase in the future. Because much of our work in this area is not restricted to specific target groups, but looks to improve systems which enable more effective national responses to HIV/AIDS, it is currently not possible to identify accurately the proportion of expenditure relevant to children, and a further breakdown thereof.

But we treat with utmost seriousness the issue of HIV/AIDS and children. We are particularly concerned about the growing burden faced by poor countries in caring for AIDS orphans, as well as of the impact on the children themselves. We are working closely with UNAIDS and others in seeking to find ways to mitigate this impact.

Mr. Streeter: To ask the Secretary of State for International Development what her Department's policy is on children with HIV/AIDS. [91197]

Mr. Foulkes: Of the 2.5 million people who died of AIDS in 1998, 510,000 were children under 15. Infection runs faster in children than in adults. Children are not only infected with HIV, but also affected: many have lost one or both parents as a result of HIV/AIDS.

As a consequence, we attach great importance to the particular needs of children. Without a cure, our primary objective is to prevent transmission to children and we are working with others, particularly UNAIDS, to identify ways in which this can be achieved more effectively, for example in preventing mother to child transmission.

Family Planning (China)

Mr. Streeter: To ask the Secretary of State for International Development if she will place in the Library a copy of the report of the independent evaluation of the Chinese family planning programmes referred to by the Parliamentary Under-Secretary of State for International Development on 20 January 1999, *Official Report*, column 842. [91190]

Mr. Foulkes: A copy of the report entitled: "A review of the role of the International Planned Parenthood Federation (IPPF) in China and of the work of the China Family Planning Association (CFPA)" was placed in the Library of the House in November 1996. Further copies are being provided.

Sudan

Mr. Streeter: To ask the Secretary of State for International Development if her Department is planning new initiatives in Sudan following the renewal of links between Her Majesty's Government and the Government of Sudan. [91193]

Mr. Foulkes: Our capacity to respond to humanitarian needs in Sudan was not interrupted by the withdrawal from Khartoum of our Ambassador and his British staff. Humanitarian aid has continued to be delivered by international non-governmental organisations and UN agencies are we have liaised closely with Ambassador's staff out-posted to Nairobi. The humanitarian situation in Sudan is much better than last year and so far we have committed £9 million.

Ending the civil war in Sudan and finding a just political settlement continue to be the key to enable the Sudanese people to rebuild their lives. The renewal of links with the Government of Sudan will allow us to recommence our close dialogue with the Khartoum authorities on this issue.

HOUSE OF COMMONS

State Opening (Costs)

Mr. Gordon Prentice: To ask the President of the Council what is the forecast cost of the State Opening of Parliament in 1999. [89927]

Mrs. Beckett: The forecast cost of the State Opening of Parliament in 1999 is £50,000 shared with the House of Lords. Costs are, of course, incurred by others such as Buckingham Palace, the Metropolitan Police and the Ministry of Defence.

HOME DEPARTMENT

Prisoners (Risk Assessments)

Lorna Fitzsimons: To ask the Secretary of State for the Home Department for what reasons prisoners serving sentences of over four years are not eligible for home leave in their last six months of sentence before probation if they pass a risk assessment. [90114]

Mr. George Howarth: Eligibility for resettlement licence, which replaced home leave in 1995, is set out in Prison Service Instruction 36/1995, a copy of which is in the Library. Some prisoners are automatically excluded from release on temporary licence and would not, therefore, be risk assessed. These are: category A prisoners, those subject to extradition proceedings, and those who are remanded on further charges.

In addition, a prisoner serving four years or more is not eligible for resettlement licence until he or she has completed half the single term, which is the prisoner's parole eligibility date. If the prisoner is refused parole, he or she must wait for six months after a first refusal of parole, or two months from any subsequent refusal, before being able to take resettlement leave. The purpose of a resettlement licence is to assist in the prisoner's resettlement on release from custody. Where parole is refused, this, of course, delays a prisoner's release and accordingly eligibility to take resettlement leave.

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what plans he has to introduce classification of offences for which adjudication decisions are made on prisoners to allow more precise judgment of a prisoner's behaviour in prison when considering the prisoner for probation. [90264]

Mr. George Howarth: A prisoner's behaviour is one of the issues taken into account in assessing risk in a parole review. The weight given to any adjudications will depend on the individual prisoner and the nature and circumstances of the index offence. There are no plans to introduce a more formal system of classification.

Public Safety Radio Communications Project

Mr. Curry: To ask the Secretary of State for the Home Department what assessment he has made of the costs to police authorities of adopting the Public Safety Radio Communications Project; and if he will make a statement. [90272]

Mr. Boateng: I am told by the Police Information Technology Unit (PITO) that the costs of the Public Safety Radio Communications Project (PSRCP) are currently the subject of negotiation between PITO, which is managing the project for the police service, and the contractor British Telecom. Indicative prices have been issued and PITO is now preparing to invite British Telecom's final contractual offer, at the request of the Association of Police Authorities and the Association of Chief Police Officers.

Criminal Injuries Compensation

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what monitoring he undertakes of decisions on criminal injuries compensation to ensure consistency and comparability. [90313]

Mr. Boateng: The introduction of a tariff-based compensation scheme in 1996, under which compensation is assessed on the basis of a fixed tariff of awards for injuries of comparable severity, ensures that a considerable degree of consistency, comparability and transparency is built into the system.

Ministers' general oversight of the scheme does not extend to monitoring directly decisions taken in particular cases. However, the bodies administering the new scheme, the Criminal Injuries Compensation Authority (CICA) and the Criminal Injuries Compensation Appeals Panel (CICAP), themselves take a range of measures to maximise consistency in decision making, including training events and seminars. The CICA is about to embark on a pilot exercise on the comparative assessment of decisions. The outcome of this pilot, and any ensuing procedure, will be considered by the National Audit Office as part of its current review of the scheme.

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what plans he has to change the rules relating to criminal injuries compensation and the effect of awards on means-tested benefits; and what consideration has been given to staggering awards to ensure recipients are not disadvantaged by the savings rule. [90312]

Mr. Boateng: The Government invited views on ways in which the criminal injuries compensation scheme might be changed for the benefit of victims of crime in a public consultation exercise which ran from March to June 1999. Preliminary analysis of responses has shown that a number of respondents felt that compensation derived from personal injury should be disregarded for the purposes of assessing entitlement to means-tested social security benefits. The responses are now being analysed more fully, and we hope to be able to say what changes might be made to the scheme in consequence later this year.

Dual Nationals

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what plans he has to allow dual nationals who are released on licence in the United Kingdom the option of serving their licence period in their other country of nationality. [90266]

Mr. George Howarth: If an offender wishes to resettle permanently in another country before his licence period expires, permission to do so may be granted by the probation service, the Parole Board or the Secretary of State, depending on the length of sentence, provided that certain criteria are met. The licence period is an integral part of the custodial sentence imposed for offences committed under United Kingdom law; it is not possible for the enforcement of the licence conditions to be transferred to a foreign jurisdiction.

Prisons (Resettlement Units)

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what plans he has to establish a resettlement unit in each prison. [90271]

Mr. George Howarth: There are no plans to provide resettlement units in all prisons. However, the Prison Service is currently developing a policy framework and national standards for resettlement provision.

Job Applicants (Criminal Records)

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what plans he has to introduce

legislation to penalise employers who discriminate against a potential job applicant because they have a criminal record. [90268]

Mr. Boateng: The Government have no plans for such legislation.

The Rehabilitation of Offenders Act 1974 provides that any conviction resulting in a sentence of no more than two and a half years imprisonment may become spent after a specified period (depending on the length of the sentence and whether the offender commits further offences within that period). The Act provides that an offender is not normally required to disclose the fact he has "spent" convictions when applying for a job. It also stipulates that the fact that a person has a "spent" conviction or their failure to disclose that fact shall not be proper grounds for dismissing or excluding them from any office, profession, occupation or employment or for prejudicing them in any way in any occupation or employment.

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what plans he has to monitor the effect of the Rehabilitation of Offenders Act 1974 on discrimination against offenders in job applications. [90267]

Mr. Boateng: The Government are concerned that ex-offenders should not be subject to unfair discrimination in the labour market. The Department for Education and Employment has commissioned a major research study into the employment experiences of ex-offenders, employers' attitudes towards them and their likely use of conviction information under the plans for the Criminal Records Bureau. The research will report in summer 2000 when the Government will consider any policy implications.

Project Funding

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what work is being done to address the effect on the finances of organisations in the not-for-profit sector of the demand for matching funding for projects sponsored by the European Union or the National Lottery. [90307]

Mr. Boateng: A code of good practice on voluntary sector funding is being prepared jointly by the Government and the sector's Working Group on Government Relations. The code will address, among other matters, issues concerning match funding.

European Structural Fund aided projects must be match funded by a national contribution. This ensures local ownership and commitment to the project. There are no plans to change fundamentally these arrangements.

The National Lottery Charities Board does not require match funding. This acknowledges that the Board funds many small local groups and organisations that are unlikely to be able to raise partnership support.

The Directions issued to other Lottery distributors require an element of partnership support from applicants for Lottery funding. This provides evidence of community support for a project and allows many more projects to be funded. The Directions encourage a flexible approach, linked closely to an applicant's realistic ability to raise partnership support, and by giving consideration to volunteer time and in-kind contributions.

Custody (Ethnic Monitoring)

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what steps are being taken to ensure that the custody ethnic monitoring form is filled in accurately by custody officers. [90270]

Mr. George Howarth: On first reception into Prison Service custody, the ethnic origin of each prisoner is recorded with other personal details on a standard prisoner record. This is a mandatory requirement under the Prison Service Order on Race Relations, a copy of which is in the Library. Reception officers are responsible for obtaining and recording the ethnic origin of each newly received prisoner. The personal details recorded on this form, including ethnic origin, are checked on every occasion of transfer to another prison.

Police Communications

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what plans he has to increase the extent to which civilian staff recruited to work on police switchboards and communications centres are conversant with police operations and information. [90310]

Mr. Boateng: It is entirely a matter for chief constables to decide the extent to which civilian staff should be deployed on police switchboards and communications centres and to determine what training they need to enable them to carry out their duties.

Prisons (Racism)

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what steps he is taking to introduce *(a)* monitoring, *(b)* training and *(c)* representation of prisoners to combat racism in prisons. [90269]

Mr. George Howarth: The Prison Service is committed to equality of opportunity and the elimination of discrimination on improper grounds. It has well-developed policies and procedures which are set out in the Prison Service Order on Race Relations, a copy of which is available in the Library. This gives mandatory and recommended requirements covering the policy and practice of good race relations within a prison establishment. All of the mandatory requirements are audited by the standards audit unit of the Prison Service and their implementation determines a prison's success or failure in the audit.

It is a mandatory requirement that in all establishments, ethnic monitoring and analysis must cover allocation to work, accommodation, education/training, adjudications, temporary release, segregation and requests/complaints. Furthermore, the Prison Service recommends ethnic monitoring is undertaken in other areas, such as random drug testing and random searches. It is also strongly recommended that ethnic monitoring takes place on a monthly basis, collated quarterly and forwarded to the appropriate area office at Prison Service headquarters. These measures are taken to ensure that any possible racial discrimination in the decision making process is quickly identified so that suitable action can be taken.

All members of Prison Service staff in a prison, including civilian and auxiliary grades, must be provided with race relations training at local level. A revised and updated local race relations training pack has recently been piloted in a number of prison establishments and the completed document should be distributed in the autumn. Every prison establishment has a race relations liaison officer and a race relations management team, meeting at least quarterly. It is a mandatory requirement that the liaison officer and all members of the race relations management team attend the appropriate central training course.

The race relations management teams develop local race relations strategies and monitor performance to ensure implementation of the national policy. Prisoner representation is recommended on this team in order to increase both staff and prisoner perceptions about ethnic minority issues. Where there are practical difficulties in having prisoner representation on the team, such as at a local prison with a high turnover of prisoners, prisons are advised to have a prisoner sub-group chaired by the race relations liaison officer. An increasing number of prisons are involving prisoners in this way and Prison Service headquarters is encouraging them to do so.

Prisoners (Licence Period)

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what plans he has to review the length of licence period a prisoner receives in relation to the length of sentence served. [90265]

Mr. Boateng: The Criminal Justice Act 1991 sets out the arrangements for the release on licence of determinate sentence prisoners. Under the Act, prisoners serving a sentence of 12 months or more but less than four years must be released on licence at the half-way point of the sentence. Those serving a determinate sentence of four years or more are eligible for release on licence at the half-way point of the sentence and in any event must be released on licence at the two thirds point. Prisoners serving a sentence of less than 12 months must be released unconditionally at the half-way point.

Under the home detention curfew arrangements introduced by the Crime and Disorder Act 1998, there is now provision for some determinate sentence prisoners to be released on licence up to a maximum of two months earlier than under the arrangements above. These provisions apply only to prisoners aged 18 or over who are serving a sentence of more than three months but less than four years. Prisoners released on this scheme are monitored by electronic tagging.

Finally, under section 58 of the Crime and Disorder Act 1998, where a court proposes to impose a custodial sentence for a sexual or violent offence, and considers that the normal licence period under the Criminal Justice Act 1991 would not be adequate, it may now pass an extended sentence on that offender. This means in effect that the offender will be subject to a longer period of supervision on licence.

The Government have no current plans to change these arrangements.

Witnesses

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what action he is taking to ensure that police keep in close contact with witnesses about progress on cases in which they are involved; and what guidelines he has issued on the subject. [90309]

Mr. Boateng: The 1996 Victim's Charter outlines the standards of service that victims and witnesses can expect from the police and the other criminal justice agencies. The Charter standards are monitored regularly by the interdepartmental Victims Steering Group, chaired by the Home Office. A review of the Charter itself will begin next year. The review will take into account both changes in legislation and new non-legislative measures, including those measures introduced as a result of the Macpherson Inquiry into the murder of Stephen Lawrence.

Victim Support

Lorna Fitzsimons: To ask the Secretary of State for the Home Department if he will make a statement on the progress made with the National Victim Support help line since it was established; what activities it undertakes apart from referring callers to local victim support groups; and what monitoring he undertakes of its work. [90308]

Mr. Boateng: Victim Support's telephone Supportline has dealt with more than 10,000 calls since its inception in February 1998. The majority of callers are victims of crime, who are provided with emotional support and practical information and advice according to need. Among other things, callers can be offered details of, or referral to, their local victim support scheme and other sources of help and information as appropriate. Supportline also provides an easily accessible Victim Support number for use by other agencies in contact with victims and witnesses.

Supportline activities are monitored daily, and formal reports detailing the number and nature of calls are collated and evaluated monthly by Victim Support. Summarising reports are made available to the Home Office on a quarterly basis.

Drug Seizures

Mr. Kemp: To ask the Secretary of State for the Home Department how many drug seizures occurred in *(a)* 1997 and *(b)* 1998 in the Northern Region. [90256]

Mr. Boateng: There were 21,840 seizures of controlled drugs in the Northern Region in 1997. Figures for 1998 will not be available until late 1999.

Sexual Offences

Mr. Kemp: To ask the Secretary of State for the Home Department how many sexual offences *(a)* were reported and *(b)* resulted in convictions in the last two years in the Northern Region. [90255]

Mr. Boateng: Figures for 1998 are not yet available. The overall figures for 1996 and 1997 for the North West (including Merseyside) and North East government regions are as follows:

Year	*Sexual offences recorded by the police*	*Offenders convicted for sexual offences*
1996	5,059	1,004
1997	5,581	1,003

It is important to note that the figures for offences reported and convictions are not directly comparable because convictions relate to offenders.

Charity Volunteers

Mr. Spring: To ask the Secretary of State for the Home Department what is his estimate of the total number of hours worked by volunteers in the charities sector in each year from 1992 to the present. [90254]

Mr. Boateng: The information requested is not available.

The 1997 National Survey of Volunteering from the Institute for Volunteering Research found that, across the United Kingdom, an estimated 21.8 million volunteers were contributing an average of 88 million hours per week—an annual total of nearly 4,600 million hours. This compared with the 1991 figure, the date of the previous survey, of 23.2 million volunteers contributing 62 million hours per week—an annual total of around 3,200 million hours. These figures refer to all types of formal volunteering and include sports, arts and politics. Much of this volunteering will have taken place in public sector organisations, for example, schools and hospitals, but the 1997 survey found that 84 per cent. of volunteers were active in the voluntary sector.

Corporate Manslaughter

Dr. Starkey: To ask the Secretary of State for the Home Department when he plans to implement the Law Commission recommendation on corporate manslaughter. [90242]

Mr. Boateng: An inter-departmental working group, which includes a member of the Law Commission, is currently considering all of the recommendations contained in the Law Commission's report number 237 "Legislating the Criminal Code: Involuntary Manslaughter", including those relating to corporate manslaughter. We expect to receive the working group's recommendations shortly and will then consider how to take them forward.

Probation Service

Mr. Beith: To ask the Secretary of State for the Home Department what was the change in the number of Probation Service staff between 1994 and the latest date for which figures are available; and if he will make a statement. [90587]

Mr. George Howarth: At the end of 1994, there were 16,405 probation staff, of whom 7,776 were probation officers. At the end of December 1998, there were 14,613 probation staff, of whom 7,191 were probation officers. The figures given here are full-time equivalents.

Mr. Beith: To ask the Secretary of State for the Home Department what estimate he has made of the current number of vacancies for Probation Officers in England and Wales; and if he will make a statement. [90586]

Mr. George Howarth: Information on probation officer vacancies is not collected centrally. However, information about the staffing requirements of the Probation Service will be generated by the work force planning survey currently being undertaken by the Home Office with the Association of Chief Officers of Probation and the Central Probation Council.

European Communities Working Groups

Mr. Bercow: To ask the Secretary of State for the Home Department, pursuant to his answer of 1 July 1999, *Official Report*, column *249*, on European Communities working groups, if he will list the Title VI working groups referred to and indicate how many times each has met. [90399]

Mr. Straw: I will write to the hon. Member.

Dogs

Mr. Clappison: To ask the Secretary of State for the Home Department if he will issue guidance to local authorities summarising the Breeding and Sale of Dogs (Welfare) Act 1999 and outlining their specific powers and responsibilities. [90621]

Mr. George Howarth: Yes. Appropriate guidance will be issued to local authorities before the Act comes into force at the end of this year.

HMP Aldington

Mr. Coleman: To ask the Secretary of State for the Home Department how many family units will be included in the redevelopment of Her Majesty's Prison, Aldington; and if he will make a statement. [90577]

Mr. Mike O'Brien: It has not yet been decided how many family units will be included in the redevelopment of the Aldington site, but we anticipate the requirement will be three to four units.

Mr. Coleman: To ask the Secretary of State for the Home Department what arrangements in terms of *(a)* support services, *(b)* translation services, *(c)* health services and *(d)* dietary services will be provided for asylum seekers following the redevelopment of Her Majesty's Prison, Aldington; and if he will make a statement. [90578]

Mr. Mike O'Brien: It is too early in the procurement process to provide details of the services to be provided once Aldington is redeveloped as an Immigration Service Detention Centre. The Services will be based on the provisions and facilities at the only other purpose designed centre, Tinsley House. A copy of the contract for Tinsley House is available in the Library.

Mr. Coleman: To ask the Secretary of State for the Home Department what is the estimated cost to the Treasury of the plans to redevelop Her Majesty's Prison, Aldington; and if he will make a statement. [90574]

Mr. Mike O'Brien: The project to redevelop Her Majesty's Prison Aldington is at a very early stage. Work has just started to prepare the outline specification for the centre, on which planning authority and, later, the detailed Invitation to Tender for a public-private partnership will be based.

In advance of this competitive process, it is not prudent or meaningful to make public estimates of the cost of this project. The actual cost to the Home Office will be offset by making the 200 places currently used by Immigration detainees at Rochester Prison available for prisoner use. The current running costs of Aldington will also be made available to the Immigration Service to set against the cost of the proposed Detention Centre.

Travellers

Mr. Bruce George: To ask the Secretary of State for the Home Department what discussions he has had with local authorities and police forces about arrangements for dealing with unauthorised camping by travellers. [90423]

Mr. Boateng: I and my predecessor, my right hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael), have held meetings with senior police officers, Members of Parliament, local councillors and others on this issue. My Department published the guidance document, "Managing Unauthorised Camping: A Good Practice Guide" jointly with the Department of the Environment, Transport and the Regions in October 1998.

Police Community Consultative Groups

Mr. Alan Keen: To ask the Secretary of State for the Home Department if he will issue non-statutory guidance to the Metropolitan Police Authority with regard to police community consultative groups; and if he will consult the Metropolitan Police Commissioner, and London police community consultative groups on what that guidance should include about the special characteristics of London police community consultative groups. [90525]

Kate Hoey: The Government have no plans to issue such guidance to the Metropolitan Police Authority (MPA). Subject to the passage of the Greater London Authority Bill, it will be for the MPA to decide, after consulting the Commissioner, what arrangements to make for obtaining the views of people about policing matters in the Metropolitan Police District. The MPA will be a local, democratically accountable body, and, in common with police authorities outside London, it will be best placed to determine its methods for consulting the public.

As part of next year's induction process of members of the new MPA, information will be provided to them about the work of police and community consultative groups.

Electoral Procedures

Mr. Jim Murphy: To ask the Secretary of State for the Home Department how many people attended each public meeting of the Independent Commission on the Voting System. [90527]

Mr. George Howarth: I refer my hon. Friend to the reply given in another place by my noble Friend the Minister of State, Home Office, Lord Williams, on 7 July 1998, *Official Report*, column *124*.

Mr. Hesford: To ask the Secretary of State for the Home Department what consultation he *(a)* has held and *(b)* will hold in formulating his Department's response to paragraph 46 of the Home Affairs Committee's Fourth report of Session 1997–98 (HC768) on Electoral Law and Administration; and if he will respond to the recommendation in that paragraph. [90991]

Mr. George Howarth: Following official contacts with MIND, the Working Party on Electoral Procedures, which I Chair, has recommended that the restrictions on using psychiatric hospitals for the purposes of electoral registration should be removed, except for those who are detained as a result of criminal activity. It has also recommended that the requirement for a voluntary patient to complete an additional declaration before being registered to vote should be lifted. These recommendations are broadly in line with paragraph 46 of the Home Affairs Committee report referred to by my hon. Friend. A formal response will be made to the Committee when the final report of my Working Party is published in full later this summer.

Experimental Psychiatric Research

Mr. Webb: To ask the Secretary of State for the Home Department when he expects to supply to the hon. Member for Northavon the material referred to in his answer of 15 June 1999, *Official Report*, column *100*. [90948]

Mr. Boateng: I [illegible] to be able to provide the requested information shortly.

Interception Warrants

Mr. Baker: To ask the Secretary of State for the Home Department for what reasons he proposes to extend to three months the validity of interception warrants under the Interception of Communications Act 1985. [90724]

Mr. Straw: The Government's proposals for legislation to replace the Interception of Communications Act 1985 are contained in a consultation paper which I published on 22 June. The reasons behind the proposal to extend the authorisation period of warrants are explained in this document, which is available in the Library, beginning at paragraph 7.12.

Mr. Baker: To ask the Secretary of State for the Home Department what discussions he has had with United States citizens concerning the interception regime operated in this country. [90725]

Mr. Straw: I am not aware of any discussions this year between Ministers and United States citizens specifically about the United Kingdom's interception regime. However, my hon. Friend the Minister of State, Home Office met senior members of the Federal Bureau of Investigation, Drugs Enforcement Agency and Attorney-General's Department in the United States last month. He discussed a wide range of issues relevant to the fight against organised crime. Interception was discussed in the context of the Government's proposals

for legislation to maintain law enforcement agencies' capabilities against encrypted stored data and communications.

Freedom of Information

Mr. Baker: To ask the Secretary of State for the Home Department if he will review his proposal not to include a test of substantial harm in the draft Freedom of Information Bill. [90726]

Mr. Straw: We are currently consulting widely on the content of the draft Freedom of Information Bill. It is also subject to pre-legislative scrutiny by the Select Committee on Public Administration and an ad hoc Select Committee in another place, and also of public consultation.

I look forward to receiving their recommendations and other comments, which I will consider fully before introducing the Bill into the House.

Mr. Baker: To ask the Secretary of State for the Home Department if he will list the countries within the European Union *(a)* which have freedom of information legislation and *(b)* where such legislation contains a public interest test. [90718]

Mr. Straw: The European Union Green Paper on Public Sector Information in the Information Society, published in January this year, identified the following European Union countries as having national freedom of information legislation: Austria; Belgium; Denmark; Finland; France; Greece; Ireland; Italy; Netherlands; Portugal; Spain and Sweden. Ireland's legislation contains a public interest test, as does the United Kingdom draft Bill. We have not analysed other European legislation.

Our analysis has focused on countries with common law jurisdictions, e.g. Australia, Canada, New Zealand, and the United States of America. The legislation for each of these countries contains a public interest test.

A copy of the Green Paper is available in the Library.

Mr. Baker: To ask the Secretary of State for the Home Department what steps he took to establish the views of MI5 before deciding they should be exempt from the disclosure tests applied in the draft Freedom of Information Bill. [90720]

Mr. Straw: The Security Service has been fully consulted over the provisions of the Freedom of Information Bill.

Departmental Travel

Mr. Brake: To ask the Secretary of State for the Home Department how many kilometres have been travelled on his Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by his Department's employees; and if he will make a statement. [91031]

Mr. Straw: Distance travelled on official business is recorded only when an allowance is paid per mile or kilometre travelled. I can, therefore, only supply the information requested for travel by bike, motorbike and car. That information is currently being collected from around the Department. I will write to the hon. Member when the information is available and place a copy of the letter in the Library.

My Department's headquarters buildings had green transport plans in place by the end of March 1999.

A seminar was held on 29 April for green transport co-ordinators for the other 26 Departmental sites that will be required to produce green transport plans by March 2000.

No targets have been set centrally for transport (other than the Government-wide one of producing a plan). Trying to set targets that will be meaningful for both our Central London accommodation and the training colleges that are situated in isolated locations will be difficult. My Department is therefore encouraging sites to set their own targets in their plans. I will monitor and review the success of this approach.

In an effort to limit the effect on the environment, the Home Office joined the "London First" clean air charter in 1997, and has been active in setting targets for and monitoring fuel consumption for the fleet.

The Home Office has drafted an Environmental Transport Policy, which is currently in the consultation process. The policy aims to help reduce the Department's impact on the environment by addressing the issues of fleet size and composition, fuel type, fuel monitoring, vehicle maintenance, and driver training.

The Home Office seeks to ensure that each vehicle in the fleet is not only required, but fully used. The reduction of one vehicle in the fleet has a significantly higher impact than improving the fuel consumption of several vehicles.

The Home Office is planning to carry out a combined Green and Efficiency review of the entire fleet. That review will make recommendations, for fleet composition, usage rates and fuel consumption for each fleet centre. We expect to complete the first review within eighteen months using current resources.

The Home Office is committed to reducing the impact that its business travel has on the environment. Before undertaking any business travel, staff and their line managers consider whether the visit/attendance at a meeting is really necessary, whether the objectives of the meeting could be met through correspondence, e-mail, fax or telephone and whether video-conferencing facilities could be used. If it is considered necessary, staff must use public transport unless there are operational grounds for using private vehicles/hire cars e.g. carrying heavy equipment, or if the route is poorly served by public transport.

There are currently two rates of mileage allowance—Standard Rate and Public Transport Rate. The Home Office operates a strict policy when considering the payment of allowances to officers who use their private vehicles for business travel, including prior authorisation from line managers when Standard Rate Mileage Allowance is claimed. This ensures that private vehicles are used only when absolutely necessary.

Whilst those areas which have higher than average business travel have been targeted since January 1999 in an effort to promote the switch to public transport, it is

also proposed to pursue the option of a single rate of Standard Rate Motor Mileage Allowance. If adopted, this should encourage the use of smaller cars and further encourage the use of public transport through a reduced rate of Motor Mileage Allowance for larger engine cars. The Home Office also has allowances for the use of motorcycles and pedal cycles for official travel.

A passenger supplement of two pence per mile for the first passenger and one pence per mile for each additional passenger is also available for staff who use their private vehicle on official business as this represents a cost effective and greener alternative.

The Home Office also pays advances for Season Ticket purchase and bicycle purchase for those members of staff who require assistance with their travel costs to work. The advances are recovered through salary over a 12-month period.

Extradition

Mr. Chope: To ask the Secretary of State for the Home Department how many *(a)* British nationals and *(b)* Portuguese nationals have been extradited from the United Kingdom to stand trial in Portugal in each of the last five years; and how many have been extradited from Portugal to the United Kingdom. [89572]

Kate Hoey: The information requested is given in the table:

Number of British and Portuguese nationals extradited to Portugal to stand trial in each of the last five years

Year	British nationals	Portuguese nationals	Total
1994	—	1	1
1995	—	—	—
1996	—	—	—
1997	1	1	2
1998	1	—	1

There have been no extraditons from Portugal to the United Kingdom in that period Two requests for British nationals are under consideration from Portugal.

Stop and Search

Mr. Howard: To ask the Secretary of State for the Home Department what was the outcome of the study of stop and search undertaken by the Commissioner of Police of the Metropolis and referred to in his answer to the hon. Member for Bradford, West (Mr. Singh) of 8 May 1998, *Official Report*, column *514*; and if he will make a statement. [91180]

Kate Hoey: The Commissioner of Police of the Metropolis tells me that the study of stop and search referred to in the reply given to my hon. Friend, the Member for Bradford, West (Mr. Singh) is currently being evaluated. An interim report should be produced by the end of July and the full evaluation will be published in September.

The Metropolitan Police have been examining stop and search since 1995, and between April 1998 and March 1999 undertook work under the guidance of the Home Office and subject to independent evaluation on seven pilot sites: Brixton, Kingston, Plumstead, Hounslow, Tottenham, Limehouse and Charing Cross. The aims of the pilots are to:

improve the effective use of the tactic in tackling crime;

demonstrate to the public the contribution of the tactic to tackling crimes that concerns them;

ensure it is exercised fairly across all ethnic groups; and

ensure it is exercised in a way which minimises damage to community confidence.

I look forward to hearing the outcome of the study.

Mr. Howard: To ask the Secretary of State for the Home Department how many stop and search incidents took place in the Metropolitan Police district in 1998; if he will provide the ethnic breakdown of those stopped and searched; what proportion of such incidents resulted in *(a)* an arrest and *(b)* a charge, broken down by ethnic group; and if he will make a statement. [91087]

Kate Hoey: The Commissioner of Police of the Metropolis has provided the following summary of information on stop and search records for the financial year 1998–99. He informs me that the Metropolitan Police does not keep data on charges in the form requested.

Stop and searches (including searches of unattended vehicles)

	White	Black	Asian	Other	Not recorded	Vehicles	Total
Stolen property	50,065	19,534	4,279	1,441	2,068	1,714	79,101
Drugs	86,944	35,423	17,240	2,380	3,534	2,187	147,705
Firearms	1,129	740	186	39	62	74	2,230
Offensive weapons	12,961	7,045	2,839	552	614	258	24,269
Going equipped	29,130	10,355	2,808	592	1,078	310	44,273
Other	1,806	783	275	36	137	120	3,157
Total	182,032	73,880	27,627	5,040	7,493	4,663	300,735

Arrests as a result

	White	Black	Asian	Other	Not recorded	Total
Stolen property	4,672	2,119	525	183	174	7,673
Drugs	9,677	3,365	1,612	247	346	15,247
Firearms	143	80	13	3	3	242

Arrests as a result

	White	Black	Asian	Other	Not recorded	Total
Offensive weapons	1,933	892	264	92	107	3,288
Going equipped	1,053	355	117	32	47	1,604
Other	5,662	2,857	646	150	217	9,532
Total	23,140	9,668	3,177	707	894	37,586

Percentage of searches resulting in arrest

	Percentage
White	12.7
Black	13.1
Asian	11.5
Other	14.0
Not recorded	11.9
Vehicles	n/a
Total	12.5

Operation Lancet

Dr. Kumar: To ask the Secretary of State for the Home Department if he will publish the name and rank of each Cleveland police officer who has been served with a regulation 7 notice in the Operation Lancet investigation. [91014]

Mr. Boateng: Notices are issued under Regulation 7 of the Police (Discipline) Regulations 1985 to inform officers who are under investigation of the allegations or complaints which have been made against them and to give them the opportunity to make a statement. As these notices are issued on the basis of allegations, it would not be appropriate to provide the name and rank of officers who have received such a notice.

Electronic Tagging

Mr. Paul Marsden: To ask the Secretary of State for the Home Department what assessment he has undertaken of the risks faced by telecommunications engineers who install and maintain custodial electronic tagging and monitoring equipment. [91188]

Mr. George Howarth: No prisoner is allowed to participate in the Home Detention Curfew scheme (HDC) unless he or she satisfies both a prison service risk assessment and the strict eligibility criteria set out in the Crime and Disorder Act 1998. Prisoners are not released on HDC if the release would present an unacceptable risk to the victim or members of the public, or if they have a pattern of offending which indicates a likelihood of re-offending during the HDC period, or if they are considered unlikely to comply with the conditions of the curfew.

As to court-ordered curfews enforced by electronic monitoring, an assessment of the suitability of the sentence for an offender is carried out by the probation service as part of the pre-sentence report. This would include consideration of the same risk issues as outlined above in respect of HDC.

There is no reason to believe that telecommunications engineers are at risk from offenders subject to electronic monitoring.

CULTURE, MEDIA AND SPORT

Films

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what plans he has to encourage cinema owners to commit screen time to British films. [89409]

Janet Anderson *[holding answer 2 July 1999]:* The Government have no specific plans to ask cinema owners to commit screen time to British films. However, the recent Film Policy review identified a number of measures aimed at improving the performance and distribution of British films. Once established, the new Film Council will take forward this strategy.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport (1) how many British films financed in (i) 1996 and (ii) 1997 took advantage of capital gains tax reinvestment relief; what was the total value of equity investment in respect of these films; and what are the equivalent figures for the period since April 1998; [89413]

(2) what representations he has received regarding the effect on the British film industry of merging capital gains tax reinvestment relief with the enterprise investment scheme. [89397]

Janet Anderson *[holding answer 2 July 1999]:* My Department has received representations from one promoter of a film investment scheme. The evaluation of specific tax-based schemes is a matter for the Inland Revenue.

The detailed information requested on capital gains tax reinvestment relief is not available. Figures for the period since April 1998 would be available only at disproportionate cost.

Activity Holidays (National Minimum Wage)

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport, pursuant to the answer of 30 June 1999, *Official Report*, column *201*, if he intends to publish the representations reporting the impact of the national minimum wage on activity holidays. [89956]

Janet Anderson: I take a close interest in all matters of concern to the tourism industry, including activity holidays, but we have no plans to publish any representations that may be made to this Department on the impact of the National Minimum Wage. We would, in any case, pass any representations on to the Department of Trade and Industry, whose responsibility this matter is.

Publication of representations to the Low Pay Commission on the impact of National Minimum Wage is a matter for the Commission itself.

Television Licence Evasion

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport how many successful prosecutions took place for television licence evasion in the BB postcode area in each year since 1996. [90644]

Janet Anderson: The number of convictions for television licence evasion in the BB postcode area during the period in question was:

Year	*Number*
1996–97	1,414
1997–98	1,007
1998–99	934

Holidays in Britain

Miss Geraldine Smith: To ask the Secretary of State for Culture, Media and Sport what steps the Government are taking to encourage more people to take their holidays in Britain. [90369]

Janet Anderson: The Government's new tourism strategy, "Tomorrow's Tourism", which I launched on 26 February, contains a raft of initiatives designed to promote quality in tourism through improved career opportunities, more sustainable development and increased access to, and better information about, tourism. As our tourism strategy is implemented and we help to develop an even more high quality and competitive tourism industry, we hope that more people from home and abroad will choose to take holiday breaks in Britain.

Cambridge Motivate Project

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport how many *(a)* Cambridge University mathematicians, *(b)* schools in Brent and *(c)* schoolchildren in Brent he estimates will work within the Cambridge Motivate project in (i) the first year and (ii) the first five years. [90605]

Mr. Chris Smith: The Cambridge Motivate project is a pilot project supported by the National Endowment for Science, Technology and the Arts (NESTA).

The project will involve five volunteer Cambridge University mathematicians, assisted by a number of Cambridge Education Department mathematical educationalists. In the first year, a total of up to 125 students (12 -18) will be involved in the project, to include up to 50 students from two schools in Brent and up to 75 students from three schools in neighbouring London boroughs. Each of those involved will be trained to disseminate their work to five other students in their own schools, so that up to a further 250 students in Brent and 375 students in other schools will be involved in a less direct way. The mathematical problems posed will also be available on the Motivate website for others to explore.

NESTA will support the project for one year. The impact of the project will be evaluated as it progresses and it may be expanded to more students once its impact has been assessed.

New Audience Fund

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport if figures on new audiences resulting from the New Audience Fund will be collated by or for his Department. [90604]

Mr. Alan Howarth: The New Audience Fund is managed by the Arts Council of England, which will publish a full report on the scheme in December.

Millennium Dome

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport when he will announce his decision on the future of the Millennium Dome after 2001. [90622]

Janet Anderson: As announced on 4 March 1999, at the launch of the competition inviting bids for the Millennium Dome and associated land, final decisions on its future use will not be taken until 2000, when the Millennium Experience is up and running for all to see.

Trafalgar Square Plinth

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport (1) how many times the advisory panel on the vacant plinth in Trafalgar Square has met; [90607]

(2) what discussions he has had with the advisory panel on the vacant plinth in Trafalgar Square. [90609]

Mr. Alan Howarth: My right hon. Friend the Secretary of State joined Sir John Mortimer, Chairman, and some members of the advisory panel at their inaugural meeting last month. The full membership of the panel will be announced shortly and I understand that a second meeting is now being arranged.

Seaside Resorts

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with European Commission officials regarding Objective 2 status for seaside resorts. [90601]

Janet Anderson: My Department has made a strong case for seaside resorts to be considered a priority when the UK Government make proposals to the Commission for the revised Structural Funds map. The Government have been involved in many discussions with the Commission throughout the negotiation of the reform of the Structural Funds. For Objective 2, all areas will be considered equally for inclusion on the basis of need.

UK lobbying led to the inclusion of a reference in the new Structural Fund Regulation at preamble 6, which mentions the development of tourism and the creation of sustainable employment. It underlines the Government's commitment to target all areas of need.

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the Secretary of State for the Environment, Transport and the Regions about hostels in seaside resorts. [90602]

Janet Anderson: My officials have regular discussions with the Department for the Environment, Transport and the Regions and are involved in the public consultation exercise on Houses in Multiple Occupation (HMOs). I am well aware of widespread concern that the existence of hostels in a number of popular tourist destinations can

cause serious problems. The Government remain firmly committed to introducing a national licensing system for HMOs when the legislative timetable allows. With DETR, we are currently studying the responses to the consultation exercise which ended recently.

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the Secretary of State for the Home Department regarding the impact on seaside resorts of the placement of asylum seekers. [90603]

Janet Anderson: I have been corresponding with the Home Office about the placement of asylum seekers in our seaside resorts. I have emphasised the importance of very careful consideration being given to the long-term interests of both asylum seekers and host communities before any decision is taken to place asylum seekers in our resorts.

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the Secretary of State for the Environment, Transport and the Regions regarding transport arrangements to the seaside resort areas of *(a)* Great Yarmouth, *(b)* Brighton and Hove, *(c)* Bournemouth, *(d)* Torbay, *(e)* Thanet and *(f)* Blackpool. [90600]

Janet Anderson: I have had no discussions with my right hon. Friend the Secretary of State for the Environment, Transport and the Regions regarding transport arrangements to the seaside resorts mentioned, nor have any representations from those resorts been made to me. However, as set out in our tourism strategy document "Tomorrow's Tourism", we are in close contact with DETR in taking forward action set out in the White Paper on Integrated Transport Policy for the UK.

Urban Task Force

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what *(a)* discussions and *(b)* meetings he had with the Urban Task Force before the publication of its report. [90611]

Mr. Chris Smith: I had a meeting with Lord Rogers and members of the Task Force on 23 March 1999, when they presented their interim report and discussed their emerging findings. We had a further meeting on 16 June 1999 when Lord Rogers and colleagues explained their main conclusions. My officials have also provided information to the secretariat as required.

Pressure Systems Directive

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with owners of historic steam engine collections about the Pressure Systems Directive 97/23/EC; and if he will make a statement. [90843]

Mr. Chris Smith *[holding answer 12 July 1999]:* My Department has received one representation about the Pressure Systems Directive 97/23/EC. The Department of Trade and Industry, as the lead Department dealing with the Directive, were consulted in replying.

Lord Sainsbury of Turville answered a similar written question about the Directive tabled by Lord Inglewood in another place on 7 July 1999, *Official Report, House of Lords*, columns *103–04*. It is our belief that the historic steam preservation movement, which provides such a valued contribution to maintaining our engineering heritage, will not be faced with disproportionate costs as a result of the Directive.

Correspondence

Mr. Burns: To ask the Secretary of State for Culture, Media and Sport what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90152]

Mr. Chris Smith *[holding answer 12 July 1999]:* I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members in the 1998 calendar year. More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

Sports Clubs

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer to the hon. Member for Cheltenham (Mr. Jones) of 5 July 1999, *Official Report*, column *382*, what representations he has made to the Home Office about charitable status for sports clubs. [90812]

Mr. Chris Smith: My hon. Friend the Minister for Sport has been in close contact with my hon. Friend the Minister of State, Home Office on this issue. I particularly look forward to the forthcoming consultation dealing with charitable status and community based sports clubs, in which I will be taking a close interest.

Single Currency

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport how much expenditure his Department *(a)* has incurred to date and *(b)* expects to incur on preparations for possible United Kingdom entry into the European single currency; and if he will make a statement. [91182]

Mr. Chris Smith: The Department has not incurred any separately identifiable expenditure. Activity in this area has been limited to disseminating information to sponsored bodies. I have made no estimate of future expenditure.

Departmental Buildings

Mrs. Ewing: To ask the Secretary of State for Culture, Media and Sport if he will list the location, functions, number of staff accommodated and running costs of his Department's and its agencies' buildings in Scotland. [90859]

Mr. Chris Smith: DCMS has no staff, accommodation or agencies in Scotland.

SCOTLAND

Media Relations

Mr. Baker: To ask the Secretary of State for Scotland how many *(a)* civil servants and *(b)* special advisers involved in media relations were employed within his Department at 1 May (i) 1997, (ii) 1998 and (iii) 1999. [84203]

Dr. Reid *[holding answer 18 May 1999]:* Detailed information on the numbers of permanent civil servants employed in Departmental Press Offices during the financial years 1997–98 and 1998–99 was provided in a memorandum dated 16 June 1998 to the Select Committee on Public Administration and published in its report on *The Government Information and Communication Service (HC 770)* in July 1998. A copy is in the Library of the House. The number in post in my Department at 1 May 1999 was 30.

All Special Advisers in my Department have had ad hoc contact with the media, but no Special Adviser was employed to deal specifically with media relations at 1 May (i) 1997, (ii) 1998 or (iii) 1999. One special adviser with particular responsibility for media relations was employed from 5 May 1998 to 6 April 1999.

Wildlife Protection

Mr. Paul Marsden: To ask the Secretary of State for Scotland what proposal he has to introduce greater protection for wildlife; and if he will make a statement. [90179]

Dr. Reid: Protection for wildlife was devolved on 1 July and is now a matter for the Scottish Parliament. The only reserved aspect of protection for wildlife is the protection and regulation of the import and export of animals and plants (under the Convention on International Trade in Endangered Species—CITES).

Post Office

Mr. Gorrie: To ask the Secretary of State for Scotland what representations he has made to ministers about the proposed changes in the Post Office as they would affect Scotland. [90774]

Dr. Reid: The Post Office makes a vital contribution to national life in Scotland, particularly in rural areas. I have been fully involved in development of the Government's proposals for reform of the Post Office that were presented to the House by my right hon. Friend on 8 July 1999, *Official Report*, columns 1175–90. "Post Office Reform: A World Class Service for the 21st Century" reaffirms the Government's commitment to a universal postal service at a uniform tariff. Measures such as the setting of criteria for access to Post Office counter services will ensure that any evolution of the network of post offices will take place with due regard to less populated areas.

Civil Servants

Mr. Gorrie: To ask the Secretary of State for Scotland what representations he has *(a)* made to the Cabinet Office and *(b)* received from the Scottish Executive regarding changes required in the rules governing the conduct of civil servants because of their involvement in supporting or advising committees of the Scottish Parliament. [90777]

Dr. Reid: None.

Single Currency

Mr. Grieve: To ask the Secretary of State for Scotland how much expenditure his Department has *(a)* incurred to date and *(b)* expects to incur, on preparations for possible United Kingdom entry into a European single currency; and if he will make a statement. [91184]

Dr. Reid: Following the publication of the Government's Outline National Changeover Plan, my Department is considering what preparations may be necessary.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Rural Transport

1. **Mr. Paice:** To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has for the improvement of transport provision for people living in rural areas. [89475]

33. **Charlotte Atkins:** To ask the Secretary of State for the Environment, Transport and the Regions what measures have been taken to improve transport in rural areas since May 1997; and if he will make a statement on progress made. [89508]

Mr. Prescott: This Government have already significantly improved transport in rural areas. Over £170 million is being made available over three years for extra rural bus services and 1,500 new and enhanced services have been set up, many to local hospitals, shops and stations.

Genetically Modified Foods

19. **Mr. Alan W. Williams:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the decision reached at the Council of Environment Ministers meeting in Luxembourg on 25 June regarding the development, production and sale of genetically modified foods. [89494]

Mr. Meale: I am pleased to announce to the House that the Council reached political agreement on the amendment to Directive 90/220 on the deliberate release and marketing of genetically modified organisms. This directive does not include the approval for sale of genetically modified foods, but it does cover crops used in the production of foods.

I am confident that this will secure better protection for the environment and human health. Tightening of many of the core elements of the Directive and increasing transparency will help public confidence in the regulatory

regime, and establishing fixed time periods for the decision-making steps will provide more predictability for biotechnology research and industry.

Urban Renewal

20. **Mr. David Taylor:** To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made in the application of the policies set out in the report "Towards an Urban Renaissance" in the east midlands. [89495]

Mr. Caborn: The final report of the Urban Task Force "Towards an Urban Renaissance" was published on 29 June. We are considering the Task Force's recommendations in the preparation of our Urban and Rural White Papers, both of which will be published in the next 12 months.

Urban areas in the Midlands currently benefit from a range of Government regeneration initiatives such as the Single Regeneration Budget, the New Deal for Communities (in Leicester and Nottingham), and from regeneration activity carried out by English Partnerships and the East Midlands Development Agency.

Road Charging

21. **Mr. Bercow:** To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the impact on traffic levels which the Government's planned new charges on motorists will have. [89496]

Mrs. Liddell: A number of studies have indicated that traffic levels could be substantially reduced if local authorities decided to implement packages of measures including road user charges and complementary public transport improvements.

Motorway Services

22. **Ann Clwyd:** To ask the Secretary of State for the Environment, Transport and the Regions if he will review the franchise conditions of service station operations on the motorways. [89497]

Ms Glenda Jackson: We have no immediate plans to do so, though a recent increase in complaints has led the Office of Fair Trading to conduct a preliminary investigation of its own into the price of food and drink at motorway services areas. We have said that we will wish to consider the case for further Government intervention, either through our formal agreements with operators or otherwise, in the light of OFT's findings.

Paddington Station

23. **Ms Squire:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on improving public transport access to Paddington station. [89498]

Ms Glenda Jackson: London Underground is currently improving access to its station at Paddington. The improvements include a widened ticket hall, an extended ticket office, a revised gateline and new architectural finishes. The work will be complete in September 1999.

Safe Routes (Schools)

24. **Dr. Cable:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the introduction of safe routes to schools. [89499]

Ms Glenda Jackson: We are working closely with schools and local authorities to improve safety and reduce car use on the journey to school. Last week we published comprehensive guidance on travel to school and announced a new pilot programme of assistance for schools.

West Coast Line

25. **Ms Stuart:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with the rail operators of the west coast line about future performance targets. [89500]

Mrs. Liddell: Performance targets for rail operators are matters for the Franchising Director. The franchise agreement for Virgin West Coast provides for the cancellation thresholds relating to call-in to be tightened from April 2003 and, at the Franchising Director's option, further tightened from April 2005. These changes will reflect the expected improvement in performance that will result from the Passenger Upgrade of the line (PUG2).

Trunk Road Network

26. **Mr. Blizzard:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on progress made in improving the trunk road network. [89501]

Mrs. Liddell: We have made maintenance our first priority and provided the Highways Agency with the resources necessary to maintain its roads properly. We have increased the funding available for measures to make better use of existing roads. We have established a clear timetable for taking forward the Targeted Programme of Improvements so that all 37 schemes will start within the next 7 years. The net result will be a trunk road network which is safer and serves the needs of users better.

Container Ports

27. **Dr. Julian Lewis:** To ask the Secretary of State for the Environment, Transport and the Regions if it is his policy in respect of applications to build container ports that preference should be given to brown-field sites. [89502]

Mr. Raynsford: Our policy on port developments is that they should make the best use of existing infrastructure, in preference to expansion wherever practicable. In cases where new development can be justified, our view is that ports should promote best environmental standards in design and operation. We are planning to publish a ports policy paper in the Autumn.

Reighton Bypass

28. **Mr. Greenway:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the case for a bypass for the village of Reighton in North Yorkshire. [89503]

Ms Glenda Jackson: The proposal for a bypass of Reighton is the responsibility of North Yorkshire County Council as local highway authority. Any bid for funding for the scheme in the forthcoming provisional Local Transport Plan will be considered on its merits. All schemes costing more than £5 million need to be appraised using the New Approach to Appraisal.

Regional Development Agencies

29. **Mr. Todd:** To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made in addressing rural needs through the work of regional development agencies. [89504]

Mr. Meale: The Regional Development Agencies will later this month publish for consultation their draft regional strategies; final versions will be submitted to Ministers in October. The Secretary of State has issued statutory guidance to Regional Development Agencies about the content and coverage of regional strategies which includes the requirement that strategies should take account of the particular features of the region's rural areas. Separate non-statutory guidance has also been issued which includes a section on rural policy designed to assist the RDAs in considering the rural dimension of their brief, in particular in preparing their strategies.

Long-distance Buses

30. **Mr. Edwards:** To ask the Secretary of State for the Environment, Transport and the Regions when he last met representatives of National Express to discuss the long-distance bus network. [89505]

Mrs. Liddell: The Minister responsible for local transport, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), met senior executives of National Express in April last year as part of the Department's continuing discussions with representatives of the bus and coach industry on a wide range of issues.

Brown-field Sites

31. **Mr. Brake:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on Government targets for development on brown-field land. [89506]

Mr. Raynsford: The Government's target is that 60 per cent. of additional housing should be built on previously developed land or re-use existing building over the next 10 years.

London Underground

32. **Mr. Wilkinson:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has held with *(a)* Her Majesty's Treasury and *(b)* commercial interests about the financing of London Underground in 2000–01. [89507]

Ms Glenda Jackson: My right hon. Friend the Deputy Prime Minister routinely has discussions with HM Treasury on a range of issues, including London Transport. London Transport have invited prospective bidders to pre-qualify for the Public/Private Partnership competition for the deep tube lines, and have commenced discussions with Railtrack in respect of the sub-surface lines.

Fuel Duties

34. **Mr. Forth:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact on road traffic levels of increasing fuel duties by 6 per cent. a year in real terms over the next five years. [89509]

Mrs. Liddell: The 1997 National Road Traffic Forecasts already take into account our policy of annual 6 per cent. increases in fuel duty until 2002. Continuing the escalator for another two years would reduce the forecast traffic levels for 2011 by broadly 1.6 per cent., assuming there is no significant change in vehicle fuel efficiency.

Local Government Elections

35. **Mr. Viggers:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the first-past-the-post system currently used for local government elections in England. [89510]

Ms Armstrong: I refer the hon. Member to the answer I gave to the hon. and learned Member for Harborough (Mr. Garnier) on 15 June 1999, *Official Report*, column 77.

Greater London Assembly

36. **Mr. McNulty:** To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made with preparations for the London Mayor and Assembly. [89511]

Mr. Raynsford: Good progress is being made. We have announced that, subject to Parliamentary approval of the Greater London Authority Bill, the elections for the Mayor and Assembly will take place on 4 May 2000, and the GLA and functional bodies will assume their full responsibilities on 3 July 2000. In the meantime the Bill should shortly complete its Committee stage in another place; proposals for both temporary accommodation (Romney House, Westminster) and permanent accommodation (at London Bridge City, Southwark) have been announced; and Dr. Robert Chilton has been appointed, on secondment, from the Audit commission to head the work on the transition to the GLA.

M4 Bus Lane

37. **Mr. Flynn:** To ask the Secretary of State for the Environment, Transport and the Regions what effect the M4 bus lane has had on journey time for bus passengers from Heston to London. [89512]

Mrs. Liddell: The operation of the bus lane is being monitored by the Transport Research Laboratory. Based on the first three weeks monitoring since the bus lane was opened, buses, coaches and taxis are saving an average time of approximately three minutes during the morning and evening peak periods. In periods of severe congestion, because of incidents elsewhere on the road network, vehicles using the bus lane have had savings of up to 16 minutes on journey time.

Liverpool Vision

38. **Mrs. Ellman:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to support Liverpool Vision. [89513]

Mr. Meale: Liverpool Vision is a very immediate and welcome response to Lord Rogers's Urban Task Force recommendations. My Officials will work with the new Urban Regeneration Company to make sure its vision of an integrated, vibrant city centre for the new century is delivered.

A11

Dr. Gibson: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made with the plans to dual the remaining sections of the A11. [89492]

Mrs. Liddell: We included the three schemes to complete the dual carriageway on the A11 from the M11 to Norwich in "A New Deal for Trunk Roads in England" published last summer. The Roudham Heath to Attleborough Improvement is included in our Targeted Programme of Improvements (TPI) and construction of the scheme will start in 2001–02. The Attleborough Bypass and the Fiveways to Thetford Improvement were not sufficiently advanced to be included in the TPI but will be the subject of public consultation exercises in 2000–01 so that if, after full appraisal and statutory procedure, they are eventually endorsed, they can be taken foreword without delay.

Planning (London)

Mr. Gapes: To ask the Secretary of State for the Environment, Transport and the Regions what action the Government are taking to involve the business community in the reform of the planning system in London. [89493]

Mr. Raynsford: We have consulted widely at all stages in the development of the new planning arrangements for London that will come into operation once the Mayor and Assembly are in place. We have met with representatives of the business community on numerous occasions to discuss the proposals.

GLOBE Projects

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the environmental GLOBE projects carried out by schools; and if he will make a statement. [90400]

Mr. Meale: GLOBE stands for Global Learning and Observations to Benefit the Environment. It offers school children structured opportunities to carry out environmental experiments and compare results with other schools globally using the World Wide Web. In England it is managed by the Warwickshire Wildlife Trust, with a grant from my department's Environmental Action Fund (EAF), linked to private sector support from the ARC Environment Fund and the National Grid Company. The Warwickshire Wildlife Trust assesses the projects carried out by schools as part of its EAF funded work. We in turn assess their performance during each year of grant funding, and will carry out a more detailed terminal assessment at the end of the grant in April 2001.

BA Tail Fins

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many misidentifications of British Airways aircraft have been reported by air traffic control as a result of confusion caused by the tail fin design. [90498]

Ms Glenda Jackson: The Civil Aviation Authority has confirmed that no misidentifications of British Airways craft have been reported by air traffic control as a result of tail fin design.

Driving Tests

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions for what reason persons who hold a current United Kingdom driving licence have to sit a driving theory test as part of the qualifying test for a public service vehicle licence. [90647]

Ms Glenda Jackson: It is vital that people who wish to drive buses and coaches are properly trained and tested. The theory test examines a learner's knowledge and understanding of road safety matters relating to these vehicles before having skills and behaviour assessed in a practical test.

Seaside Resorts

Miss Geraldine Smith: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government are taking to improve transport links to seaside resorts. [90373]

Ms Glenda Jackson: The Government are working with a wide range of bodies, including local authorities, regional planning bodies, the Highways Agency, the rail and bus industries and transport user groups, to deliver its integrated transport strategy. Where relevant, transport links to seaside resorts would be considered in this work. We are also encouraging the tourism industry to improve information about public transport links and alternative transport modes to tourist attractions.

Beacon Councils

Miss Geraldine Smith: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made in implementing the Beacon Council Scheme. [90374]

Mr. Meale: In May we published our Application Brochure inviting councils to submit by 31 July their applications for beacon status. We intend to announce the first Beacon Councils in November.

Planning Inspectors

Mr. John M. Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if membership of *(a)* English Heritage or *(b)* the National Trust is a bar to appointment as a planning inspector; and what are the reasons for these arrangements. [90394]

Mr. Raynsford: *(a)* Yes; English Nature has a statutory function in the planning process, and is involved in a large number of planning cases. It has been felt that membership might bring into question the requirement that Planning Inspectors should be fair, open and impartial, but at my request this policy is now under review.

(b) No; because the National Trust plays no customary part in the development control process. Membership by Planning Inspectors would be unlikely to call into question the requirement that they should be open, fair and impartial.

Local Government Salaries and Allowances

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions (1) what guidelines he proposes to establish for the level of salaries for executive mayors and members of local council cabinets; and if he will make it his policy to collect statistics on the salaries awarded; [90431]

(2) what guidelines he plans to issue for the levels of special responsibility allowances in local government. [90430]

Mr. Meale: As stated in the White Paper: "Modern Local Government—In Touch with the People" (Cm 4014), we will work with the Local Government Association to develop guidance on allowances and the criteria to be applied in determining their level. We do not propose to collect statistics on these decisions, which as the White Paper indicates, are to be taken by individual councils in the light of recommendations from local independent panels.

Waste Disposal

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the London Boroughs that have produced recycling plans; and what actions he proposes to take in respect of those Boroughs that have not yet done so. [90350]

Mr. Meale *[holding answer 12 July 1999]:* Under section 49 of the Environmental Protection Act 1990 all Waste Collection Authorities (WCAs) are under a duty to have in place Waste Recycling Plans. In London, the London Boroughs are the WCAs. All London Boroughs produced recycling plans in 1992.

In March 1998, the Secretary of State directed all WCAs to investigate if their Recycling Plans needed updating. The Secretary of State does not have the power to direct WCAs to update their Recycling Plans.

In London, several Boroughs have submitted revised plans and most of the remaining Boroughs have indicated that they are presently revising their plans. Details are given in the following table:

Borough	*Revised recycling plan approved*	*Revised recycling plan expected*
City of London	Yes	—
Barking and Dagenham	—	—[1]
Barnet	—	In preparation[2]
Bexley	—	Draft received
Brent	—	In preparation[2]
Bromley	Yes	—
Camden	Yes	—
Croydon	—	In preparation
Ealing	—	In preparation[2]
Enfield	Yes	In preparation
Greenwich	—	In preparation[1]
Hackney	—	—
Hammersmith and Fulham	—	No plans to issue revised plan
Haringey	—	In preparation
Harrow	—	In preparation[3]
Havering	—	—[1]
Hillingdon	—	—[3]
Hounslow	—	—[3]
Islington	—	—[1]
Kensington and Chelsea	—	In preparation, Summer 1999
Kingston upon Thames	—	In preparation, 1999
Lambeth	—	In preparation, Summer 1999
Lewisham	—	In preparation[1]
Merton	—	No plans to issue revised plan
Newham	—	—[4]
Redbridge	—	Draft received[4]
Richmond upon Thames	—	Draft received[3]
Southwark	—	Draft received
Sutton	—	In preparation, Summer 1999
Tower Hamlets	—	No plans to issue revised plan
Waltham Forest	—	—[4]
Wandsworth	Yes	—
Westminster	—	No revision planned at the moment

[1] Greenwich and Lewisham are working on a combined municipal waste management strategy

[2] North London Waste Authority and its constituent collection authorities (LBs of Barnet, Camden, Enfield, Hackney, Islington and Waltham Forest) are working on a municipal waste management strategy

[3] West London Waste Authority and its constituent collection authorities (LBs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames) are working on a municipal waste management strategy

[4] East London Waste Authority and its constituent collection authorities (LBs of Barking and Dagenham, Havering, Newham and Redbridge) are working on a municipal waste management strategy

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what requirements govern the extent to which county council waste local plans have to include a specific provision for waste incineration. [90853]

Mr. Meale: PPG23 requires local authorities to have regard to the following principles when drawing up their waste development plans:

> the best practicable environmental option for a particular waste stream in a particular location, which is in turn informed by
>
> the proximity principle (dealing with waste as close to its source of generation as possible), and
>
> the waste hierarchy, with an emphasis on waste reduction, re-use and recovery (both materials and energy) before waste disposal options are considered.

"A Way with Waste", the draft waste strategy for England and Wales published on 30 June 1999, gives greater detail on how waste management decisions should be taken at the local level. The strategy creates no obligation to include incineration within waste development plans. It recognises, however, that energy recovery, by a variety of routes, combined with high levels of recycling and composting, is likely to form part of a balanced and integrated plan.

Road Accidents

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what criteria are used by his Department in determining the cost of a road accident for a *(a)* fatality, *(b)* serious injury and *(c)* slight injury; and in each case what is the current figure. [90822]

Ms Glenda Jackson *[holding answer 12 July 1999]:* The values for the prevention of road casualties take account of the following criteria: medical costs, lost production, human costs based on willingness to pay, the cost of police and courts, insurance administration, and property damage. The values attributed to the prevention of death and injury in a road accident in 1997 prices were *(a)* fatal £902,500; *(b)* serious accident £102,880; and *(c)* slight accident £7,970. The value of the prevention of an accident is slightly higher in each case, because there may be more than one casualty. Detailed figures are published in Highways Economic Note 1, copies of which are in the Library of the House.

Packaging Regulations

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to publish the results of the consultation process on the Packaging Regulations. [90971]

Mr. Meale: On the consultation carried out in 1998, I refer my hon. Friend to the answer given by my right hon. Friend the Minister for the Environment on 28 January 1999, *Official Report*, columns *335–37*. A further consultation on proposed changes to the percentage activity obligations and other issues will be published very soon. The consultation period is expected to last about six weeks.

Maritime Hijacks

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will give the locations of each attempted maritime hijack which occurred for the last year for which figures are available, giving in each case *(a)* the flag flown, *(b)* the location of the incident, *(c)* the material carried and *(d)* the outcome of the hijacking attempt. [90727]

Ms Glenda Jackson: According to the International Chamber of Commerce's International Maritime Bureau statistics, there were six recorded incidents of hijack for the period 1 May 1998 to 30 April 1999, as follows:

18 May 1998—A Malaysian flagged fishing boat was hijacked in the Malacca Strait. A ransom was paid for release of crew;

5 August 1998—A Belize flagged general cargo vessel was hijacked off Indonesia; it is still missing with some crew;

27 September 1999—A general cargo vessel, flag unknown, was hijacked off Somalia; it is still missing with some crew;

16 November 1998—A Panamanian flagged cargo of furnace slag was hijacked in the South China Sea; all 23 crew were shot dead and the seven pirates responsible subsequently arrested;

December 1998—An oil tanker, flag unknown, was hijacked off Indonesia; the ship was arrested by authorities and prosecutions are expected;

12 March 1999—A Belize flagged general cargo vessel was hijacked off Somalia; the vessel was taken to a Somali port by the hijackers. Nothing further is known.

Departmental Travel

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how many kilometres have been travelled on departmental business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by departmental employees; and if he will make a statement. [91015]

Ms Glenda Jackson: The information on business travel is not collected in the form requested and therefore cannot be provided. As published in the Integrated Transport White Paper in July 1998, the Government have set a target that all Government Department headquarters buildings and main buildings occupied by Executive Agencies and Government Offices for the Regions should have green transport plans by March 1999 and all other key buildings by March 2000.

We have completed green transport plans covering all our headquarters and main buildings and we are developing plans for all other key buildings in line with the targets set out in the White Paper. These plans include a range of measures intended to reduce the environmental and transport impact of DETR operations, including future reductions in business mileage. The plan for our headquarters buildings includes a target to achieve a reduction of 10 per cent. of business travel miles by car over three years, i.e. by March 2000.

Air Passenger Service Charges

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a copy of the correspondence between the Office of Fair Trading and the International Air Transport Association about the description of passenger service charges as taxes; and if he will make a statement. [89574]

Ms Glenda Jackson: I am concerned about the practice of some airlines of displaying PSC as a tax. My officials have recently discussed the issue of PSC with representatives of the airlines, and are considering their proposals for ensuring that passengers cease to be misled. The Local Authority Co-ordinating Body on Food and Trading Standards believes that such airlines may be in breach of the Consumer Protection Act 1987, the Trade Descriptions Act 1968 and the Control of Misleading Advertisements Regulations 1988, and has recently issued guidance to this effect to local authority trading standards officers.

The Office of Fair Trading has written to the International Air Transport Association raising complaints that IATA have misrepresented the PSC as a tax, and IATA have responded.

I have placed copies of this correspondence in the Library.

Airlines

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions (1) on how many occasions in the last year he has discussed the issue of

slots at Heathrow with representatives of *(a)* British Airways, *(b)* Virgin Atlantic and *(c)* other airlines; [91222]

(2) if he will list each occasion since he took office when he has met *(a)* British Airways and *(b)* Virgin Atlantic to discuss the proposed British Airways-American Airlines alliance. [91220]

Ms Glenda Jackson: Ministers in this Department are in regular contact with representatives of British Airways and Virgin Atlantic on aviation matters, including, among other things, slots at Heathrow and the British Airways-American Airlines alliance. It is not the normal practice of government to give details of specific meetings with private individuals or companies.

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions what indication he has received from British Airways or American Airlines that their proposed alliance is not to proceed. [91224]

Ms Glenda Jackson: We have received no communication from American Airlines about the alliance. British Airways position continues to be that the progress of the deal as presently structured will depend on satisfactory competition remedies.

Timber Recycling

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions how much timber was recycled in each of the last five years. [90716]

Mr. Meale: The information requested is not available.

The Department is working with representatives of the construction industry to develop a strategy to help the industry contribute to the aims of sustainable development. When published later this year, the strategy will address issues such as reducing waste and making more use of recycled materials. In its own operations, the Department follows the advice published in the "Green guide for managers on the government estate" which refers to the importance of using recycled materials in construction and ensuring future recyclability in obtaining best value.

Climate Change Levy

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the possible implications for local authorities responsible for street lighting of the introduction of the climate change levy. [90714]

Mr. Meale: The impact of the climate change levy on local authorities will depend on the rates of the climate change levy. The final rates of climate change levy will not be set until Finance Bill 2000. It is therefore not possible to give definitive figures about the impact of the climate change levy on local authorities.

It is proposed that the revenue from the climate change levy will be recycled principally through a 0.5 per cent. cut in employers' National Insurance Contributions. Like other employers, local authorities will benefit from this reduction.

Garden Waste

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the amount of garden waste produced in each of the last 10 years and; and if he will make a statement on *(a)* the Government's strategy for dealing with garden waste and *(b)* its policy towards incineration of garden waste. [90715]

Mr. Meale: No estimates are available for the total amount of garden waste arisings. 380,000 tonnes of municipal waste, including garden waste, were collected for centralised composting in England and Wales in 1997–98; 250,000 tonnes in 1996–97; and 150,000 tonnes in 1995–96. (*Source: DETR Municipal Waste Survey*). Estimates from local authorities suggest that a further 200,000–300,000 tonnes are composted each year at home. Data for earlier years were not collected.

(a) Our draft waste strategy "A Way with Waste" calls for substantial increases in composting and recycling. The Government will continue to work with key players to implement the recommendations of the Composting Development Group to overcome barriers to the marketing of waste-derived compost.

(b) Incineration with energy recovery should not be undertaken without consideration first being given to the possibility of composting and materials recycling. The final decision will rest with local authorities, and depend on their own circumstances and their assessment of the Best Practicable Environmental Option.

Telecommunications Masts

Mr. Lidington: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library copies of the representations which he has received concerning the application to erect a telecom mast at Chisley Wood, Buckmoor End, Butlers Cross, Buckinghamshire (APP/IT0425/A/99/1024262). [91036]

Mr. Raynsford: I can confirm that copies of the two representations about this application while it was under consideration by Wycombe District Council have been placed in the Library.

Mr. Lidington: To ask the Secretary of State for the Environment, Transport and the Regions (1) which Minister will be responsible for determining planning appeal ref. APP/IT0425/A/99/1024262; and if he will make a statement; [91035]

(2) what steps he has taken to avoid any conflict of interest arising in the determination of planning appeal APP/IT0425/A/99/1024262 concerning a proposal to erect a telecom mast at Chisley Wood, Buckinghamshire. [91033]

Mr. Raynsford: The appeal has been withdrawn and the Planning Inspectorate will be taking no further action in the matter.

Mr. Lidington: To ask the Secretary of State for the Environment, Transport and the Regions what representations (i) his Department and (ii) the Planning Inspectorate have received from Government Departments or agencies about the planning application

and appeal relating to the erection of a telecom mast at Chisley Wood, Buckmoor End, Butlers Cross, Buckinghamshire. [91034]

Mr. Raynsford: None.

Leasehold Reform

Mr. Syms: To ask the Secretary of State for the Environment, Transport and the Regions if, following the consultation on leasehold reform, he intends to *(a)* make a statement on whether he will legislate and when and *(b)* publish the results of the consultation. [91187]

Mr. Raynsford: We are currently analysing the large number of responses to our consultation paper and will publish the results in due course. We are proceeding as swiftly as possible but I cannot yet say when we will be able to announce our decisions.

Road Traffic Reduction

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his plans for an absolute reduction in road traffic levels. [89514]

Ms Glenda Jackson: The Government are making good progress in implementing the package of measures set out in our Integrated Transport White Paper which is needed to reduce road traffic growth, and to reduce absolute levels of traffic in those places where its environmental damage is greatest. We remain committed to publishing our first report under the Road Traffic Reduction (National Targets) Act 1998, on the issue of whether to set a national traffic reduction target, by the end of this year.

FOREIGN AND COMMONWEALTH AFFAIRS

British Indian Overseas Territories

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans to publish the findings of, and recommendations arising from, the recent visit to the British Indian Overseas Territories by Dr. Charles Sheppard; what steps he has taken to protect fisheries in the British Indian Overseas Territories in the light of the coral bleaching in the islands; from whom advice has been received; and if he will establish no-fishing zones. [87384]

Mr. Tony Lloyd *[holding answer 29 June 1999]:* Dr. Sheppard's Report is now being printed and I expect it to be issued in the next few days. The Government of the British Indian Ocean Territory (BIOT) intends to give it a wide distribution. The fisheries management policy of the BIOT Government is based on the precautionary approach. Some partial Marine Protected Areas were introduced in the autumn of 1998 and the number of licences available for the inshore fishery for the 1999 season reduced by one third.

Early advice has been received from Dr. Sheppard and BIOT fisheries consultants. After issue of the Report, further consultation will be undertaken in co-ordination with the Department for International Development, who are co-sponsoring an Indian Ocean-wide programme on Coral Reef Degradation.

The establishment of closed areas or other regulatory mechanisms for the protection of the fisheries remain permanently under consideration by the BIOT Government.

Prime Minister (Personal Representative)

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs in what respect Lord Levy represented the Prime Minister in his visits to Syria from 9 to 10 April and to Jordan and Syria from 5 to 10 June; what were Lord Levy's terms of reference; if Lord Levy was accompanied by his Department's officials throughout the visits; if he will list the names of those whom Lord Levy met on each occasion in his capacity as the Prime Minister's personal representative and what was discussed; on what Vote the travel costs fell; what were the experience and knowledge possessed by Lord Levy which led to his being chosen for the mission; for what reasons his Department's Ministers did not undertake the visits; what previous visits Lord Levy has undertaken on behalf of the Prime Minister; and what further such visits are planned. [90287]

Mr. Hoon: Lord Levy paid for his travel costs personally. His visits included calls on King Abdullah of Jordan and President Assad of Syria when he delivered personal messages on behalf of the Prime Minister.

The FCO, through the Embassies in Amman and Damascus, liaised in advance with the respective governments on the timing of Lord Levy's visit. The Embassies in Amman and Damascus made programme arrangements, provided some accompanied transportation by road during the programme and accommodation at our Ambassador's residence. The Embassy in Amman hosted a lunch for Lord Levy to meet Jordanian politicians and officials.

Entry Clearance Applications

Ms Oona King: To ask the Secretary of State for Foreign and Commonwealth Affairs for how long a person who applied for entry clearance for settlement in (i) February, (ii) March, (iii) April, (iv) May and (v) June can be expected to have to wait for an interview in each queue at each post in the Indian subcontinent. [90755]

Mr. Hoon *[holding answer 12 July 1999]:* The figures requested are as follows:

Waiting time in weeks on last day of month

Post	*Queue*	*February*	*March*	*April*	*May*
Bombay	1	0	0	0	0
	2	8	8	8	7
	3	8	8	8	7
	4	8	8	8	7
Calcutta	5	0	0.2	2	3
Colombo	5	1.5	5	7	7
Dhaka	1	14	12	10	12
	2	26	18	20	24
	3	14	11	9	12
	4	34	37	38	54
Islamabad	1	13	12	12	12
	2	30	33	39	41
	3	32	36	36	46
	4	36	40	40	53
Karachi	5	6	8	8	7
Madras	5	9	6	4	10

Waiting time in weeks on last day of month

Post	*Queue*	*February*	*March*	*April*	*May*
New Delhi	[1]—	0	0	0	0
	[2]—	13	14	14	16
	[3]—	23	22	24	26
	[4]—	24	28	25	29

[1] Right of Abode claimants; dependent relatives over 65; special compassionate cases

[2] Spouses, children under 18

[3] Fiance(e)s, other settlement categories

[4] Re-applicants

[5] Calcutta, Colombo, Karachi and Madras do not operate separate queues

Note:

Figures for June are in the process of being compiled and are not therefore available.

The extended queues in Islamabad and Dhaka in particular are a consequence of seasonal pressures. We have deployed additional staff to deal with increased applications for short-term visits. We will deploy further staff as necessary in early autumn to reduce the numbers waiting for settlement entry clearance and bring forward interview dates.

Mrs. Dean: To ask the Secretary of State for Foreign and Commonwealth Affairs what the average waiting time is for an initial interview by an entry clearance officer in Islamabad. [91084]

Mr. Hoon: Waiting times for interviews vary according to the categories of the application. Some applicants can be issued visas without an interview. The latest figures we have for waiting times in Islamabad for those categories that require interview are for the last working day in May. They are as follows:

	Waiting time
Tier 3	
(Visit)	21 days
Tier 4:	
Q1 (Right of Abode claimants, dependent relatives over 65, special compassionate cases)	12 weeks
Q2 (Spouses, children under 18)	41 weeks
Q3 (Finance(e)s, other categories)	46 weeks
Q4 (Re-applicants)	53 weeks

The extended queues in Islamabad and Dhaka in particular are a consequence of seasonal pressures. We have deployed additional staff to deal with increased applications for short-term visits. We will deploy further staff as necessary in early autumn to reduce the numbers waiting for settlement entry clearance and bring forward interview dates.

Yugoslavia

Mr. McNulty: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps have been taken to give effect to the decision by the General Affairs Council on 26 April to impose additional restrictive measures against the Federal Republic of Yugoslavia. [91290]

Mr. Tony Lloyd: The additional measures against the Federal Republic of Yugoslavia agreed by the Council of Ministers on 26 April included:

a travel ban on President Milosevic, his family, all Ministers/senior officials of the FRY and Serbian governments, and on persons, included in a specific list, close to the regime whose activities support President Milosevic;

a comprehensive flight ban between the European Community and the FRY;

extension of the scope of the freeze of funds held abroad by the Federal Republic of Yugoslavia and Serbian Governments to cover individuals associated with President Milosevic and companies controlled by, or acting on behalf of the Federal Republic of Yugoslavia and Serbian Governments;

prohibition of provision of export finance by the private sector further to the existing moratorium on Government-financed export credits set out in Common Position 98/240 of 19 March 1998;

extension of the investment ban set out in Council Regulation (EC) no 1607/98;

widening the scope of the prohibition on the export of equipment for international repression and its extension to include goods, services, technology and equipment for the purpose of restoring/repairing assets damaged in airstrikes;

Member states also agreed to discourage the participation of the FRY in international sporting events.

A Common Position (1999/318/CFSP) confirming these measures was adopted and came into force on 10 May. A Council Decision (1999/319/CFSP) listing those individuals to be covered by the travel ban was adopted and came into force the same day. Immediate steps were taken to implement the ban in the UK.

The Council adopted Regulation 1064/1999 imposing a ban on flights between the European Community and the Federal Republic of Yugoslavia on 21 May 1999. This entered into force the following day and repealed and replaced the provisions of Regulation No. 1901/98, as amended. The ban allows for exemptions, subject to a consultation procedure, for strictly humanitarian purposes.

On 15 June, the Council of the European Union adopted a further Regulation 1294/99 concerning a freeze of funds and a ban on investment in relation to the FRY. The Regulation came into force on 19 June. The regulation provides that:

funds held outside the territory of the Federal Republic of Yugoslavia and belonging to the Government of the FRY and/or to the Government of the Republic of Serbia shall be frozen; and that

no funds shall be made available, directly or indirectly to or for the benefit of, either or both, those Governments.

For the purpose of the Regulation "Government of the FRY" and "Government of Serbia" are broadly defined to include companies, undertakings, institutions and entities owned or controlled by those Governments, and persons acting or purporting to act for or on behalf of those Governments. Annexes list individuals and companies who are deemed to fall within this definition.

The Regulation allows for certain specified exemptions.

The Regulation applies to any person who is a national of a member state, to any body which is incorporated or constituted under the law of a member state, on board an

aircraft or any vessel under the jurisdiction of a member state and within the territory of the Community and its airspace.

The Regulation is directly applicable in the UK and repeals Regulations 1295/98 and 1607/98. The Federal Republic of Yugoslavia (Freezing of Funds and Prohibition on Investment) Regulations 1999, which came into force on 25 June, give practical effect to the EC Regulation in the UK and provides for criminal penalties if the provisions of the EC Regulation are infringed.

The Council also decided on 26 April to widen the scope of the prohibition on the export of equipment to include provision and export of certain goods, services and technology to the Federal Republic of Yugoslavia in order to prevent the restoring/repairing of assets damaged in airstrikes. In line with this decision and pending the preparation of a Regulation to implement it, the UK, while continuing to scrutinise individually all applications for licences to export dual-use goods to the FRY, has granted licences only where the goods are to be used for clearly humanitarian purposes. Following the Council decision, the Commission and member states began preparations to adopt the necessary Regulation. This work has been put on hold, following the end of NATO'S military campaign against the FRY. The UK practice remains in place.

The Government have taken all necessary steps to discourage participation by teams representing the FRY in sporting events in the UK.

Departmental Travel

Mr. Brake: To ask the Secretary of State for Foreign and Commonwealth Affairs how many kilometres have been travelled on his Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by his Department's employees; and if he will make a statement. [91017]

Mr. Hoon: The information on business travel is not collected in the form requested and therefore cannot be provided. As published in the Integrated Transport White Paper in July 1998, the Government have set a target that all Government Department headquarters buildings and main buildings occupied by Executive Agencies and Government Offices for the Regions should have green transport plans by March 1999 and all other key buildings by March 2000.

The FCO has completed a green transport plan covering its entire United Kingdom estate. This includes the Department's headquarters buildings in Central London and its sole provincial site at Hanslope Park, some 5 miles north of Milton Keynes. The plan aims to reduce car use by employees for business travel by such measures as reviewing rates of mileage payable to users of private cars and bicycles for official journeys and providing improved facilities for secure storage of cycles on official premises and improved locker and shower facilities for cyclists in order to promote cycling and encourage greater use of public transport.

The Plan discourages the use of private motor vehicles for home to office transport to buildings in Central London by severely restricting the number of parking slots available for private use. "Casual" parking on official premises is not permitted. The FCO will continue to provide staff with loans to fund the purchase of annual rail season tickets and, in the longer term, may consider the introduction of loans for the purchase of bicycles.

The FCO has also taken steps to reduce the size of its official transport fleet in the United Kingdom and to ensure compliance with DETR emission regulations through tighter controls on maintenance standards. The trial of a vehicle fuelled by LPG is currently under way.

Portugal (British Prisoners)

Mr. Chope: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British nationals are currently in custody in Portugal but have not yet had charges brought against them; and how many of them have been in custody for more than *(a)* three months, *(b)* six months and *(c)* nine months. [89573]

Mr. Hoon: On 6 July, our records show there were three British Nationals detained in Portugal without charge who had spent nine months, seven months and one week in custody. In addition, another Briton has been detained for seven weeks pending consideration of a request for extradition to the UK.

Tobacco

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 18 May 1999, *Official Report*, columns *333–34*, on tobacco, how many requests for help from other countries, referred to in paragraph 5, have been *(a)* received by posts and *(b)* referred to the Department of Health. [91179]

Mr. Hoon: No such requests have yet been received via posts to pass to the Department of Health. We remain fully supportive of international tobacco control work and are committed to international efforts, under World Health Organisation auspices, to tackle smoking.

Departmental Spending

Mr. Swinney: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give a regional breakdown of his Department's spending on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [90568]

Mr. Hoon: Expenditure by the FCO on hospitality, stationery and travel in England in the last Financial Year (1998–99) was as follows:

Expenditure	*£000*
Hospitality[1]	2,289
Stationery	2,538
Travel	1,192

[1] This figure includes the expenditure by the Government Hospitality Fund which provides for State Visits, Guests of Government and functions for all Government Departments

Departmental Buildings

Mr. Swinney: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the location and running costs in the last year for which figures are available of each of his Department's buildings in the United Kingdom. [90570]

Mr. Hoon: The location and running costs—for 1998–99—of each of the FCO's buildings in the UK are listed:

£000

Location	*Running costs Financial year 1998–99*
Main building, London SW1	2,700
Old Admiralty Building, London SW1	420
1 Palace Street, London SW1E	4,870
22–24 Whitehall, London SW1	50
8 Cleveland Row, London SW1	210
Cromwell House, London SW1	1,150
20 Victoria Street, London SW1	40
4 Matthew Parker Street, London SW1	1,040
Apollo House, Croydon	650
Hanslope Park, Bucks	990
Creslow, Bucks Gawcott, Bucks Orfordness, Suffolk	50
Miscellaneous Expenditure	[1]3,990
	+ 270
	4,260

[1] Running cost expenditure on a range of buildings, but which have not been separately identified on the FCO's accounting system

Consular Assistance

Mr. Swinney: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the arrangements for providing consular assistance to Commonwealth nationals in United Kingdom embassies in countries where their nation is not represented; and what charges are made for such services. [90572]

Mr. Hoon: The UK has no responsibility for other Commonwealth citizens in Commonwealth countries. We have no formal obligation to help Commonwealth nationals in foreign countries where they have no representation. By tradition, however, we help where we can. We do not charge for consular protection work, but consular fees are, where appropriate, levied on their nationals.

Departmental Capital Projects

Mr. Swinney: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the capital projects funded by his Department in the United Kingdom for which cumulative costs have exceeded £1 million, indicating the percentage of projects in *(a)* Scotland, *(b)* England and *(c)* London and the South East, in the last year for which figures are available. [90566]

Mr. Hoon: The Foreign and Commonwealth Office has four capital projects worth more than 1 million pounds in the United Kingdom. All are in London and South East England.

Home estate:

Renovation of Old Admiralty Building in Central London.

IT and office automation:

New Windows Office system. This is part of a system being delivered to FCO offices at home and overseas;

Intelligence handling system

Financial Management and Accounts System

Departmental Staff

Mr. Swinney: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the number of his Department's employees based (i) overseas and (ii) in the United Kingdom, broken down by region; and if he will list the total wage bill, by region, of those based in the United Kingdom, providing separately the costs of any London allowances and weightings in the last year for which figures are available. [90567]

Mr. Tony Lloyd: On 1 April 1999, the FCO employed 5,493 UK-based staff in London and the South East and at posts overseas. Of these, 2,217 were serving overseas.

Total wage-bill expenditure on all UK-based staff (including the cost of Salaries, National Insurance, Shift Allowance, Superannuation, Overtime and Recruitment and Retention Allowance) for the financial year 1998–99 was £172.5 million.

Expenditure in 1997–99 on London allowances and weightings, which forms part of the Recruitment and Retention Allowance budget, was £7.9 million.

Departmental Overseas Properties

Mr. Swinney: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list overseas properties which his Department shares *(a)* with other United Kingdom Departments and *(b)* with foreign Governments. [90571]

Mr. Hoon: *(a)* The FCO does not formally share any overseas properties with other United Kingdom Departments. However, around 970 staff from other United Kingdom Departments work in many of our 220 Posts.

(b) In the overseas locations listed, the Foreign and Commonwealth Office shares its properties with foreign governments:

Almaty
Kampala
Kinshasa
Llilongwe
Lima
Minsk
Ottawa
Quito
Reykjavic
Vientiane

United Kingdom/European Community (Payments and Receipts)

Mr. Kemp: To ask the Secretary of State for Foreign and Commonwealth Affairs what the United Kingdom's total payments to the European Community and net receipts from the European Community were in 1998. [90273]

Ms Hewitt: I have been asked to reply.

Details of the United Kingdom's gross contributions, receipts and net contributions for the 1998 calendar year are set out in Table 3 of the White Paper "European Community Finances" (Cm4382).

HEALTH

Cancer Care

Mr. Paul Marsden: To ask the Secretary of State for Health what assessment has been made of the effectiveness of using *(a)* flexible sigmoidoscopy and *(b)* Haemocult screening in diagnosing for colorectal cancer; and if he will make a statement. [89094]

Mr. Hutton: A large-scale study by the Medical Research Council, which receives its grant-in-aid from the office of my right hon. Friend the Secretary of State for Trade and Industry, about the use of flexible sigmoidoscopy in the early diagnosis of colorectal cancer in symptomatic patients has recently been completed. We will assess the conclusions of that study when it is published at the end of the year.

We have commissioned two pilot sites to test the feasibility and public acceptability of screening for colorectal cancer. The pilots will initially use Haemocult technology for Faecal Occult Blood testing, which has previously been proven in robust research trials.

Mr. Paul Marsden: To ask the Secretary of State for Health how much his Department spends annually on *(a)* cancer treatment drugs and *(b)* laxatives. [89095]

Mr. Hutton: In 1998, the net ingredient cost of drugs used in the treatment of cancer and dispensed in the community in England was £96.1 million. Information about the condition for which drugs are dispensed is not available centrally, and therefore some of these drugs may have been used to treat other conditions.

In 1998, the net ingredient cost of laxatives dispensed in the community in England was £47.0 million.

Information on drugs dispensed in hospitals is not available centrally.

The net ingredient cost is the basic cost of a drug and does not take account of discounts, dispensing costs, fees or prescription charges income.

Mr. Paul Marsden: To ask the Secretary of State for Health if the patient information packs to be produced under the Cancer Information Strategy will be available on an internet web site; and if he will make a statement. [89085]

Mr. Hutton: The National electronic Library for Health (NeLH) will provide information about cancer services.

It is intended that access for health care professionals to the electronic Library will be through the National Health Service's own secure intranet (NHSnet), and that patients and the public will be able to access it through other routes, one of which is likely to be the internet. It is intended that patient information packs will be made available through the public floor of the NeLH.

The NHS Information Authority will be considering the business case for the NeLH in the near future, with the expectation of having a prototype in operation before the end of the year.

Mr. Paul Marsden: To ask the Secretary of State for Health if he will make a statement on his Department's plans to make cancer care services more patient-centred. [89093]

Mr. Hutton: We are committed to the development of patient-centred care across the National Health Service. It is at the heart of the Calman/Hine report, "A Policy Framework for Commissioning Cancer Services". Patients should be closely involved in decisions about their care and clear information about treatment options and outcomes should be available at all stages.

We are committed to patient-centred care, support and information for both patients and also for families and carers. A recent cancer summit hosted by my right hon. Friend the Prime Minister was opened by a presentation from a patient. We are also pleased to be supporting the Macmillan campaign, "A Voice for Life", by assisting in the distribution of a cancer information booklet to every patient diagnosed with cancer.

We have set up a new Cancer Care Action Group, to bring together leading cancer voluntary organisations and the NHS to assist with identifying and implementing improvements to the quality of care offered to patients and their families.

Statutory Instruments

Dr. Fox: To ask the Secretary of State for Health what percentage of statutory instruments introduced by his Department into Parliament in *(a)* 1998, *(b)* 1992, *(c)* 1985 and *(d)* 1973 had the European Union as their legislative source. [89166]

Ms Jowell: The information requested could be provided only at disproportionate cost.

Breast Screening

Ms Perham: To ask the Secretary of State for Health when the pilot projects to assess the impact of extending routine breast screening to older women were set up; and for what reason the age limit was extended only to women aged up to 69 years. [89365]

Mr. Hutton: The Department is funding three pilot projects set up to assess the impact of extending routine breast screening to older women. The Brighton pilot was set up in May 1996 and will finish later this year. The project in Nottingham started in February 1997 and the one in Leeds/Wakefield started in June 1997. They will complete in 2000.

There is growing evidence to suggest that an increasing number of women aged up to 69 would accept routine invitations to screening. This evidence weakens for women over the age of 70 and from the age of 74 is non-existent. A woman can ask to be screened every three years in the same way as women aged 50–64.

Terminally Ill Patients

Mr. Levitt: To ask the Secretary of State for Health what response the Government have made to the British Medical Association's new guidelines on giving resuscitation to terminally ill patients. [90442]

Ms Jowell: The Department is aware that the British Medical Association have indicated an intent to revise their guidance on Decisions Relating to Cardiopulmonary Resuscitation which was issued jointly with the Royal College of Nursing in association with the Resuscitation Council (UK) in 1993. However, the revision has not yet been published and we are therefore unable to comment on it.

Cordless Telephones

Mr. Paul Marsden: To ask the Secretary of State for Health what assessment he has made of the effects of exposure to radiation from cordless telephones; and if he will make a statement. [90432]

Ms Jowell: I am advised that cordless telephones operate at much lower powers to mobile telephones although they are very similar in their principles of operation. There is a substantial body of evidence relating to the effects of high intensity exposure to radio waves and there are national and international exposure guidelines based on the avoidance of these effects. The advice of the National Radiological Protection Board (NRPB) is that exposures of the users of modern mobile telephones will comply with these guidelines. It is expected that exposures from cordless telephones will be far lower than those from mobile telephones and the relevant European Standards group has said that measurements are not required at these lower powers.

The NRPB's Advisory Group on Non-Ionising Radiation continues to review research on the health effects of electromagnetic fields and NRPB have been instructed to set up an independent working group to assess the current state of research into the use of mobile phones. The findings would be relevant to exposures from cordless telephones also. The group will be chaired by Sir William Stewart FRS, FRSE. The membership and terms of reference will be announced shortly.

Persistent Vegetative State

Mr. Gordon Prentice: To ask the Secretary of State for Health how many NHS patients are in a persistent vegetative state; and if he will make a statement. [90429]

Ms Jowell: The information requested is not available centrally.

Organ Donation (Conditions)

Ms Oona King: To ask the Secretary of State for Health (1) if he will bring forward proposals to prevent people selecting the ethnic or religious group of the person to whom they donate an organ; [90986]

(2) how many people who donated organs specified that such organs were to be used for patients of a particular ethnic or religious group in each of the past five years. [90987]

Mr. Dobson: On 6 July, I was told of a case where organs for transplant had been accepted on condition that they shall be given to white recipients only. I immediately ordered an investigation by the Permanent Secretary in the Department of Health. So far, this investigation has not identified any case beyond that originally brought to my attention, which occurred in 1998. I shall take whatever action is necessary to prevent this practice.

Departmental Travel

Mr. Brake: To ask the Secretary of State for Health how many kilometres have been travelled on his Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by his Department's employees; and if he will make a statement. [91032]

Mr. Denham: The information on business travel is not available centrally.

As published in the Integrated Transport White Paper in July 1998, the Government have set a target that all Government Department headquarters buildings and main buildings occupied by Executive Agencies and Government Offices for the Regions should have green transport plans by March 1999 and all other key buildings by March 2000.

We have completed green transport plans covering our headquarters and main buildings occupied by Executive Agencies. The plans include measures to reduce the use by staff of private transport, including initiatives to encourage use of public transport, a review of rules governing the use of private transport and enhancement of videoconferencing facilities. We are developing plans for all other key buildings in line with the targets set out in the White Paper.

Waiting Lists

Mr. Burns: To ask the Secretary of State for Health if he will make additional funding available in this financial year to Essex Health Authority to enable Mid-Essex Hospital Trust to reduce in-patient and out-patient waiting lists to below what they were on 31 March 1997. [91046]

Mr. Denham: Additional funding of £4.23 million has been made available to North Essex Health Authority in 1999–2000 from the modernisation fund to help address waiting lists in the trusts in the health authority's area, including the Mid-Essex Hospital Services National Health Service Trust.

Mid-Essex Hospital Services NHS Trust is committed to playing its part and making a contribution to the Government's objective of reducing long out-patients' waits and the health authority's overall waiting list figures.

Stroke Services

Mr. Jim Cunningham: To ask the Secretary of State for Health (1) what steps he is taking to increase the provision of *(a)* stroke services and *(b)* doctors specialising in stroke medicine; [90194]

(2) what steps are being taken to spread best practice in stroke medicine. [90195]

Mr. Hutton: Evidence-based national service frameworks are being developed to ensure consistent access to and quality of care right across the country. In December 1998, we announced that the national service framework for older people would include stroke services.

In addition, we are funding a range of initiatives related to stroke including a sentinel audit of stroke services; reviewing the Effective Health Care Bulletin, produced in 1992 on stroke rehabilitation; funding the Royal College of Physicians to develop guidelines in stroke rehabilitation; and publishing a report later this year by the National Health Service Health Outcomes Indicators Group on health outcomes for stroke.

Stroke medicine is not a recognised hospital specialty. The Specialty Workforce Advisory Group advises Ministers on the numbers needed in higher specialist training in the stroke related specialties, geriatric medicine and neurology, to provide fully trained doctors to fill consultant posts in the future. In estimating likely future requirements for higher specialist trainees, it seeks views from the NHS on local pressures and service developments and consults the medical profession.

Consultant Vacancies

Miss Kirkbride: To ask the Secretary of State for Health (1) how many whole-time equivalent consultants there were in each of the last five years in *(a)* the National Health Service as a whole, *(b)* psychiatry, *(c)* obstetrics and gynaecology, *(d)* paediatrics, *(e)* geriatrics and *(f)* oncology; [91041]

(2) how many new whole-time equivalent consultant posts were created in each of the last five years in *(a)* the National Health Service as a whole, *(b)* psychiatry, *(c)* obstetrics and gynaecology, *(d)* paediatrics, *(e)* geriatrics and *(f)* oncology. [91040]

Mr. Denham: Information on the numbers of whole-time equivalent consultants in each of the last five years in psychiatry, obstetrics and gynaecology, paediatrics, geriatrics and oncology is shown in the table. Information about numbers of posts is not available centrally.

Numbers of whole-time equivalent hospital medical consultants for specified specialties in England at 30 September each year 1994–98

Specialties	*1994*	*1995*	*1996*	*1997*	*1998*
Total Consultants England	15,640	16,930	17,610	18,620	19,380
Psychiatry Group	1,880	2,040	2,080	2,210	2,360
Obstetrics and Gynaecology	820	880	910	960	970
Geriatric medicine	600	640	620	650	690
Paediatrics	920	1,010	1,060	1,130	1,190
Oncology	280	310	300	330	360

Notes:
1. Figures round to the nearest ten;
2. Psychiatry group includes: child and adolescent; forensic; learning disabilities; old age and psychotherapy;
3. Paediatrics includes: paediatrics neurology/cardiology

Source:
Department of Health HCHS medical and dental workforce census

Miss Kirkbride: To ask the Secretary of State for Health what, in each of the last five years, was the whole-time equivalent number of unfilled vacancies for consultant posts in *(a)* the National Health Service as a whole, *(b)* psychiatry, *(c)* obstetrics and gynaecology, *(d)* paediatrics, *(e)* geriatrics and *(f)* oncology. [91039]

Mr. Denham: In January 1999, my right hon. Friend the Secretary of State, during his appearance at the House of Commons Health Committee, indicated that the Department would conduct a survey of staff shortages by the end of 1998–99. The results of this survey will be published in due course.

Contraception

Dr. Tonge: To ask the Secretary of State for Health what plans he has to make emergency contraception available on the NHS to women in advance of their need to use it. [91044]

Ms Jowell: Hormonal emergency contraception is available on the National Health Service from clinics, any general practitioner who provides contraceptive services—not just the woman's usual general practitioner—family planning clinics, youth advisory services, some hospital accident and emergency departments and some genito-urinary clinics. While not to be prescribed for use as a regular contraceptive, a doctor may, under the terms of the licence, prescribe hormonal emergency contraception prospectively where, in his or her clinical judgment, it is appropriate and there is a risk that the usual method of contraception might fail or not be used.

Dr. Tonge: To ask the Secretary of State for Health what plans he has to set up pilot schemes for the prescription of contraceptives by nurses and pharmacists under group protocols, as outlined in the Crown Review of prescribing and administration of drugs. [91043]

Ms Jowell: I currently have no plans to do so.

TRADE AND INDUSTRY

Monsanto

Mr. Baker: To ask the Secretary of State for Trade and Industry if he will list the trips, facilities, gifts and other offerings of a financial value provided by Monsanto to *(a)* ministers and *(b)* civil servants in his Department since 1 May 1997. [88953]

Mr. Battle *[holding answer 29 June 1999]*: Departmental hospitality records show that, since 1 May 1997, DTI officials have had working lunches with Monsanto on two occasions.

Insolvency

Mr. Page: To ask the Secretary of State for Trade and Industry when he plans to make a statement on insolvency. [89559]

Dr. Howells: We have been concerned for some time that for too many people the fear of failure stifles innovation and enterprise. The Insolvency Service was

therefore asked to take a fresh look at attitudes to bu ss failures, balancing the needs of bankrupts with the rights of their creditors.

A small number of bankrupts, an estimated 7–12 per cent., may be deemed to be culpable, including those who deliberately set out to mislead and deceive others. But for those who fail for reasons beyond their control, despite their best efforts to save their businesses, we need a new attitude.

The Insolvency Service's study suggests that the bankruptcy laws could be changed to allow people who have put money into their business to hold on to enough to cover the deposit for a new home on a pound-for-pound basis matching their investment up to a maximum limit of, say, between £10,000 and £20,000. This concession would not apply to culpable bankrupts.

We now plan to consult on this proposal and on the possibility of differentiating between bankrupts who have been simply unfortunate and those whose behaviour has been unacceptable. The Insolvency Service study suggests that culpable bankrupts could face disqualification from between three and five years, with exceptionally bad cases being extended to fifteen years. On the other hand, responsible risk-takers could be discharged earlier than at present. Six months instead of three years is suggested.

As well as consulting on these ideas, we hope to introduce some important but uncontroversial amendments to insolvency law as soon as possible, including the possibility of a rescue period for companies in trouble. Building on these ideas, the DTI and the Treasury are also carrying out a joint review of Company Rescue Mechanisms.

As part of the Insolvency Service's study, Official Receivers carried out a survey of business failures during January and February 1999. They found that:

out of 1,412 cases, less than 3 per cent. of failures were attributable to fraud;

half of all businesses had traded for less than 4 years, 32 per cent. failed within their first 2 years;

33 per cent. of directors and bankrupts involved were aged between 35 and 45;

the most common reason for insolvency give was the businesses' loss of market or its main customer (19 per cent.).

The Study concluded that a linkage between investment in a business and keeping a limited amount of money to cover a mortgage deposit could have a number of benefits. It could:

remove a real disincentive to set up in business;

encourage better capitalisation of new businesses. A major cause of failure of businesses in their first 3 years is lack of capital;

provide an incentive to better record keeping (it claimed to have invested would have to be substantiated). Poor record keeping is another common factor in many bankruptcies.

Market Research

Mr. Don Foster: To ask the Secretary of State for Trade and Industry if he will list the title and purpose of each item of market and opinion research commissioned by or through his Department, its agencies and non-departmental public bodies since May 1997 stating in each case whether or not the results were published. [89687]

Mr. Byers *[holding answer 5 July 1999]:* The following table shows all surveys conducted by the DTI and its agencies since 1 May 1997 which involve an element of public opinion research, and which are subject to survey control. No information is held centrally on market and opinion research commissioned by non-departmental public bodies. The table indicates, where possible, those surveys whose results have been published.

DTI surveys involving an element of opinion gathering since 1 May 1997 (as at July 1999)

	Purpose	*Published*
DTI regular surveys conducted since 1 May 1997		
Workplace Employee Relations Survey	Assess state of the industry	—
National Weights and Measures Customer Survey	Customer satisfaction	No
Patent Office Customer Survey	Citizen's charter	Yes
Export Market Information Centre User Satisfaction Questionnaire	Customer satisfaction	No
Quality Management System for Export Services	Customer satisfaction	Yes
Radiocommunications Agency Customer Survey	Citizen's charter	Yes
Business Links Baseline Tracking Study	Programme evaluation	Yes
Biotechnology Means Business Evaluation	Programme evaluation	No
Design Council Evaluation and Tracking Study	Programme evaluation	No
Companies House Customer Satisfaction Survey	Customer satisfaction	Yes
3rd Survey of Industrial Tribunals	Programme evaluation	—
Quality Management System: Market Directorates	Customer satisfaction	Yes
Subtotal Regular Surveys: 12		
DTI ad-hoc surveys conducted since 1 May 1997		
Survey of UKAEA Contractors	Programme evaluation	No
Insolvency Service User Survey	Customer satisfaction	Yes
Environmental Technology Best Practice Programme	Programme evaluation	—
Evaluation of Regional Supply Network	Programme evaluation	Yes
Support for Overseas Trade Fairs and Seminars	Programme evaluation	Yes
Business Link Advertising Campaign Evaluation (Benchmark)	Advertising campaign evaluation	No
Business Link Advertising Campaign Evaluation (Follow-up)	Advertising campaign evaluation	No
Future Market for Photovoltaic Building Products	Assess state of industry	Yes
BNSC Customer Survey	Customer satisfaction	Yes
Evaluation of Design of High Speed Machinery Programme	Programme evaluation	Yes
Evaluation of Export Market Research Scheme	Programme evaluation	No
Evaluation of RETEX Initiative	Programme evaluation	—
Evaluation of KONVER Initiative	Programme evaluation	—
Evaluation of Industry '96 Follow-up	Programme evaluation	Yes
Mid-term Review of Applications Demonstration Programme	Programme evaluation	—
Review of European Supported Networks	Programme evaluation	No
Evaluation of Regional Selective Assistance '89-'93	Programme evaluation	—
Engineering Automotive and Metals Directorate Client Survey	Customer satisfaction	No
Business Links Value for Money Evaluation	Programme evaluation	Yes
DTI/Foundry 2000 Survey	Assess state of industry	—
Evaluation of Small Firms Loan Guarantee Scheme	Programme evaluation	Yes
Review of the Internet Watch Foundation	Programme evaluation	Yes

DTI surveys involving an element of opinion gathering since 1 May 1997 (as at July 1999)

	Purpose	*Published*
Materials Measurement Evaluation Survey [3]	Programme evaluation	Yes
Working Time Regulations Evaluation	Programme evaluation	No
Survey of New and Renewable Energy Programme Participants	Programme evaluation	[1]
Evaluation of OSO Support for Innovation Programme	Programme evaluation	[1]
Bankruptcy Register User Survey	Customer satisfaction	No
UK Business Potential for Virtual Reality	Assess state of industry	Yes
Interim Evaluation of DTI's Biotechnology Means Business	Programme evaluation	No
Joining Forces Evaluation	Programme evaluation	[1]
Management Best Practice Customer Survey	Customer satisfaction	No
Government Office Eastern Region Client Survey	Customer satisfaction	[1]
Business Link Pre/Post Advertising Survey	Advertising campaign evaluation	No
Sector Sponsorship Evaluation	Programme evaluation	[1]
National Minimum Wage Quantitative Research	Advertising campaign evaluation	No
Evaluation of Inward Missions	Programme evaluation	[1]
Evaluation of Biotechnology SME Initiatives	Programme evaluation	No
Study of the Impact of EU Framework Programmes	Programme evaluation	[2]
DTI Overseas Trade Services Language Study 1999	Programme evaluation	Yes
Subtotal ad hock surveys 39		
DTI surveys to households and individuals conducted since 1 May 1997		
Consumer Product Recalls	Customer attitudes	[1]
Insolvency Service Communications Review	Customer awareness	No
Surveys of users and non-users of the Internet	Customer awareness	Yes
Subtotal surveys to households and individuals 5		
Grand Total of surveys 54		

[3] To be published.

The Environment Technology Best Practice Survey is a series of surveys given blanket approval in 1994 which is still in progress. The results of some individual surveys have been published, but in most cases they are not.

[1] Information not available.

[2] Yet to be decided whether results will be published.

Export Licences

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what powers the Government have to revoke export licences; and if he will list the occasions on which licences have been revoked. [90694]

Dr. Howells: Powers to revoke export licences are contained in Regulation 3(2) of the Dual-Use and Related Goods (Export Control) Regulations 1996 and in Article 7(1) of the Export of Goods (Control) Order 1994.

Over the years, a large number of standard individual export licences have been revoked for a range of reasons; for instance, because of the introduction of UN trade sanctions or arms embargoes or in response to wrongdoing. It would entail disproportionate cost to provide details of all these licences.

Details of licences revoked between 2 May and 31 December 1997 were set out in the annual report published on 25 March by the Foreign and Commonwealth Office. This information would also be included in future annual reports.

Information Society Directive

Mr. Bercow: To ask the Secretary of State for Trade and Industry if he will make a statement on progress with the Information Society Directive. [90398]

Dr. Howells: The draft EC Directive on copyright and related rights in the Information Society is still under discussion in a Working Group of the Council of Ministers. The European Parliament gave its Opinion in February, and the European Commission have recently published their amended proposal which takes on board many of the Parliament's amendments. As the outgoing German Presidency reported at the Internal Market Council on 21 June, progress has been made on the Directive. However, the common position of the member states is not expected for some time owing to the complex and controversial nature of some of the proposals.

The electronic environment necessitates international harmonisation of copyright laws, and the Government therefore welcome the broad thrust of this Directive and wish to see it adopted as soon as possible. However, there are concerns about certain aspects of the Directive, including the treatment of temporary copies, the approach on exceptions to rights for a broad range of users, and provisions on technical measures. We are pressing in the Council for solutions on these issues which will allow a fair and reasonable balance to be maintained between the interests of all the key players.

Property Purchases

Dr. Whitehead: To ask the Secretary of State for Trade and Industry what evidence he has assessed of the existence of a preference system for property purchases linking estate agents, mortgages and the availability of purchase options to clients agreeing to take part. [90765]

Dr. Howells: Discrimination against a prospective purchaser by an estate agent on the ground that the purchaser will not be, or is unlikely to be, accepting services is an undesirable practice under the Estate Agents (Undesirable Practices) (No. 2) Order 1991. I understand that the Office of Fair Trading is currently considering a number of complaints it has received on this issue.

Minimum Wage

Ms Kelly: To ask the Secretary of State for Trade and Industry if he will list the number of employers, broken down by size of firm, who have been fined for paying less than the statutory minimum wage. [91166]

Mr. Ian McCartney: No employers have been fined. The overwhelming majority of the non-complying employers discovered by the minimum wage inspectors have subsequently agreed to make good the underpayment, without the need for further action. But we expect a number of enforcement notices to be issued shortly against recalcitrant employers. If these are not complied with, they will be followed by financial penalty notices.

Imperial Measures

Mr. Luff: To ask the Secretary of State for Trade and Industry if it is his policy to make it a criminal offence after 1 January 2000 for butchers and greengrocers to sell loose goods using imperial measures; and if he will make a statement. [91076]

Dr. Howells: The Weights and Measures Act 1985 prohibits the use, for trade, of units of measurement other than those defined and authorised by the Act. The Act was amended in 1994 to authorise metric units only for the sale of loose goods by weight after 31 December 1999. Imperial units are authorised after that date only as optional supplementary indications of quantity and price, alongside the mandatory primary indications in metric units.

Airbus

Miss McIntosh: To ask the Secretary of State for Trade and Industry what discussions he has had with *(a)* British Aerospace and *(b)* his French counterpart concerning the potential sale or merger of the United Kingdom interest in Airbus. [91204]

Mr. Battle: I have regular discussions with both industry and my European counterparts on the future structure of Airbus. All sides are committed to transforming the existing Airbus consortium into a single corporate entity working along fully commercial lines in order to maximise its competitiveness. The Government hopes this will happen in the near future. However, it is for the industrial partners to lead the process and to determine what steps are necessary. At a meeting of the Airbus Governments and industry at the Paris Airshow last month, Ministers asked the partner companies to report by the end of the Summer on their proposed way ahead in transforming Airbus.

Unfair Dismissal

Mr. Cox: To ask the Secretary of State for Trade and Industry how many *(a)* men and *(b)* women have appealed to an industrial tribunal for unfair dismissal during the last 12 months. [90766]

Mr. Ian McCartney: Between 1 July 1998 and 30 June 1999, the Employment Tribunals received a total of 35,017 applications for unfair dismissal. The gender breakdown was as follows:

Male: 22,000
Female: 12,785
Not specified: 232.

Correspondence

Mr. Burns: To ask the Secretary of State for Trade and Industry what percentage of mail received in the last 12 months for which figures are available from right hon. and hon. Members was replied to by him within, *(a)* up to 20 days, *(b)* 21 to 30 days, *(c)* 31 to 40 days and *(d)* over 40 days. [90149]

Mr. Byers *[holding answer 12 July 1999]:* I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against the target set for answering correspondence from right hon. and hon. Members, in the 1998 calendar year.

The percentage of mail received in the last 12 months from right hon. and hon. Members which are replied to within the time scales specified could be provided only at disproportionate cost.

Royal Mail (Transport)

Mr. Caton: To ask the Secretary of State for Trade and Industry what plans he has to encourage the Royal Mail to increase the proportion of post transported by rail. [90752]

Mr. Ian McCartney *[holding answer 12 July 1999]:* Decisions relating to the transport arrangement for mail are the operational responsibility of Royal Mail management whose business policy is continually to review its methods of transportation in order to improve service to customers.

I understand that Royal Mail are currently looking at a number of initiatives for transferring letter mails from road to rail and the first of these will be introduced between London and Glasgow at the end of August. In addition, a dedicated rail terminal at Bristol is scheduled for completion by Easter 2000, which will transfer an annual 250,000 kilometres of road journeys to rail.

Mr. Caton: To ask the Secretary of State for Trade and Industry what percentage by volume of Royal Mail parcels and letters have been transferred from rail to road transport in the past five years. [90852]

Mr. Ian McCartney: I understand from the Post Office that there has been no net movement of Royal Mail letter traffic from road transport to rail in the past five years. Over the period, conveyance of letter traffic by transport mode has remained constant at 70 per cent. road, 23 per cent. rail and 7 per cent.

Parcelforce have transferred 0.5 per cent. of national traffic from road to rail via the intermodal service introduced in June 1998.

British Nuclear Fuels Ltd.

Mr. Chaytor: To ask the Secretary of State for Trade and Industry when he plans to make an announcement on the proposed partial privatisation of BNFL. [91143]

Mr. Byers: I am now in a position to make a statement about the future of BNFL.

On 11 November 1998, *Official Report*, column *222*, my hon. Friend the Minister for Energy and Industry announced that KPMG were carrying out an initial review of the options for BNFL's future structure including, but not restricted to, some form of Public Private Partnership (PPP).

BNFL is pursuing an ambitious strategy designed to achieve global market leadership in nuclear business. Its objective should be to grow and flourish in a fast-growing global market by exploiting the benefits of its unique expertise in nuclear clean-up and decommissioning. The acquisition of Westinghouse and winning the opportunity to take part in two major nuclear waste clean-up contracts in the United States at the US Department of Energy's

Hanford site in Washington and at the Idaho National Engineering and Environmental Laboratory are an integral part of this strategy.

I have now considered KPMG's report and the subsequent work which my Department asked KPMG to undertake. The report states that the need for Government to approve these major transactions has thrown into sharp relief the difficulties which it can face in judging major commercial transactions of this nature. I agree with this analysis.

It is clear from KPMG's work that a public-private partnership, involving a partial transfer of BNFL to the private sector, possibly by a flotation of part of the equity of the company, would be the best way of injecting private sector expertise and entrepreneurial spirit, while holding to the Government's priorities of rigorous safety, health and environmental standards.

I have therefore decided that, in principle, a PPP would be good for the company, the employees, the taxpayer, and the wider community. Accordingly, I am asking my officials to tender for advisers to provide advice on a PPP for BNFL. Our current working assumption is that a PPP would involve BNFL as a whole. The KPMG report noted that there would be major operational and regulatory obstacles in separating the businesses and that such an approach would run counter to BNFL's vision as an integrated nuclear services provider. Existing legislation provides for the sale of up to 49 per cent. of the business.

Before a PPP is introduced into the business, I want to see BNFL achieve improved safety and environmental standards and I must be sure that the taxpayer will get proper value for money, reflecting the company's commercial performance.

I have therefore decided to take an innovative approach, which will set this PPP apart from the privatisations of the previous Administration, and which will focus on BNFL achieving improved safety and environmental standards, sustained and progressive improvement in its commercial performance, and a constructive partnership between management and workforce in developing the skills and capabilities of all those who work in the business. To this end, the Government will, together with the company, explore the scope for developing an employee partnership scheme, with the aim of ensuring that the employees share in the future success of the business, and that they are rewarded for their part in the progress the company makes towards achieving a successful PPP.

In considering my approach to this PPP, I have taken careful consideration of the recent work and advice of the National Audit Office, the Public Accounts Committee and the Trade and Industry Committee about the lessons to be learned from past Government share offerings to enable the taxpayer to receive due value from the introduction of private capital, reflecting the company's performance and potential for future earnings.

I have therefore set BNFL a number of specific performance targets.

The targets relating to safety and the environment are being developed with the Health and Safety Executive and the Environment Agencies.

Both BNFL and I attach great importance to the health of the company's workforce and to its safety. No less important is care for the environment and the need for BNFL to strive towards continuous improvement in this area with the aim of bringing work practices, culture and performance into line with world-class international standards.

The company will therefore build on its recent record in safety, health and environmental performance by aiming at continuous and measurable improvement in these areas against a new and challenging index, based on best practice and developed in consultation with the Health and Safety Executive and the Environment Agencies.

The new index will reinforce the efforts the company are making to achieve this sustained improvement in achievement in their record on safety, health and environmental protection.

The company, and all the trade unions representing the workforce, will build on their recent success in developing the concept of partnership. This has led to proposals for a new single contract which will enhance skill levels, introduce new competencies and create a flexible mobile workforce generating high value employment opportunities in the communities where BNFL operates. Under the existing Partnership Council involving union representatives, it is intended to monitor progress in implementing the new contract, including measuring targeted improvements in skill enhancement and productivity levels. The company and the unions are agreed that the introduction of a PPP into BNFL could help create a climate in which initiatives to improve productivity would be encouraged and which would underpin and enhance recent progress in establishing a partnership approach within the company. The company will also aim to achieve improvements in productivity as expressed in sales per unit of cost.

The company will seek to enhance its financial performance further through material and progressive growth in the profits generated from ordinary activities. It will also aim to increase the overall contribution made by its US business to BNFL profits, and increase towards 15 per cent. the proportion of BNFL profits derived from the US business. BNFL's progress in winning an increasing share of the US clean-up business will help contribute towards this goal.

In 1997 BNFL set itself the target of achieving cumulative reductions in controllable costs of 25 per cent. by March 2001. This remains the aim: thus far BNFL has achieved reductions in controllable costs of some 14 per cent.

The company has established a Liabilities Management Unit to reinforce the strategic management of its liabilities and will, without compromising safety and consistent with the regulatory framework within which it operates, seek to identify ways to manage them more efficiently and effectively through the development of new techniques, skills and strategies.

The company will also continue to sustain a Research and Technology capability which will contribute to the company's overall business performance and enable it to continue to meet high standards of safety and environmental protection.

These targets reflect the company's commitment to high standards of safety, health and the environment; they focus on the key drivers of value in the business; and they acknowledge the importance of developing the skills of the workforce and of productivity gains. Each target is backed up by an understanding between my Department and the company of how it will be measured, the precise details of which must, for obvious reasons, remain commercially confidential. They form a balanced scorecard of stretching targets which provide BNFL—both management and the workforce—with the opportunity to demonstrate that the company can realise its full potential, in line with its "Beyond 2000" Strategy.

The Government will look to introduce a PPP into BNFL before the end of the current Parliament, subject to BNFL's overall progress towards achieving these targets, as well as the further work which will now be undertaken by my Department and its advisers.

I am arranging for a summary of the key points in the KPMG report to be placed in the Libraries of both Houses.

Plutonium

Mr. Baker: To ask the Secretary of State for Trade and Industry if shipments of plutonium from Sellafield are required to be accompanied by an armed escort vessel. [90713]

Mr. Battle: I announced to the House on 18 January 1999, *Official Report*, columns *364–65*, the arrangements for the return to Japan of nuclear materials recovered from reprocessing Japanese spent nuclear fuel at BNFL's Sellafield plant, including the use of armed vessels.

Mr. Baker: To ask the Secretary of State for Trade and Industry if the total cost of providing security for shipments of plutonium from Sellafield is met by BNFL. [90712]

Mr. Battle: The cost of providing physical security for MOX fuel shipments from Europe to Japan are reflected in the value of BNFL's contracts with its customers.

End-of-life Vehicles

Mr. Chope: To ask the Secretary of State for Trade and Industry for what reason no conclusion was reached at the Environment Council on the proposed directive on end-of-life vehicles. [91223]

Dr. Howells: At the Environment Council meeting on 24 June, the Presidency concluded that it was not possible to reach a Common Position due to concerns about the date of application of the producer responsibility obligations in respect of existing vehicles. The incoming Finnish Presidency intends to find a solution to this issue during its Presidency, and will schedule a further discussion with other member states on this Directive.

These concerns affect an important industry and need to be considered carefully. I am confident that an outcome acceptable to all can be found.

National Minimum Wage

Mr. Drew: To ask the Secretary of State for Trade and Industry if he will make a statement on the application of the national minimum wage to disabled workers on therapeutic earnings; what representations he has received on this issue; and if he will publish them. [90717]

Mr. Ian McCartney: The National Minimum Wage Act 1998 was deliberately designed to be non-discriminatory. If somebody is employed under a contract of employment or any other worker's contract as defined in the Act, he or she is entitled to the national minimum wage. I have received a number of representations on this issue. The independent Low Pay Commission concluded in its first report that "there are compelling arguments for treating disabled people in the same way as other workers". The Commission is monitoring the national minimum wage and will report by December. Officials from my Department, as well as the Department for Education and Employment and the Department of Social Security, have been in continual discussions with various organisations connected with disabled and therapeutic workers about the effective implementation for workers with disabilities and in respect of therapeutic earnings.

LORD CHANCELLOR'S DEPARTMENT

Data Series

Jackie Ballard: To ask the Parliamentary Secretary, Lord Chancellor's Department what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90535]

Mr. Vaz: No new data series separated by gender, race, disability and age have been commissioned by the Lord Chancellor's Department since June 1997; however, the Department has been collecting data in respect of its personnel by gender, race and disability since the early 1990s.

European Community Working Groups

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 30 June 1999, *Official Report*, column *214*, on European Communities working groups, if he will set out the remits of the working groups listed. [90505]

Mr. Vaz: The remit of the working group on Extension of the Brussels Convention was to report on the possibility of extending the scope of the Brussels Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters to matters of family and succession law, and subsequently to establish a draft Convention on jurisdiction and recognition and enforcement of judgments in matrimonial matters. The remit of the Rome II working group was to examine the need for and feasibility of drawing up a Convention on the law applicable to non-contractual obligations. The remit of the working group on Revision of the Brussels and Lugano Conventions was to revise the provisions of those Conventions, respecting the basic principles and objectives of the Brussels Convention, taking into account the case law of the European Court of Justice on the Brussels Convention and relevant decisions of national courts on the Lugano Convention, and examining all proposals with a view to their potential usefulness in the operation of the Conventions.

Public Service Interpreters

Mr. Levitt: To ask the Parliamentary Secretary, Lord Chancellor's Department what progress is being made towards establishing a single register of public service interpreters in the Court Service. [90443]

Mr. Vaz: The Court Service, with other users of the criminal justice system, will use interpreters from the National Register of Public Service Interpreters (NRPSI) as the need arises. In civil proceedings, the courts do not provide interpreters; it is for the party concerned to obtain and pay for them. The court can recommend the Institute of Linguists or any other appropriate body.

Mr. Levitt: To ask the Parliamentary Secretary, Lord Chancellor's Department how many persons on the national register of public service interpreters *(a)* have obtained the diploma of public service interpreting, legal option, *(b)* hold a legal qualification and *(c)* can demonstrate that they have more than 100 hours' experience of interpreting in court. [90444]

Mr. Vaz: The national register of public service interpreters is maintained by the Institute of Linguists (IoL), which is a separate body from the Court Service. I understand *(a)* that there are 224 (English law) and 9 (Scottish law) interpreters with a diploma in public service interpreting, legal option; *(b)* it is not known how many interpreters have a legal qualification; and *(c)* figures are not kept to show how many interpreters have more than 100 hours experience of interpreting in court.

Ministerial Meetings

Mr. Matthew Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 14 June 1999, *Official Report*, column *53*, on ministerial meetings, how many times *(a)* the Lord Chancellor and *(b)* the Minister of State in the Lord Chancellor's Department met members or officials in the United States Government between 1 May 1997 and 1 June 1998; and if he will list the dates and locations of each meeting, the US departments involved on each occasion and the names of the US members and officials at each meeting. [90427]

Mr. Vaz: Neither the Lord Chancellor nor the Minister of State had any official meetings with members or officials in the United States Government between 1 May 1997 and 1 June 1998.

Mr. Matthew Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department how many times the Lord Chancellor or the Minister in the Lord Chancellor's Department have met members or officials of the Irish Government since 1 January 1998, indicating the dates and locations of each meeting, the ministers involved, and the names of the Irish ministers and officials at each meeting. [90406]

Mr. Vaz: Neither the Lord Chancellor nor the Minister of State have had any official meetings with members or officials in the Irish Government since 1 January 1998.

Mental Health

Mr. Singh: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Government plans to make known its views on the proposals set out in the Green Paper, "Who Decides: Making Decisions on Behalf of Mentally Incapacitated Adults". [91391]

Mr. Vaz: The Government received over 4,000 responses to "Who Decides?" on the Law Commission's recommendations about decision making for mentally incapacitated adults. Respondents included many charities working on behalf of incapacitated people; local authorities; doctors; professional organisations and those working with the law. We also received a large number of contributions from individual members of the public. There was much support for the key principles: the functional approach to assessing capacity; the factors to be taken into account when assessing best interests; and the General Authority. There was wide-ranging support for Continuing Powers of Attorney. Many respondents also supported the proposals for Managers appointed by the court to replace the current system of Receivers, with appropriate safeguards. Since consultation closed in March 1998, we have been giving very careful consideration to all the issues involved. The Lord Chancellor intends to publish a Policy Statement in October 1999, which will set out the Government's thinking on a number of the issues raised in the consultation paper.

Departmental Travel

Mr. Brake: To ask the Parliamentary Secretary, Lord Chancellor's Department how many kilometres have been travelled on his Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by his Department's employees; and if he will make a statement. [91022]

Mr. Vaz: The information on business travel is not collected in the form requested and therefore cannot be provided. The Government have set a target that all Government Department headquarters buildings and main buildings occupied by Executive Agencies should have green transport plans by March 1999 and all other key buildings by March 2000.

We have completed green transport plans covering all our headquarters and main buildings and are developing plans for all other key buildings in line with targets set out in the 1998 Integrated Transport White Paper. The plans include measures to reduce single-occupancy car use by employees for commuting and business travel.

Employment Tribunals

Mr. Jim Cunningham: To ask the Parliamentary Secretary, Lord Chancellor's Department what role the Community Legal Service will have in relation to representation at employment tribunals. [90193]

Mr. Vaz: Under the Access to Justice Bill, civil legal aid will be replaced by the Community Legal Service fund. For proceedings before the employment tribunals all help short of advocacy will continue to be available. Meanwhile, the Government are conducting a review of all tribunals to assess the extent to which current procedures and other arrangements, including

representation, comply with our ECHR and EU obligations, and to identify the options for ensuring compliance in the future. The Government believe that it would be premature to make any decisions on extending publicly funded representation to tribunal proceedings until the review has been completed. The wider Community Legal Service, through Community Legal Service Partnerships (CLSPs), will provide the framework for comprehensive local networks of good quality legal and advice services supported by co-ordinated funding, based on the needs of local people. The CLSPs will base their planning and funding decisions on an assessment of local needs, which will include the need for help with employment disputes.

EDUCATION AND EMPLOYMENT

Special Advisers

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment on what dates Special Advisers from his Department have travelled abroad on official business since 2 May 1997; which countries were visited on each occasion; and what were the names of the special advisers who travelled abroad on each occasion. [88436]

Mr. Blunkett: I refer the hon. Member to the answer I gave to the hon. Member for Chichester (Mr. Tyrie) on 29 April 1999, *Official Report*, column *238*.

Out-of-school Clubs

Mr. Lock: To ask the Secretary of State for Education and Employment what representations he has received from out-of-school clubs concerning the basis upon which local education authorities have sought to charge out-of-school clubs operating out of premises owned by local education authorities for their use of the premises and associated facilities; and what response his Department has made. [R] [88958]

Mr. Charles Clarke *[holding answer 29 June 1999]*: Since July 1997, the Department has received no representations from out-of-school clubs concerning charges for the use of local education authority maintained school premises, although in February 1998 we did liaise with the Department of Health on correspondence received by them from The Guide Association about changes made by one Metropolitan Borough Council.

New Deal Conference

Mr. Keetch: To ask the Secretary of State for Education and Employment what was the cost of the New Deal Conference held in Birmingham on 21 and 22 June; and if he will make a statement. [89369]

Mr. Andrew Smith: The cost of the conference was £257,336, including the hire of the International Convention Centre in Birmingham, all costs of production, stage, set, equipment, personnel, facilities, facilitators for syndicate sessions and catering. The conference was attended by 670 delegates, 54 speakers and 34 journalists. In addition to the plenary sessions there were 37 syndicate sessions covering 19 different subjects.

Education Budget

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will state the total budget announced since May 1997 for *(a)* local recruitment measures, *(b)* family numeracy, *(c)* summer numeracy schools, *(d)* numeracy at Key Stage 3, *(e)* literacy at Key Stage 3, *(f)* summer literacy schools, *(g)* special educational needs, *(h)* work-related learning, *(i)* Social Inclusion-Pupil Support, *(j)* National Grid for Learning, *(k)* Education for Travellers and Displaced Persons, *(l)* Expanding Local Authority Music Services and *(m)* New Deal for Schools Phase 3 stating what amount and what percentage of that budget in each financial year is to be (i) spent within his Department, agencies and non-Departmental Public Bodies and (ii) allocated in grants. [89471]

Ms Estelle Morris *[holding answer 2 July 1999]*: A reply to this question could be supplied only at disproportionate cost. General information on expenditure by the Department for Education and Employment, agencies and non-Departmental Public Bodies is given in the annual Departmental Reports, copies of which are held in the Library.

Action Zones

Mr. Don Foster: To ask the Secretary of State for Education and Employment, pursuant to his answer of 19 April 1999, *Official Report*, column *435*, on action zones, if he will list actual and planned expenditure in each of the last three financial years by his Department, agencies and non-departmental public bodies on *(a)* market research, *(b)* conferences, *(c)* direct mail, *(d)* advertising and publicity, *(e)* opinion polling, *(f)* web sites, *(g)* hospitality, *(h)* central administration costs and *(i)* external consultants and advisers in relation (1) to local recruitment measures, (2) literacy at Key Stage 3, (3) numeracy at Key Stage 3, (4) summer numeracy schools, (5) family numeracy, (6) work-related learning, (7) social inclusion-pupil support, (8) education of travellers and displaced persons and (9) expanding local authority music services. [89622]

Ms Estelle Morris *[holding answer 2 July 1999]*: Expenditure is as follows:

£

	1998 Actual	1999-2000 Actual to date	1999-2000 Planned
(a) Market Research	0	0	0
(b) Conferences	254,735	11,359	27,000
(c) Direct Mail	3,496	0	0
(d) Advertising and Publicity	124,825	0	0
(e) Opinion Polling	0	0	0
(f) Website	0	0	10,000
(g) Hospitality	1,220	638	2,550
(h) Central Administration Costs	539,693	123,555	459,664
(i) External Consultants and Advisers	219,202	36,900	176,593

No details are available prior to the financial year 1998–99—the first zones started work in September 1998. We cannot provide a further breakdown of the figures into

categories 1–9 above because this information is not held by the department and/or identifying it would incur disproportionate cost.

New Deal

Mr. Bercow: To ask the Secretary of State for Education and Employment what *(a)* consultation he has had with the Better Regulation Task Force and *(b)* assessment he has made of its initiatives in assessing the administrative burdens on employers of involvement in the New Deal. [89421]

Mr. Andrew Smith *[holding answer 2 July 1999]:* The design implementation, marketing and evaluation of the New Deal takes account of the advice of the New Deal Task Force, which has a substantial proportion of its membership drawn from business, including the noble Lord Haskins, who is also the chair of the Better Regulation Task Force.

New Deal (Sunderland)

Mr. Kemp: To ask the Secretary of State for Education and Employment what proportion of young people in the New Deal programme are in jobs without Government subsidy in the city of Sunderland. [90277]

Mr. Andrew Smith: A young person participating on New Deal who finds a job that does not qualify for the government subsidy through the New Deal Employment Option actually leaves the programme. In the period April 1998 to April 1999, 516 young people have left New Deal to go into unsubsidised employment in the City of Sunderland Unit of Delivery.

School Playing Fields

Mr. Spring: To ask the Secretary of State for Education and Employment, pursuant to his answer of 5 July 1999, *Official Report*, column *403*, if he will list the sports bodies which suggested the number of school playing fields sold off between 1979 and 1998, as indicated in his answer. [90259]

Mr. Charles Clarke: The figure was originally derived from national surveys carried out by the Central Council of Physical Recreation. But our calculations, based on experience in the grant-maintained sector (which the Government monitored from 1988) suggest that the 5,000 figure could well be an under-estimate.

Mr. Spring: To ask the Secretary of State for Education and Employment, pursuant to his answer of 5 July 1999, *Official Report*, column *403*, what information he has obtained from the National Playing Fields Association about the number of sales of school playing fields between 1979 and 1999. [90258]

Mr. Charles Clarke: We have received no information from the National Playing Fields Association about the number of sales of school playing fields between 1979 and 1999; however, we would be happy to consider any information which might be offered.

Mr. Cox: To ask the Secretary of State for Education and Employment what statistics he has collated on the number of schools which have their own sports grounds. [90510]

Mr. Charles Clarke: The Department does not currently collate statistics on the number of schools which have their own sports grounds. However, local education authorities are being encouraged to develop Asset Management Plans which will include comprehensive details of their school premises, including the number of playing fields for each school. These details will be collated by the Department.

Research Assessment Exercise

Dr. Gibson: To ask the Secretary of State for Education and Employment what was the total cost of the 1992 to 1996 Research Assessment Exercise. [90177]

Mr. Mudie: The cost to higher education institutions of undertaking the 1996 Research Assessment Exercise was estimated to be £27.3 million, less than 1 per cent. of the public funds for research which will be distributed by funding bodies with reference to the 1996 RAE results.

Further Education Colleges

Mr. Hesford: To ask the Secretary of State for Education and Employment if he will make a statement on the Government's policy in respect of higher education under the auspices of further education colleges. [90526]

Mr. Mudie: We are committed to ensuring that everyone who has the capacity to benefit from higher education has the opportunity to do so. The Dearing Report into higher education recommended that the Government respond to increased demand for higher education at sub-degree level and that priority in this expansion should be given to further education colleges. Over the next two years, we are making available an additional 34,000 sub-degree places, the majority of which will be delivered by further education colleges.

Further education colleges have an important role to play in the delivery of higher education. They widen participation by bringing higher education within reach of most communities and attracting people from households with little or no tradition of higher education. Through their strong links with local business, they are also well placed to provide the skills needed by the local labour market and to help students into work.

Our confidence in the contribution played by further education colleges is reflected in the latest figures which show that colleges account for 11 per cent. of people studying higher education in the United Kingdom.

Mr. Chaytor: To ask the Secretary of State for Education and Employment if he will list the individual financial allocations to further education colleges from the FEFC Standards Fund together with the category of each allocation. [90454]

Mr. Mudie: The Further Education Funding Council published a Circular on the Use of the Standards Fund on 1 June 1999. The Standards Fund is intended to recognise

and reward excellence, and to enable colleges to have access to funds to help them secure improvement. It will be allocated under four broad strands. These are:

Strand 1: help for colleges which are causing concern to make rapid improvements;

Strand 2: supporting post-inspection action plans for colleges which have been inspected since September 1997;

Strand 3: supporting continuing professional development for lecturers, principals and governors;

Strand 4: funding for colleges performing well—including those which achieve FEFC accredited status or are recognised by Ministers as 'Beacon' colleges—to share examples of good practice.

It is not possible to list the individual financial allocations to colleges at this stage. The Council's first priority is to arrange support for those colleges causing concern and therefore eligible for funding under Strand 1 of the Standards Fund. These colleges have been asked to prepare costed action plans and to submit these to the Council no later than 16 July 1999. Colleges eligible for funding under Strands 2 and 4 have been asked to prepare action plans as soon as possible and by the end of October 1999 at the latest. Strand 3 of the Standards Fund will require consultation and development before training initiatives can be finalised.

The adequacy of costed action plans provided by colleges will be assessed by the Council before funding is agreed. All action plans submitted to the Council will receive a response within five working weeks. To date, an action plan from Knowsley Community College has been approved under Strand 4 funding and a payment of £50,000 made to this accredited and Beacon college.

Pupil Records

Lorna Fitzsimons: To ask the Secretary of State for Education and Employment what is the timetable for the development of a national system of individualised pupil records which will assess *(a)* the value added by each school and *(b)* the progress made by pupils within them. [90419]

Mr. Charles Clarke: Value added measures, based on the results of individual pupils and measured between two stages of education require each pupil to be reliably identified. Early National Curriculum test results were not collected in this way but suitable data are gradually becoming available. The 'Unique Pupil Number', which we intend to introduce nationally this autumn, will streamline future data collection exercises. In the meantime, we are aiming to publish Key Stage 3 to GCSE/GNVQ value added measures for each school in the 2000 secondary performance tables.

Schools are also already able to compare the progress made by their pupils (between all the National Curriculum Key Stages, and up to GCSE/GNVQ) with average national progress using a package of information produced jointly in the autumn by the Department, QCA and Ofsted. This is the second year for the package, following an enthusiastic reception from schools when it was introduced in 1998.

Pupil Spending (Birmingham)

Mr. Godsiff: To ask the Secretary of State for Education and Employment what is the estimated spending per pupil in Birmingham for the year 1999–2000; and what would the figure have been if the authority had spent 100 per cent. of the funds granted under the Standard Spending Assessment for education. [90851]

Ms Estelle Morris: Birmingham local education authority have indicated that they intend to spend over £516 million on education (other than capital expenditure) in their schools during this financial year. This is 102 per cent. of the Education Standard Spending Assessment, which was £506 million. The Authority's delegated spending per pupil is expected to be £2,372.

School Activity Holidays

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list the number of school children *(a)* seriously injured and *(b)* killed on school organised activity holidays abroad, which were booked through a tour operator, in the latest year for which the information is available and the previous six academic years, indicating the activity in each case; and if he will make a statement. [90757]

Mr. Charles Clarke *[holding answer 12 July 1999]:* There is no obligation on schools to notify my Department or the Health and Safety Executive when pupils suffer serious injury or death on school visits abroad. The Department therefore does not collect the comprehensive data requested, although we are of course aware of a number of serious incidents of the type described.

New Deal for Schools

Dan Norris: To ask the Secretary of State for Education and Employment how much Government money has been invested in New Deal for Schools initiatives in *(a)* Bath and North East Somerset and *(b)* South Gloucestershire, since May 1997. [91157]

Mr. Charles Clarke: The following table shows the total amount of New Deal for Schools funding allocated to Bath and North East Somerset and South Gloucestershire Local Education Authorities since 1997–98.

Total New Deal for Schools (NDS) allocations

Phase	*Bath and North East Somerset*	*South Gloucestershire*
NDS1—1997–98	1,007,300	412,270
NDS2—1998–99	1,070,059	1,507,180
NDS3—1999–2000	940,201	943,487

School Pupils (Drugs)

Mr. Clappison: To ask the Secretary of State for Education and Employment what advice is given by his Department to schools regarding the need for children to be warned against taking controlled drugs. [91133]

Mr. Charles Clarke: The Department issued Circular 4/95 "Drug Prevention and Schools" in May 1995, which sets out the statutory position on drug education, offers guidance to schools to help them develop and implement programmes of drug education, and advises on how to deal with drug-related incidents in schools.

The Department also published in November 1998 supplementary guidance on good practice in drug education in schools and the youth service. It includes advice for teachers and youth workers on the effective delivery of drug education, and on dealing with drug-related incidents. The guidance was sent to all Chief Education Officers, and is available to all schools free of charge.

Both sets of guidance cover all illegal drugs as well as alcohol and tobacco.

School Grounds (Mobile Phone Masts)

Mr. Dawson: To ask the Secretary of State for Education and Employment what guidance his Department has issued to those schools assessing whether to allow mobile phone masts to be sited within their grounds. [90947]

Mr. Charles Clarke *[holding answer 12 July 1999]:* The National Radiological Protection Board—which my right hon. Friend the Secretary of State for Health sponsors—is responsible for advising the Government on radiological protection matters. The Department has not issued separate advice to schools or commissioned research on the impact of these masts.

We take seriously the recent public concern about the siting of these masts on school premises and the possible health risks to children. Discussions are taking place with the other departments involved to see what further research and guidance or other action may be necessary.

School Sports

Mr. Reed: To ask the Secretary of State for Education and Employment what proportion of the education SSA is allocated for school sport or physical education. [90781]

Ms Estelle Morris: Education standard spending assessments are unhypothecated. Local education authorities are therefore free to determine what proportion of their overall resources to allocate to sport or physical education.

Departmental Buildings and Staff (Scotland)

Mrs. Ewing: To ask the Secretary of State for Education and Employment if he will list the *(a)* location, *(b)* purpose, *(c)* number of staff accommodated and their wage costs and *(d)* running costs of the buildings owned, rented or occupied by his Department and its agencies in Scotland. [90857]

Mr. Andrew Smith: Of the Department and its agencies, only the Employment Service employ staff and have buildings located in Scotland.

A complete list of all Employment Service offices in Scotland has been placed in the Library. They are all primarily Jobcentres but some of them also accommodate District Management Teams, Disability Service Teams and Sector Adjudication Teams.

As at 1 April 1999, there were 3,911 members of staff in post in the Employment Service in Scotland, which equates to approximating to 3,667 Staff Unit Year equivalents. The total salary costs in the 1998–99 financial year were £58.034 million and all other Running Costs totalled £22.538 million.

Ministerial Visits

Mr. Burns: To ask the Secretary of State for Education and Employment what assessment he has made of the extent of the compliance with paragraph 79 of the Ministerial Code *(a)* when he and the Minister for Employment, Welfare to Work and Equal Opportunities visited Chelmsford on 28 June and *(b)* when he and the Minister for School Standards visited Moulsham High School, Chelmsford, earlier this year. [91217]

Mr. Blunkett: In line with the Ministerial Code, I made arrangements to inform the hon. Member for West Chelmsford of my visits to Chelmsford in January and June this year. Unfortunately, my Department's instructions to the conference organisers to inform him about the 28 June visit were not carried out and I have written to the hon. Member to apologise. My office wrote to the hon. Member the week before my visit to Moulsham High School in January.

Single Currency

Mrs. May: To ask the Secretary of State for Education and Employment how much expenditure his Department *(a)* has incurred to date and *(b)* expects to incur in the future on preparations for possible United Kingdom entry into the European single currency; and if he will make a statement. [91037]

Mr. Mudie: Following the publication of the Government's Outline National Changeover Plan, my Department is considering what preparations may be necessary.

Long-term Unemployed

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what steps the Government are taking to encourage more firms to join the New Deal for the long-term unemployed. [90191]

Mr. Andrew Smith: There has been an overwhelming response from employers to our New Deal advertising and marketing campaigns—some 52,000 have signed employer agreements so far. The Employment Service and its partners are now working to build on that commitment, ensuring it is translated into jobs for New Deal clients.

New Deal (Small Firms)

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what assessment the Government have made of the effectiveness of the subsidies paid to small firms as part of the New Deal. [90190]

Mr. Andrew Smith: Early qualitative research with 25 employers (including some employing fewer than 50 employees), carried out as part of the national evaluation of New Deal for Young People, explored views on the wage and training subsidies. Employers clearly appreciated the advantages of the subsidies in reducing costs of employing and training young people. Some respondents expressed the view that smaller employers

stand to gain more from subsidies than larger employers, as the savings may make the difference between being able to employ an extra member of staff or not. A report on this research was published in December 1998 and is available in the Library.

Further research with employers will be published towards the end of this year and in the summer of next year.

CABINET OFFICE

Telecommunications Masts

Mr. Lidington: To ask the Minister for the Cabinet Office what representations the Cabinet Office has made to *(a)* Wycombe District Council, *(b)* the Department of the Environment, Transport and the Regions and *(c)* the Planning Inspectorate about the proposal to erect a telecom mast at Chisley Wood, Buckinghamshire. [91042]

Mr. Kilfoyle: None.

Departmental Travel

Mr. Brake: To ask the Minister for the Cabinet Office how many kilometres have been travelled on his Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by his Department's employees; and if he will make a statement. [91018]

Mr. Kilfoyle: The number of kilometres travelled by motorbike or private car by employees of the central Cabinet Office on the Department's business in the last two complete tax years were as follows:

Motorbike

1997–98: 0 kilometres;
1998–99: 691 kilometres.

Private Car

1997–98: 53,913 kilometres;
1998–99: 80,221 kilometres.

Information about the distances travelled by other modes of transport by central Cabinet Office staff, and all the information requested in respect of Cabinet Office Agencies, is not held centrally and is available only at disproportionate cost.

In my Department official travel is undertaken only where absolutely necessary and then, as a matter of policy, by the most cost-effective means.

Special Advisers

Mr. Tyrie: To ask the Minister for the Cabinet Office, pursuant to his answer of 24 June 1999, *Official Report*, column *456*, what the total cost was of pension contributions paid by the Government *(a)* to Special Advisers and *(b)* into the pension schemes of Special Advisers during the periods (i) 1 May 1997 to 30 April 1998 and (ii) 1 May 1998 to 30 April 1999. [90318]

Mr. Kilfoyle: The information, shown by financial years rather than the precise periods asked for, is as follows:

(a) None. Pension contributions are paid direct into the individual Special Advisers' pension schemes.

(b)(i) £290,000 was paid into the pension schemes of Special Advisers in the eleven month period 1 May 1997 to 30 March 1998;

(ii) £413,000 was paid into the pension schemes of Special Advisers in the year 1 April 1998 to 30 March 1999.

In addition, National Insurance contributions are paid at the contracted-in rates.

AGRICULTURE, FISHERIES AND FOOD

Bovine TB

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food (1) how many trials *(a)* were initially planned, *(b)* are currently being conducted and *(c)* are planned in total under the Krebs recommendations; [87577]

(2) how many trials under the Krebs recommendations have been discontinued. [87578]

Mr. Nick Brown: The recommendation of the Krebs Review Group endorsed by the Independent Scientific Group on Cattle TB, was that a scientific study should be carried out in a minimum of 30 trial areas. Twelve areas have been identified so far and work is proceeding in all of these. Work has not been discontinued in any of the areas.

Agriculture Council

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 8 June 1999, *Official Report*, column *250*, if a provisional agenda was available to him prior to the Council meeting. [88219]

Mr. Nick Brown: A provisional agenda for the May Agriculture Council meeting was made available to the European Scrutiny Committee in line with the usual pre-Council scrutiny arrangements.

The right hon. Gentleman will also wish to be aware that the European Scrutiny Committee has agreed that in the interest of keeping the whole House informed of business at forthcoming Councils it is appropriate and sensible for provisional agenda for Councils provided to the Committee to be placed in the House Library. A copy of the agenda for the June Agriculture Council was placed in the Library in this way.

Food Contamination (Belgium)

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food when his officials first learned of the contamination of Belgian food products. [88628]

Mr. Nick Brown *[holding answer 28 June 1999]:* I refer the hon. Member to the statement I gave on 8 June 1999, *Official Report*, columns 480–81.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food from whom information about the contamination of Belgian food products was first received by his officials. [88630]

Mr. Nick Brown: *[holding answer 28 June 1999]:* Officials first received information about the contamination of Belgian food products from industry sources who alerted us to articles in the Belgian press.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food when he first learned of the contamination of Belgian food products. [88629]

Mr. Nick Brown *[holding answer 28 June 1999]:* I was informed of this contamination incident on 30 May. However, my hon. Friend the Minister of State with direct responsibility for food safety was made aware on the afternoon of Friday 28 May.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food (1) what representations he has made to the European Commission about the Belgian Government's handling of the contamination of Belgian food products; [88632]

(2) what representations he has made to the Belgian Government about their handling of the contamination of Belgian food products. [88631]

Mr. Nick Brown *[holding answer 28 June 1999]:* Our views have been expressed fully at meetings of the Standing Veterinary Committee and other meetings chaired by the Commission. In addition, officials have raised our concerns directly with the Commission.

Belgian officials were present at these meetings and are fully aware of our views.

Special Advisers

Mr. Don Foster: To ask the Minister of Agriculture, Fisheries and Food if he will list the subject and date of each written briefing prepared by his Special Advisers for all Labour Members since May 1997 and the total number and total cost to date of these. [89993]

Mr. Nick Brown *[holding answer 6 July 1999]:* Special Advisers are appointed under terms and conditions set out in the Model Contract for Special Advisers. Schedule 1, Part 1 of the Model Contract sets out the role and duties of Special Advisers. As well as research for Ministers and reviewing papers, contributing to policy planning within the Department and preparing policy papers, speech writing and liaison with outside interest groups, their role explicitly includes liaising with the Party and helping to brief Party MPs. Records are not held of when such briefings are given. Similar arrangements have applied under successive Governments.

European Single Currency

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food how much expenditure his Department *(a)* has incurred to date and *(b)* expects to incur in future, on preparations for possible United Kingdom entry into the European single currency; and if he will make a statement. [90967]

Mr. Nick Brown *[holding answer 12 July 1999]:* Following the publication of the Government's outline National Changeover Plan, my Department is considering what preparations may be necessary.

Advisory Committee on Animal Feedingstuffs

Mr. Blizzard: To ask the Minister of Agriculture, Fisheries and Food what progress has been made towards the establishment of the Advisory Committee on Animal Feedingstuffs; and if he will make a statement. [91390]

Mr. Rooker: I am delighted to announce the appointment of 13 members to the new Advisory Committee on Animal Feedingstuffs. This Committee will provide valuable independent advice to the future Food Standards Agency and Agriculture Ministers. By examining the safety and use of animal feedingstuffs, which are an integral part of the food chain, the Committee will play a key role in promoting food safety in the UK. Reviewing the implications of new developments, particularly the use of genetically modified materials, will be especially important.

The 13 members and their main area of expertise are Dr. Ian Brown (occupational health), Mr. John Cheetham (local authority enforcement), Dr. Andrew Chesson (animal nutrition), Mrs. Gilli Davies (consumer), Mr. Paul Foxcroft (animal by-products), Dr. John Heritage (novel technology), Mrs. Fiona Hodgson (lay member), Mr. Robert Moore (veterinary practice), Mr. Andrew Peddie (farming), Dr. Helen Raine (feed compounding), Dr. Desmond Rice (feed compounding and veterinary background), Professor Ian Shaw (toxicology) and Dr. Michael Stringer (microbiology). Professor Phillip Thomas was appointed Chairman on 12 April.

PRESIDENT OF THE COUNCIL

Departmental Travel

Mr. Brake: To ask the President of the Council how many kilometres have been travelled on her Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets her Department has to reduce the kilometres travelled by private transport by her Department's employees; and if she will make a statement. [91030]

Mrs. Beckett: Information on business travel is not collected in the form requested.

The Privy Council Office is encompassed by the green transport plan prepared by the Cabinet Office for 68–70 Whitehall. The use of private transport for business travel is discouraged, and claims are submitted extremely rarely.

SOCIAL SECURITY

Housing Benefit

Lorna Fitzsimons: To ask the Secretary of State for Social Security when he will publish the review of housing benefit. [90263]

Angela Eagle: Our intention is to publish our proposals for housing benefit reform in a Housing Green Paper later in the year.

Benefits (Pensioners)

Miss Geraldine Smith: To ask the Secretary of State for Social Security what steps he is taking to ensure that pensioners receive all the benefits to which they are entitled. [90370]

Mr. Timms: We undertook pilot projects and research last year to understand more about why pensioners do not claim the Income Support they are entitled to, and what could be done to improve this situation. We are currently exploring options for further activity to encourage greater take-up and we will announce our plans as soon as we are able to do so.

Ministerial Meetings

Mr. Matthew Taylor: To ask the Secretary of State for Social Security how many times Ministers in his Department have held meetings with Ministers and officials of the Irish Government since 1 January 1998, indicating the dates and locations of each meeting, the Ministers involved and the names of the Irish Ministers and officials at each meeting. [90407]

Mr. Darling: I and Ministers of this Department have met with Irish Ministers and their officials on three occasions. The information requested is in the table below:

Date	*Location*	*Social Security Minister*	*Irish Minister and officials*
15 January 1998	Richmond House, London, SW1	Keith Bradley, Parliamentary Under-Secretary	Dermot Ahern, Minister for Social, Community and Family Affairs Tom Mulherin, Assistant Secretary General, DSCFA Mel Cousins, Minister's Advisor, DSCFA Leo Sheedy, Irish Embassy Stephen Coughlan, Private Secretary Gerry Mungan, Principal, DSCFA
25 February 1998	Richmond House, London, SW1	Frank Field, Minister of State	Mary Harney, Tanaiste Seamus O'Moran, Assistant Secretary – Labour Force Development Division, DETE Martin Territt, Press Officer Gerry Donnelly, Advisor Leo Sheedy, Irish Embassy
25 June 1999	Dublin	Alistair Darling, Secretary of State	Dermot Ahern, Minister for Social, Community and Family Affairs Eddie Sullivan, Secretary General, Department for Social, Community and Family Affairs (DSCFA) John Hynes, Director General, DSCFA Deirdre Carroll, Assistant Secretary, DSCFA Tom Mulherin, Assistant Secretary, DSCFA Mel Cousins, Minister's Advisor

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for Social Security how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91071]

Mr. Timms: I refer the hon. Member to the Written Answer I gave him on 15 April 1999, *Official Report*, column *308*.

All-work Test

Dr. Lynne Jones: To ask the Secretary of State for Social Security, pursuant to his oral answer to the hon. Member for Doncaster, Central (Ms Winterton) of 5 July 1999, *Official Report*, column 623, if he will describe the special procedures for the All-Work test that apply to claimants with mental health problems. [90819]

Mr. Bayley: Where the medical condition that has caused the incapacity for work relates to a mental disease or disablement, further information is sought from the General Practitioner or psychiatric specialist in order to establish whether the condition is severe enough to justify exemption from the All-Work Test. If this is not the case, or where the position is unclear, a questionnaire will be issued to allow the claimant an opportunity to describe the effect of any physical disabilities and also the general effect of any mental problems they have. Unless it is clear from the questionnaire that the person satisfies the All-Work Test, a medical examination will be carried out. The examination will be offered even where the claimant does not respond to the questionnaire, in order to give people with mental conditions every opportunity to be fully assessed for benefit purposes. This arrangement is different from that for people without mental conditions, who are disallowed benefit if they do not return the questionnaire.

All doctors undertaking examinations meet minimum recruitment standards which must include at least three years broadly based post-registration experience. Most have a background in general medical practice but many will also have additional experience and qualifications in relevant specialities such as occupational medicine and psychiatry. The stringent approval process requires them to undergo training and assessment. This ensures that they have the special skills and knowledge to fulfil their role in providing good quality expert advice to enable a decision on benefit entitlement to be made.

Departmental Travel

Mr. Brake: To ask the Secretary of State for Social Security how many kilometres have been travelled on

his Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by his Department's employees; and if he will make a statement. [91027]

Angela Eagle: The information on business travel is not collected in the form requested and therefore cannot be provided. As published in the integrated transport White Paper in July 1998, the Government have set a target that all Government Department headquarters buildings and main buildings occupied by Executive Agencies and Government Offices for the Regions should have green transport plans by March 1999, and all other key buildings by March 2000.

We have completed green transport plans covering all our headquarters and main buildings—27 in all, which covers 33 per cent. of staff—and are developing plans for the other 363 buildings on the DSS estate in line with the targets set out in the White Paper. The plans include measures to reduce single-occupancy car use by employees for commuting, including the setting up of car-sharing registers and making travel by public transport more attractive. Staff are encouraged, wherever it is practicable, to share cars for business travel and also to use public transport, especially for longer journeys.

Ministerial Code

Mr. Burns: To ask the Secretary of State for Social Security what assessment he has made of the extent of the compliance by *(a)* himself and *(b)* the Parliamentary Under-Secretary of State, the hon. Member for Wallasey (Angela Eagle), with paragraph 79 of the Ministerial Code when visiting Chelmsford on 28 June. [91216]

Mr. Darling: In line with the Ministerial Code, I made arrangements to inform the hon. Member for West Chelmsford of my visit to Chelmsford with the Parliamentary Under-Secretary of State on 28 June this year. Unfortunately, the letter to inform him was not issued. I have written to the hon. Member to apologise.

Single Currency

Mr. Willetts: To ask the Secretary of State for Social Security how much expenditure his Department has *(a)* incurred to date and *(b)* forecasts to be incurred in the future on preparation for possible UK entry into the European single currency; and if he will make a statement. [91086]

Angela Eagle: In preparation for the launch of the euro in the 11 participating countries, on 1 January this year, this Department undertook analysis and preparation work to assess the impacts on DSS at a cost of £100,000.

Following the publication of the Government's outline National Changeover Plan, the Department is currently considering what preparations and costs might be necessary for the introduction of the euro.

WALES

Cabinet Joint Consultative Committee

Mr. Gordon Prentice: To ask the Secretary of State for Wales how many meetings of the CJCC he has attended. [89271]

Mr. Michael: I refer my hon. Friend to the answer given to him by my right hon. Friend the Prime Minister on 5 July 1999, *Official Report*, column *362*.

Official Representation (Brussels)

Mr. Wigley: To ask the Secretary of State for Wales, pursuant to his answer of 5 May 1999, *Official Report*, column *429*, on official representation in Brussels, if he will make a statement on progress with discussions between Welsh Office officials and political parties on the establishment of official representation for Wales in Brussels. [89590]

Mr. Hain: This is a matter for the National Assembly for Wales.

Departmental Travel

Mr. Brake: To ask the Secretary of State for Wales how many kilometres have been travelled on his Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by his Department's employees; and if he will make a statement. [91024]

Mr. Michael: The information on business travel is not collected in the form requested and therefore cannot be provided. The number of officials supporting the Secretary of State for Wales now consists of about 30 people and therefore there is not a formal green transport plan. The Department is co-operating with the green transport strategies for Government offices in London.

TREASURY

Higher-rate Taxpayers

Mr. Maude: To ask the Chancellor of the Exchequer how many *(a)* basic and *(b)* higher rate taxpayers there have been in each year since 1979. [88827]

Dawn Primarolo: The numbers of basic rate and higher rate taxpaying individuals between 1991–92 and 1998–99 are given in table 2.1 of *Inland Revenue Statistics 1998*; figures for the total number of higher rate individuals for the earlier years 1978–79 to 1991–92 are given in the 1994 edition of Inland Revenue Statistics 1994. For these earlier years, the number of basic rate paying individuals can be derived by deducting the number of higher rate individuals from the total number of individuals.

For 1999–2000, there are estimated to be 20.7 million basic rate individual taxpayers and 2.3 million higher-rate individual taxpayers. These figures were derived from the 1996–97 Survey of Personal Incomes.

Employment (Northern Region)

Mr. Kemp: To ask the Chancellor of the Exchequer how many people were in work in the Northern Region in *(a)* May 1999 and *(b)* May 1997. [90279]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics, I have asked him to reply.

Letter from John Kidgell to Mr. Fraser Kemp, dated 13 July 1999:

In the absence of the Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on employment in the Northern region.

The most up-to-date estimates of employment are published using the Government Office Region geography. The latest Labour Force Survey (LFS) estimate of the number of employed people living in the North East is 1,050,000 for the period February to April 1999 on a seasonally adjusted basis. The comparable estimate for the same period in 1997 was 1,071,000.

Employment estimates based on the old Standard Statistical Region (SSR) geography are still available from the LFS on a non-seasonally adjusted basis for certain quarters. The latest estimate of the number of employed people living in the Northern SSR is 1,282,000 (December 1998 to February 1999) compared with 1,292,000 for the corresponding quarter two years earlier.

Mortgage Providers (Insurance Services)

Mr. Flynn: To ask the Chancellor of the Exchequer (1) what plans he has to require mortgage providers to disclose the level of commission they receive from sales of bundled home insurance; [90817]

(2) what plans he has to ensure that mortgage lenders inform consumers whether purchase of the provider's insurance is a condition of the mortgage they are to take out; [90816]

(3) if he will place on mortgage providers a duty to inform customers at renewal or expiry of a particular home insurance policy that they can exercise the right to switch to an alternative insurance provider if they so wish. [90814]

Ms Hewitt: This and other matters associated with protecting the consumer interest will be considered in HM Treasury's review of whether advice on, and marketing of, mortgages should be subject to statutory regulation by the Financial Services Authority.

HM Treasury will shortly begin to assess the case for regulation.

Mr. Flynn: To ask the Chancellor of the Exchequer if the current review of the Council of Mortgage Lenders Code will include the practice of linking insurance with mortgage products. [90815]

Ms Hewitt: Yes. The operation of the Code will be reviewed and the Code provides that transparent information should be provided on such linkages.

EU Code of Conduct Group

Mr. Maude: To ask the Chancellor of the Exchequer if he will publish the minutes of the meeting of the EU Code of Conduct Group chaired by the Paymaster General on 7 and 8 July. [91002]

Dawn Primarolo: As I explained in my reply to the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) on 18 June 1998, *Official Report*, columns *271–72*, paragraph 12 of the Council Conclusions of 9 March 1998 states that the Council "agrees that the work of the Code of Conduct Group shall be confidential".

Mr. Maude: To ask the Chancellor of the Exchequer which United Kingdom tax reliefs were discussed at the recent meeting of the EU Code of Conduct Group chaired by the Paymaster General. [91003]

Dawn Primarolo: Paragraph 12 of the Council Conclusions of 9 March 1998 states that the Council

"agrees that the work of the Code of Conduct Group shall be confidential".

In my answer to the right hon. Member for Wells (Mr. Heathcoat-Amory) 14 June 1999, *Official Report*, columns *30–31*, I listed the UK tax measures which are currently under examination by the EU Code of Conduct Group.

Manufacturing Investment

Mr. Steinberg: To ask the Chancellor of the Exchequer if he will list the average rate of return on manufacturing investment in the *(a)* United Kingdom and *(b)* Northern Region in the last five years. [90984]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Kidgell to Mr. Gerry Steinberg, dated 13 July 1999:

In the absence of the Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on the rate of return on manufacturing investment.

Rates of return were last published in the ONS First Release, *Profitability of UK companies* in July 1997, which is available in the House of Commons Library. The estimates for the rate of return on capital employed by manufacturing companies in the United Kingdom were:

1991: 4.3%
1992: 5.1%
1993: 6.2%
1994: 8.0%
1995: 8.8%

The estimates are being up-dated and converted to the definitions in the European System of Accounts, 1995 and the next issue of the First Release is expected to be in November 1999. There are no estimates of rates of return by region.

Employment (City of Durham)

Mr. Steinberg: To ask the Chancellor of the Exchequer how many *(a)* male and *(b)* female employees in the City of Durham were in (i) full-time and (ii) part-time employment in (1) temporary and (2) permanent jobs in each year since 1990. [90985]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Kidgell to Mr. Gerry Steinberg, dated 13 July 1999:

In the absence of the Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on employment in the City of Durham.

The information is available from two sources. Employee Jobs from the Annual Employment Survey (AES) are shown for the City of Durham Parliamentary Constituency, by gender and full-time/part-time status at September of 1991, 1993, 1995, 1996 and 1997 in the attached table. This Survey was formerly known as the Census of Employment when it was conducted biennially. Figures from the September 1998 AES will be available in January/February 2000.

The second source of information is the Labour Force Survey (LFS). Figures from the LFS are shown for Permanent/Temporary Employees by gender in the table. However this data is only available for the wider area of the County of Durham at 1996, 1997 and 1998.

Both sources of information are not seasonally adjusted.

Employee Jobs in City of Durham[1] at September

Thousand

	1991	*1993*	*1995*	*1996*	*1997*
Male full-time	15.7	15.6	16.2	15.8	16.2
Male part-time	1.5	1.6	1.8	1.8	1.7
Female full-time	10.2	9.6	10.4	9.3	10.6
Female part-time	9.6	9.8	9.9	10.2	9.4
All	36.9	36.5	38.3	37.1	37.9

[1] Parliamentary Constituency

Source:
1991–1993 Census of Employment, 1995–1997 Annual Employment Survey

Number of temporary and permanent employees in the Former County of Durham

Thousand

	1996[2]	*1997*[2]	*1998*
Males			
Permanent	117	109	113
Temporary	8	10	9
All employees	126	120	123
Females			
Permanent	102	99	97
Temporary	9	7	9
All employees[1]	112	107	107
All			
Permanent	219	207	209
Temporary	17	17	19
All employees[1]	237	227	229

[1] Includes some employees who did not state whether they were temporary or permanent

[2] Average of the spring to winter quarters

Source:
Labour Force Survey

Business Taxation

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if he will list the United Kingdom tax measures under investigation by the EU Code of Conduct Group (Business Taxation) subsequent to its initial list. [91085]

Dawn Primarolo: I refer the right hon. Member to the answer I gave on 14 June 1999, *Official Report*, columns *30–31*.

Landfill Tax

Mr. Livsey: To ask the Chancellor of the Exchequer how much landfill tax has been collected for each of the last five years, by each landfill operator. [90523]

Ms Hewitt: Figures relating to the amount of landfill tax collected from each operator cannot be disclosed as to do so would breach commercial confidentiality.

Gold

Mr. Maude: To ask the Chancellor of the Exchequer what consultations the Treasury held with *(a)* Bank of England officials, *(b)* foreign Governments, *(c)* the World Bank, *(d)* the International Monetary Fund, *(e)* the European Central Bank and *(f)* private institutions on the proposed sale of UK gold reserves prior to the Treasury announcement of 7 May. [88841]

Ms Hewitt: The Treasury regularly consults with outside organisations on a wide range of issues.

Advance Corporation Tax

Mr. Blunt: To ask the Chancellor of the Exchequer what steps he has taken to limit the impact on pension funds of the abolition of the advance corporation tax dividend tax credits. [88046]

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer what assessment he has made of the effect on pensions of abolition of the advance corporation tax dividend tax credits. [88047]

Mr. Robathan: To ask the Chancellor of the Exchequer what estimate he has made of the effect on pensions of the abolition of the advance corporation tax dividend tax credits. [88028]

Dawn Primarolo *[holding answer 5 July 1999]:* Our package of corporation tax reforms included not only the abolition of payable tax credits, but also a 2–3 per cent. reduction in the rate of corporation tax. The overall effect on pension funds of these changes will vary depending upon factors like the type of scheme and the investment policy adopted. So it is not clear that steps are necessary to limit the impact on pension funds of the abolition of payable tax credits. But during 1997, when tax credits were available for only 6 months, the average British pension fund manager delivered an overall investment return of 16 per cent. and a real return of 12 per cent., which compared very favourably with an average return for the previous year of around 9 per cent.

Overseas Debt

Ms Drown: To ask the Chancellor of the Exchequer what is *(a)* the total debt owed to the members of the Paris Club, *(b)* the total debt that dates from before the cut-off date, *(c)* the total that is previously rescheduled debt and *(d)* the remaining eligible debt, broken down for (i) each of the 41 highly indebted poor countries, (ii) Bangladesh, (iii) Cambodia, (iv) the Gambia,

(v) Haiti, (vi) Jamaica, (vii) Morocco, (viii) Nepal, (ix) Nigeria, (x) Peru, (xi) the Philippines and (xii) Zimbabwe. [90319]

Ms Hewitt: The information requested is not available.

Tax Rebates

Mr. Spring: To ask the Chancellor of the Exchequer what is the total amount of tax rebates paid in each financial year since 1992–93 under the arrangements for charitable deeds of covenant. [90253]

Ms Hewitt: Basic rate income tax repayments to charities since 1992–93, and estimates of higher rate tax relief, in respect of donations made under deed of covenant are shown in the table.

£ million

	Tax repayment to charities on covenants	*Higher rate tax relief on covenants*
1992–93	197	25
1993–94	210	25
1994–95	224	25
1995–96	235	25
1996–97	251	35
1997–98	259	50
1998–99[2]	290	55

[1] Repayments are shown in the year in which the claim was made
[2] Provisional

Self-administered Pension Schemes

Mr. Nicholls: To ask the Chancellor of the Exchequer what is his estimate of the proportion of normal self-administered pension schemes that are liable to pay tax. [90732]

Dawn Primarolo: This information is not held centrally.

Duty-free Goods

Mr. Bercow: To ask the Chancellor of the Exchequer if he will list those categories of persons who will retain the right to purchase duty free goods in the European Union. [90395]

Dawn Primarolo: Diplomats accredited to the Court of St. James are entitled to certain privileges and immunities in accordance with the Vienna Convention on Diplomatic Relations 1961. International organisations and their staff who are granted diplomatic status are also entitled to certain privileges and immunities under the International Organisations Act 1968 and the European Communities Act 1972.

UK Payments (EU)

Mr. Gill: To ask the Chancellor of the Exchequer, pursuant to his answer of 25 May 1999, *Official Report*, column *137*, what is his estimate of the difference in cost if UK contributions to the EC budget since 1 January 1999 had been made in euros. [90393]

Ms Hewitt: Over the year as a whole it will be nil.

Debt Relief

Mr. Reed: To ask the Chancellor of the Exchequer what discussions he had at the G8 on the Paris Club debt relief ceiling of 80 per cent; and if he will make a statement. [90504]

Ms Hewitt: The Koln Summit agreed that the ceiling for debt write-down for Heavily Indebted Poor Countries (HIPCs) could be increased to 90 per cent. or more if needed in individual cases, with proportionate burden sharing between creditors.

Mr. Reed: To ask the Chancellor of the Exchequer what actions the Government intend to take to ensure that the Mauritius Mandate target for all eligible countries to have entered the highly indebted poor countries process will be met by 2000. [90506]

Ms Hewitt: The UK has made the Mauritius Mandate target a priority in discussions with fellow creditors and the IFIs. The Koln Summit called for the IFIs and the Paris Club to ensure that three quarters of eligible countries have reached their decision point by the year 2000, and to assist the very poorest countries to embark on the HIPC process as soon as possible.

Mr. Reed: To ask the Chancellor of the Exchequer what discussions there were at the G8 summit on reducing the maximum six-year track record requirement, which must be fulfilled in order to qualify for debt relief under the highly indebted poor countries initiative; and if he will press for an agreement amongst creditor nations to reduce the requirement to a maximum of three years. [90507]

Ms Hewitt: The Koln Summit agreed that the benefits of debt relief should be felt after a maximum of three years rather than the current maximum of six years, and earlier for those countries already in the system.

National Statistics

Mr. Cousins: To ask the Chancellor of the Exchequer if he will list *(a)* the initial and *(b)* revised quarterly figures for company profits in the national statistics for the last 10 quarters; and what plans he has to review the quality of reporting of company profits in the national statistics. [90932]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Jim Cousins, dated 13 July 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on company profits.

Company profits covers the profits of the non-financial corporations sector, including Continental Shelf companies. The available estimates for growth in non-financial company profits are shown in the table below:

	First estimate	*Latest estimate*
1996		
Q3	3.0	3.7
Q4	2.0	0.3
1997		
Q1	–0.7	–0.7
Q2	0.9	2.2
Q3	3.7	2.0

	First estimate	Latest estimate
Q4	-0.1	-1.5
1998		
Q1	-1.5	-1.9
Q2	-0.5	0.0
Q3	-0.7	-1.9
Q4	-3.5	Release date 29 July 1999

The first estimate is that published about 12 weeks after the end of the quarter concerned. The first estimates up to and including Q1 1998 were based on definitions of profits based on earlier accounting definitions. The other estimates are based on the European System of Accounts (ESA) 1995. The difference in definition had little effect on the estimates of growth. The latest estimates were those published on 22 March 1999. The initial estimate of company profits for the first quarter of 1999 will be published in the Quarterly National Accounts Press Release, a copy of which will be available in the House of Commons Library, on 29 July.

It is ONS policy to keep the quality of reporting of company profits under continuous review.

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the change in service sector productivity over the last four years; and what plans he has to review the quality of estimates for national statistics on service sector productivity. [90931]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Jim Cousins, dated 13 July 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on productivity.

Although various published ONS datasets can be used to derive an estimate of productivity for the services sector, there are conceptual differences between these series that still need to be addressed. ONS will wait until a programme of improvements has been introduced and the results quality assured, before publishing official estimates of service sector productivity.

The work programme for the coming months includes new productivity estimates using output and employment data collected on the same basis. We intend to construct a new series will be constructed using hours worked rather than employment numbers as the denominator, and, in the longer term, an index of service sector output and estimates service sector productivity.

Long-term Investment

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the quarter by quarter share of long-term investment in GDP for the least 10 quarters for which figures are available, distinguishing between public and private sector financed long-term investment, and the effect of the private finance initiative. [90930]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Jim Cousins, dated 13 July 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on long-term investment.

The ONS does not produce estimates that separate investment into long-term and short-term. It is also not possible to separate investment financed by the private finance initiative within ONS estimates.

For information, the attached table gives the latest published estimates of gross fixed capital formation expressed at current prices in £billion. The total is split between private sector and public sector investment.

Gross fixed capital formation, at current prices, seasonally adjusted

£ billion

	Total	Public Sector	Percentage of GDP	Private Sector	Percentage of GDP
1996	125.7	16.6	2.2	109.1	14.5
1997	134.1	14.9	1.9	119.3	14.9
1998	145.3	14.7	1.8	130.7	15.6
1996Q1	31.0	4.5	2.4	26.5	14.3
1996Q2	31.4	4.7	2.5	26.7	14.3
1996Q3	31.7	4.2	2.2	27.5	14.5
1996Q4	31.6	3.2	1.7	28.4	14.8
1997Q1	32.2	4.1	2.1	28.1	14.4
1997Q2	33.1	3.3	1.7	29.8	15.0
1997Q3	33.5	3.7	1.8	29.8	14.7
1997Q4	35.3	3.8	1.9	31.4	15.4
1998Q1	35.8	3.7	1.8	32.1	15.5
1998Q2	35.6	3.3	1.6	32.3	15.5
1998Q3	36.5	3.7	1.8	32.8	15.6
1998Q4	37.4	4.0	1.9	33.4	15.8
1999Q1	37.2	n/a	n/a	n/a	n/a

Parliamentary Questions

Mr. Brady: To ask the Chancellor of the Exchequer how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91068]

Ms Hewitt: Seven hundred and four of the 2,307 named day questions tabled for answer on a named day between May 1997 and 14 April 1999 (31 per cent.) were answered substantively on that day. 56 per cent. of all such questions were answered within two days of the nominated day.

Departmental Buildings

Mr. Swinney: To ask the Chancellor of the Exchequer if he will list the (i) location, (ii) running costs *(a)* in total and *(b)* per square metre and (iii) the rental value per square metre of each of his Department's buildings in the last year for which figures are available. [90563]

Dawn Primarolo: The costs below relate to all of the Chancellor of the Exchequer's Departments for the 1998–99 financial year.

The total running costs were £340.43 million. This equates to £199 per square metre. The rental value was £93 per square metre.

It has not been possible to provide this information on a building-by-building basis due to the constraints of time and cost.

Written Answers to Questions

Wednesday 14 July 1999

NORTHERN IRELAND

Police Interview Recordings

Mr. McNamara: To ask the Secretary of State for Northern Ireland, pursuant to her answer of 12 May 1999, *Official Report*, columns *170–71*, if, in exceptional circumstances, by permission or on request by the interviewees *(a)* the Independent Commissioner for the Holding Centres, *(b)* the Chairman of the Independent Commission on Police Complaints, *(c)* the Police Ombudsman and *(d)* representatives of the European Committee for the Prevention of Torture may have access to an audio recording of an interview conducted in a holding centre. [86136]

Mr. Ingram *[holding answer 9 June 1999]:* The circumstances in which the persons mentioned can have access to audio recordings of police interviews with terrorist suspects in the holding centres are as follows:

(a) There are currently no arrangements in place for the Independent Commissioner for the Holding Centres to gain access to the audio recordings of police interviews with terrorist suspects.

(b) Under the Royal Ulster Constabulary (Complaints, etc.) Regulations 1988, the Independent Commission on Police Complaints is to be supplied with such information and documents as it may reasonably require relating to a complaint or matter referred to it, for the purpose of enabling it to fulfil its functions. This could include listening to audio recordings of police interviews with terrorist suspects if considered relevant to such a complaint or matter.

(c) Provision for a new Police Ombudsman has been made in the Police (Northern Ireland) Act 1998. Once appointed and operational, he or she will take over the functions of the Chairman of the ICPC, and in turn will have access to material (including audio recordings) considered relevant to a particular complaint or matter made or referred to him or her, as the case may be.

(d) The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, established by virtue of Article 1 of the European Convention of that name, may have access to information which is necessary for the Committee to carry out its task. This would appear to include access to audio recordings if necessary for that purpose. In seeking such access, the Committee is required to have regard to applicable rules of national law and professional ethics.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Petrol Prices

Mr. Woolas: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the amount by which petrol prices would have to rise in order to reduce UK road traffic levels by one per cent. per year, cumulatively for each of the next 15 years. [89364]

Ms Glenda Jackson: The Government's fuel duty policy is primarily intended to reduce carbon dioxide emissions from road transport, as part of our strategy to tackle climate change. It is, however, also one element of the package of measures we are implementing, following last year's Integrated Transport White Paper, to tackle traffic growth. We will publish our first report under the Road Traffic Reduction (National Targets) Act 1998, on the issue of whether to set a national traffic reduction target, by the end of this year.

Seaforth Dock System

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what responsibilities the Environment Agency has in respect of the dock system at Seaforth and its immediate environs. [90171]

Mr. Meale: The Environment Agency has powers and duties to prevent pollution of controlled waters including the River Mersey and adjoining dock area.

Under Section 85 of the Water Resources Act 1991, it is an offence to cause or knowingly permit any poisonous, noxious or polluting matter or any solid waste matter to enter controlled waters. It is similarly an offence to cause or knowingly permit the discharge of any trade effluent or sewage effluent into controlled waters except in accordance with a relevant consent. The Environment Agency is the enforcing authority.

The Agency has issued Discharge Consent (no. 6992575) for the discharge of treated sewage effluent from a septic tank at Berth S6 of the Container Terminal. The Agency has a duty to inspect the premises and take samples of the discharge on a regular basis to ensure compliance with the consent.

A Waste Management Licence (no. 192–03) is held by the Sheppard Group Ltd, for the storage and treatment of scrap metal at Seaforth Area B. Agency officers are required to inspect licensed sites to ensure that licence conditions are complied with and that the authorised activities are carried out in ways that protect the environment and human health.

Rural Public Transport

Miss Geraldine Smith: To ask the Secretary of State for the Environment, Transport and the Regions what help is available from his Department to improve public transport in rural areas. [90376]

Ms Glenda Jackson: The aim of our integrated transport strategy is to increase transport choice for all—including those who live in rural areas. In addition to the extra £700 million of funding to assist local authorities with the implementation of their local transport plans, we have made available a further £170 million over three years to improve public transport in rural areas.

The bulk of this £170 million is being used to provide additional bus services in rural areas. We are allocating £32.5 million each year to English local authorities in Rural Bus Subsidy Grant for the support of new rural bus services, as well as making £15 million available for this year's Rural Bus Challenge competition and £15 million

for next year's Challenge. We have also set aside £4.2 million a year for the Rural Transport Partnership fund, to assist community-based transport initiatives.

Lancashire was allocated £751,438 in Rural Bus Subsidy Grant for 1998–99, and the same amount for 1999–2000. In addition, the authority was allocated a total of £481,606 for its two successful bids under the 1998 Rural Bus Challenge competition, involving the creation of a new bus and rail interchange facility at Clitheroe and the establishment of a high quality bus corridor to include low floor accessible vehicles, improved shelters, and better provision of information for passengers.

Waste Recycling

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each of the past three years the proportion of waste *(a)* glass, *(b)* paper, *(c)* metal, *(d)* cloth and *(e)* biodegradable material that has been recycled in each London borough; what is his estimate for the current year; and what are the boroughs' predictions for 2000–01. [90351]

Mr. Meale *[holding answer 12 July 1999]:* This information will take some time to put together. I will write to my hon. Friend with the details and place a copy of my letter in the Library.

Driving Tests

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions how many applications were received for *(a)* driving tests in each of the last 10 years and *(b)* driving theory tests in each year since their introduction. [90593]

Ms Glenda Jackson *[holding answer 12 July 1999]:* The number of applications for all categories of practical tests for the financial years 1989–90 to 1998–99, and for the theory tests for the years 1996–97 to 1998–99 are as follows:

Year	Number of applications for Practical tests	Theory tests
1989–90	2,056,271	—
1990–91	2,076,211	—
1991–92	1,942,421	—
1992–93	1,756,152	—
1993–94	1,731,115	—
1994–95	1,720,373	—
1995–96	1,871,351	—
1996–97	1,608,438	1,231,186
1997–98	1,380,491	1,237,709
1998–99	1,460,832	1,220,514

Water Prices Review

Dan Norris: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the likely impact on domestic and business water users from 2000 to 2005 of the periodic review of water prices to set prices for that period. [91163]

Mr. Meale: Under the Water Industry Act 1991, the regulation of water and sewerage undertakers' price limits is for the Director General of Water Services. In setting price limits, the Director General is also under a duty to ensure that the interests of customers are protected, and he will therefore have regard to the impact of the periodic review on customers.

We believe that reductions in average water and sewerage bills can be secured. The Director General expects to announce draft price limits for each undertaker later this month.

Dan Norris: To ask the Secretary of State for the Environment, Transport and the Regions what guidance he has given to the Director General of Ofwat concerning the periodic review of water prices to set prices for the period from April 2000 to 2005. [91162]

Mr. Meale: Under the Water Industry Act 1991 the regulation of water and sewerage undertakers' price limits is for the Director General of Water Services. The Government have given guidance to the Director General on the environmental and water quality improvements to be delivered by 2005. This guidance was published under the title "Raising the Quality" in September 1998, and was supported by more detailed announcements of company programmes on 1 March 1999.

Channel Tunnel Rail Link

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what the current situation is in respect of providing a Channel Tunnel rail interchange at Stratford, East London, to serve East Anglia. [90708]

Ms Glenda Jackson: A new international and domestic station at Stratford remains integral to the Channel Tunnel Rail Link project, with construction planned as part of Section 2. The Channel Tunnel Rail Link Act 1996 provides powers for an open box over which the station is to be built. An Order providing powers for the station itself has been sought by London and Continental Railways (LCR) under the Transport and Works Act 1992. Following a public inquiry, the Secretary of State announced on 8 September 1998 that he was minded to approve the Order with modifications. But before reaching a final decision he required further information from LCR and other parties on pedestrian access, which is presently awaited.

Regional Development Agencies

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions whom he plans to consult before approving draft Regional Development Agency strategies. [91050]

Mr. Meale: The Regional Development Agencies are currently drafting their regional strategies which will be issued for public consultation over the summer. They intend to submit their strategies to Ministers in late October. There is no formal approval process but we aim to respond to the strategies by the end of the year.

Energy Efficiency

Mr. Alan W. Williams: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the actual and planned Government expenditure on the home energy efficiency scheme in each of the years from 1990–91 to 2001–02. [91475]

Mr. Meale: The total expenditure on the Government's Home Energy Efficiency Scheme (HEES) in each year from the start of the scheme in 1991 is as follows.

£ million

Year	*Expenditure*
1990–91[1]	1.5
1991–92	26.1
1992–93	33.6
1993–94	41.5
1994–95	83
1995–96	107.2
1996–97	76.1
1997–98	76.1
1998–99	76.2
1999–2000[2]	76.1
2000–01[3] allocated new HEES	125.0
2001–02[3] allocated new HEES	175.0

[1] Expenditure in 1990–91 was for 3 months only.
[2] Estimated
[3] The Government have allocated a total of £300 million over 2000–01 and 2001–02 to tackling fuel poverty through energy efficiency improvements. Since this is a devolved function, the most appropriate method of dividing the moneys between the proposed New Home Energy Efficiency Scheme (HEES) in England and the separate programmes in Scotland and Wales will be considered shortly, taking account of the extent of fuel poverty in each.

Voluntary and Community Transport

Judy Mallaber: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to publish the report commissioned by his Department on voluntary and community transport. [91548]

Ms Glenda Jackson: The report is being published today and copies of both the summary and full report will be placed in the Library of the House.

The report contains a wide range of detailed information about the valuable role of voluntary and community transport operators and I very much welcome it as a focus for debate by all those involved in the funding and operation of this important area of transport.

We will be circulating the report to all stakeholders in this area and inviting comment from them on its findings and recommendations.

Outdoor Advertisements

Mr. Reed: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to improve the arrangements for control of outdoor advertisements. [91549]

Mr. Raynsford: I have today issued a consultation paper with proposals to update, clarify and improve the arrangements for controlling outdoor advertisements. Comments are invited no later than Thursday 14 October 1999.

The amendments which are proposed as part of the Government's drive to modernise the planning system also seek to make the current system more responsive to the rapidly changing nature of outdoor advertising. They would benefit business without spoiling the appearance of our towns and cities.

Copies of the consultation paper have been placed in the Library.

Rights of Way

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to publish proposals for improving the rights of way system in England and Wales. [91759]

Mr. Meacher: I shall be publishing a consultation paper tomorrow setting out the Government's proposals for improving the rights of way system as part of legislation to provide a statutory right of access to open countryside for people on foot. Copies will be placed in the Libraries of both Houses.

EDUCATION AND EMPLOYMENT

Sex Equality Legislation

Mr. Stephen Twigg: To ask the Secretary of State for Education and Employment if he will make a statement on the Government's response to the Equal Opportunities Commission's proposals for changes to the sex equality legislation. [91643]

Ms Hodge: We have today placed in the Library copies of the Government's response on some of the issues addressed by the EOC in their proposals for changes to the Sex Discrimination Act 1975 and the Equal Pay Acts. In reaching our conclusions, the Government have taken into account the Better Regulation Task Force's report on anti-discrimination legislation and the Commission for Racial Equality's proposals for changes to the Race Relations Act 1976, on which we are also responding today.

In considering the EOC's proposals, our guiding principle has been to identify measures that will have the greatest practical impact on the lives of men and women. We will therefore: consult on changes in the way equal pay cases are dealt with to make them clearer and simpler; update the law to take account of developments in Europe on equal treatment; bring the functions of all public authorities within the scope of the Sex Discrimination Act; explore both legislative and non-legislative options to ensure public bodies promote equal opportunities between women and men; encourage the EOC to work with equality bodies and others to help employers and service providers meet their obligations under the current law by producing clear and accessible guidance and examples of good practice; and bring the EOC's powers in line with the Disability Rights Commission. At this stage we do not consider that undertaking a major legislative overhaul, in the way the EOC suggests, will of itself achieve the practical changes that are needed.

The Government are taking concrete steps to tackle key issues that affect women and men's lives. For example, the National Childcare Strategy created over 65,000 new child care places last year, enabling men and women to choose to work or study. The National Minimum Wage is benefiting women in particular, as they make up the highest proportion of those on low pay. Measures under the Employment Relations Bill on maternity and parental leave will help people to balance their working and home lives.

Kosovo Refugees

Mr. Chaytor: To ask the Secretary of State for Education and Employment what plans he has to review the EMAG arrangements for those local authorities which have taken on significant responsibility for the education of the children of refugees from Kosovo; and if he will make a statement. [90788]

Mr. Charles Clarke: We are grateful for the positive way Local Authorities have responded in providing for the needs of evacuees from Kosovo and for securing school places for the children concerned. A meeting has been arranged on 20 July between the Local Government Association, the Home Office and other interested parties to discuss the costs incurred by Local Authorities.

The Department's Ethnic Minority Achievement Grant is able to provide specialist support for refugee education. However, all allocations of the Grant for 1999–2000 were announced on 4 March, and we have no present plans to review these.

Statutory Instruments

Dr. Fox: To ask the Secretary of State for Education and Employment what percentage of statutory instruments introduced by his Department into Parliament in *(a)* 1998, *(b)* 1992, *(c)* 1985 and *(d)* 1973 had the European Union as their legislative source. [89162]

Mr. Mudie: The total number of all Statutory Instruments (SIs) registered as General Instruments in 1998, 1992, 1985 and 1973 are shown in the following table.

Year	*Number of SIs*
1998	1,565
1992	1,692
1985	1,204
1973	1,260

Source:
Statutory Publications Unit, Stationery Office: Statutory Instruments are classified as General Instruments if they are in the nature of a General Public Act. SIs may also be registered as Local Instruments in the nature of local or private Acts. SIs implementing EC legislation will always be classified as General Instruments.

It is not possible, without incurring disproportionate cost, to determine how many of these SIs were introduced to comply with European Community obligations.

New Deal

Mr. Bercow: To ask the Secretary of State for Education and Employment what proportion of participants in the New Deal programme have left it to become self-employed. [89430]

Mr. Andrew Smith: People who move off New Deal to start self-employment are recorded as having found work, and separate statistics are not collected. However, 2,635 young people have started on the Basic Awareness Session of the Self-Employment Route of the New Deal Employment Option; and 740 have started on the Test Trading stage. It is too early to provide meaningful figures of those who have subsequently moved from this stage into independent self-employment, but these will be available from later this year.

"Learning to Succeed"

Lorna Fitzsimons: To ask the Secretary of State for Education and Employment what assessment he has made of the implications of his paper, "Learning to Succeed", Cm 4392, for community organisations that currently use the money they generate from training contracts via TECs to cross-subsidise community-based activities; and what steps he will take to ensure the use of community activities to increase access to education and training for Asian women and Asian Elders. [90357]

Mr. Mudie: "Learning to Succeed" makes clear that adult and community learning is a vital part of the Government's aim to create access to high quality, relevant learning opportunities for everyone. The new Learning and Skills Council will provide an opportunity to integrate adult and community learning provision more effectively with other learning opportunities. To this end, the Government propose to give the Council a national duty to arrange adequate and sufficient adult and community learning provision and to give to local authorities the changed duty to contribute to arrangements for provision at local level. The Council will develop a new funding system that caters for the needs of all post-16 learners, including those in adult and community education. Local Learning Councils will arrange provision in the light of plans drawn up by local Learning Partnerships. These new coherent arrangements should make it easier for individuals from all groups in the community to access a wide range of learning opportunities. We shall consult further on the detailed arrangements.

Ethnic Community Teachers

Mr. Cox: To ask the Secretary of State for Education and Employment what action his Department has taken to encourage people from ethnic communities to enter the teaching profession; and if he will make a statement. [90440]

Ms Estelle Morris: The Teacher Training Agency (TTA) published a new Corporate Plan for 1999–2002 on 6 July. This makes promoting the recruitment of teachers the Agency's top priority. The Plan includes an aim to increase the recruitment of members of ethnic minorities to initial teacher training (ITT) from the present 6 per cent. to 9 per cent.

The Agency has also persuaded the vast majority of providers to introduce an additional voluntary target for recruitment from the ethnic minorities. The average voluntary target for all primary and secondary ITT providers is 7 per cent. The TTA also allocates additional places to ITT providers if they achieve exceptional recruitment of ethnic minority trainees.

Pre-school Education

Miss Geraldine Smith: To ask the Secretary of State for Education and Employment what measures the Government are taking to encourage the expansion of pre-school education. [90368]

Ms Hodge: We already fund three terms of free nursery education places for all four year olds whose parents want it. Over the next three years, we are making available £390 million to fund free early education places for three year olds. By April 2002, the participation rate of

three year olds will be very nearly doubled to 66 per cent. In 1999–2000, about £40 million of this additional funding will be allocated to the 57 Local Education Authorities with the highest levels of social need, creating around 48,000 places. From April 2000, Funding will be distributed across all Local Education Authorities.

Age Diversity

Mr. O'Hara: To ask the Secretary of State for Education and Employment how much money has been spent on *(a)* producing and *(b)* promoting the Code of Practice on Age Diversity in Employment. [90705]

Mr. Andrew Smith: The initial consultation on the draft Code cost around £22,000. This includes the cost of designing, printing and distributing 21,000 copies of the consultation document and carrying out the consultation exercise.

Costs for the final version of the Code amount to £100,000. This includes the costs for printing and distribution of 35,000 initial packs of the Code and guidance, the production of publicity fliers and posters for display in Jobcentres, libraries and Citizens Advice Bureaux: and initial advertising in human resource journals. Beyond this, an additional £70,000 has already been committed to support initiatives by partners to take the Code forward with employers.

We are currently assessing the initial impact of the launch of the Code last month and will be developing a forward strategy to raise awareness and support employers who want to implement the principles of the Code.

I hope to make an announcement about the next phase of the Code's development in the autumn.

School Capital Investment (Stoke-on-Trent)

Mr. Stevenson: To ask the Secretary of State for Education and Employment what capital investment in schools in Stoke-on-Trent has taken place in *(a)* 1996–97, *(b)* 1997–98, (c)1998–99 and (d) 1999–2000 to date; and what the planned levels are for the next two years. [90785]

Mr. Charles Clarke: The information is shown in the following tables. Table A shows the capital investment the Government have made in schools in Stoke-on-Trent in the four years up to 1999–2000. Table B shows the level of investment the Government intend to make for the following two financial years, provided resources allow; this represents only commitments arising from existing projects; we cannot indicate what investment we will make to Stoke in respect of new projects. In 1996–97, Stoke was still part of Staffordshire; it is not possible to determine how much of the grant and credit approval allocated to Staffordshire LEA actually benefited schools in Stoke.

Table A: Expenditure in each year and the amount of government support

£000

	1997–97[1]	*1997–98*[1]	*1998–99*	*1999–2000*
LEA's Education Capital	n/a	[2]1,000	[3]1,313	n/a
Programme, supported by the following government initiatives:				
Annual Capital Guidelines[4]	n/a	196	335	552
Supplementary Credit Approvals[5]	n/a	89	95	607
New Deal for Schools[6]	n/a	900	1,159	2,681
Class Sizes	n/a	n/a	141	848
Removal of Outside Toilets	n/a	n/a	156	0
Energy Management	n/a	n/a	80	0
Security in Schools[7]	n/a	67	84	87
National Grid for Learning[7]	n/a	n/a	250	500
Grant to Voluntary Aided Schools (inc. Voluntary Aided Challenge Fund)[8]	16	379	800	613
Grant to Grant-maintained Schools	265	241	49	30

1996–97 and 1997–98: Annual Capital Guidelines, Supplementary Credit Approval, and VA grant: For 1996–97, Stoke was part of Staffordshire; it is not possible to disaggregate what credit approvals and grants would have benefited Stoke schools. New Deal for Schools, Reduction in Class Sizes, National Grid for Learning, and Security in Schools: None of these initiatives were running in 1996–97; nor, in 1997–98, were the initiatives for Class Sizes and the National Grid for Learning operational.

[2] LEA's Education Capital Programme: Please note, the total education programme is less than the sum total of the amounts allocated under government initiatives. This is because LEAs are not obliged to use credit approvals for the purposes for which they were allocated (see notes 3 and 4); also some of the grants are used for revenue purposes (see note 7).

[3] Education Capital Programme 1998–99: Please note, this figure is provisional only, based on estimates by the Department of the Environment, Transport and the Regions.

[4] Annual Capital Guidelines: This is used in the calculation of the LEA's Basic Credit Approval (BCA), where the LEA's capital receipts are taken into account. Just because a project has been taken account of in calculating the ACG, it does not mean that the LEA has to use its BCA for that purpose.

[5] Supplementary Credit Approval (SCA): Unlike BCA, receipts are not taken into account when calculating the level of SCA. However, unless the SCA specifically says otherwise, the LEA is not obliged to use the SCA for the purpose for which it was allocated.

[6] New Deal for Schools: Some of the grant figures for VA schools would have changed slightly in order to reflect the actual costs of the project.

[7] National Grid for Learning and Security in Schools: While the majority of the expenditure supported by the grant will be capital in nature, some will be revenue, and it is not possible to isolate the two elements.

[8] VA Grant: Capital grant is paid in respect of Governors' liability at a rate of 85 per cent. Actual amount of grant paid may change depending on the costs of project on tender.

Table B: Provisional Indicators: Amounts already committed as part of future ACGs and Grant provided resources allow

£000

To be part of:	*2000–01*	*2001–02*
Annual Capital Guideline	1,023	83
VA Grant	0	0
NDS Grant	712	0
Class sizes	238	0

Note:
In addition to all this, PFI Credits of up to £75 million have been allocated to support Stoke on Trent's PFI scheme to repair and maintain all maintained schools within the LEA. Stoke anticipate signing a contract by the end of this calendar year.

International Labour Conference

Mr. MacShane: To ask the Secretary of State for Education and Employment which Minister attended the 1999 ILO general conference; and on what days. [91139]

Mr. Andrew Smith: I attended and addressed the 87th Session of the International Labour Conference on 8 June 1999.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for Education and Employment how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91059]

Mr. Mudie: Between 1 May 1997 and 14 April 1999, 2,026 parliamentary questions have been tabled to the Department for written answer on a named day; 75 per cent. received a substantive reply on that day.

Home Tuition

Mr. Keetch: To ask the Secretary of State for Education and Employment what guidance he has issued to local education authorities on the provision of home tuition for children suffering post-traumatic stress as a result of bullying at school; and if he will make a statement. [90758]

Mr. Charles Clarke: We issued on 8 July to all local education authorities Circular 11/99, "Social Inclusion: the LEA role in Pupil Support". This offers advice, among other things, on arranging education for children out of school for any reason, including post-traumatic stress as a result of bullying.

School Exclusions (Drugs)

Mr. Clappison: To ask the Secretary of State for Education and Employment how many children have been excluded from schools as a result of possession or supply of controlled drugs on school premises in each of the last five years. [91134]

Mr. Charles Clarke: This information is not currently collected centrally. However, the Department will begin collecting this information in the autumn, for the current school year, 1998–99, as part of the Government's 10-year UK Anti-Drugs Strategy.

Mr. Clappison: To ask the Secretary of State for Education and Employment what guidance has been given by his Department to headteachers regarding the exclusion of pupils found *(a)* in possession of and *(b)* supplying controlled drugs while on school premises. [91131]

Mr. Charles Clarke: Circular 10/99, "Social Inclusion: Pupil Support", which was issued on 8 July this year, addresses these issues.

New Deal (Private Sector Companies)

Mr. Reed: To ask the Secretary of State for Education and Employment what criteria will be used by his Department in assessing the performance of private sector companies delivering the New Deal. [91206]

Mr. Andrew Smith: There are three main criteria on which I will base my assessment of the performance of private sector companies leading New Deal. Day to day performance is regularly reviewed against the individual delivery contracts; comparative performance between Units of Delivery is measured by the published core performance measures and the evaluation of New Deal will assess the effectiveness of different contracting strategies.

HOME DEPARTMENT

Kosovar Refugees

Angela Smith: To ask the Secretary of State for the Home Department when he expects Kosovar Albanians who came to the United Kingdom under the Humanitarian Evacuation Programme to return to Kosovo. [91007]

Mr. Mike O'Brien: Kosovar Albanians who came to the United Kingdom under the Humanitarian Evacuation Programme (HEP) were granted leave to enter in line with close family members already settled in the United Kingdom or granted exceptional leave to enter for 12 months to provide them with temporary shelter as requested by the United Nations Commissioner for Refugees (UNHCR). My right hon. Friend the Home Secretary, in his announcement about the change of policy to the HEP and the consideration of asylum applications from citizens of the Federal Republic of Yugoslavia (FRY) on 15 June, stated that no Kosovar Albanian would have their stay curtailed nor would they be required to leave the United Kingdom until it was safe to do so.

It is our intention to facilitate the return of any Kosovar Albanians who wish to return to Kosovo as soon as possible. In co-operation with voluntary organisations in the refugee sector, the British Red Cross, UNHCR and the International Organisation for Migration, we will be providing a voluntary return programme. We expect the first flight to take place in the week commencing 19 July. For those without passports, the necessary travel documentation will be provided for those on the return programme. The programme will be available to those FRY citizens from Kosovo who arrived on the HEP as well as those who arrived in the United Kingdom independently.

Prisons

Mr. Beith: To ask the Secretary of State for the Home Department what plans he has to introduce a system of

sanctions and rewards based on performance for public sector prisons, as considered by Her Majesty's Chief Inspector of Prisons in his 1999 report on HMP Wormwood Scrubs; and if he will make a statement. [90582]

Mr. George Howarth: The Prison Service already operates a system of performance-related pay for senior staff, which includes the governors of public sector prisons. In addition, the Prison Service has started to trial service delivery agreements which set clear targets for public sector prisons to deliver, both in terms of quantity and quality. These targets will translate into staff performance plans. A specific project has been established to explore further options to reward good, and sanction substandard, performance.

Mr. Beith: To ask the Secretary of State for the Home Department (1) what is his estimate of the extra capacity which will be added to existing prisons in each of the next five years; and if he will make a statement; [90584]

(2) what is his estimate of the number of new prisons which will be built in each of the next five years; and if he will make a statement. [90596]

Mr. George Howarth: The Prison Service is building four additional prisons over the next three financial years. In 1999–2000, two new prisons are due to open. Forest Bank, near Salford, will provide 800 places and Ashfield, near Bristol, will provide 400 places. In 2000–01, a new prison will open at Onley, Rugby, which will provide 600 places. In 2001–02, a new prison at Marchington, Staffordshire, will open providing 800 places. Subject to legal agreements, the Prison Service also has outline planning permission for two further new prisons at Peterborough and Ashford (Staines) and an application for a new prison at Maghull in Merseyside is awaiting determination by the local planning authority. No decision has yet been taken on the start dates.

The Prison Service is also providing an additional 1,100 new places at existing prisons in 1999–2000. No decision has been taken to build extra capacity at existing prisons beyond this period.

Mr. Beith: To ask the Secretary of State for the Home Department what plans he has to change procedures in his Department which relate to responding to details of serious problems in Prison Service establishments, with particular reference to those which are made in reports by Her Majesty's Chief Inspector of Prisons; and if he will make a statement. [90583]

Mr. George Howarth: Responses to the reports and recommendations of Her Majesty's Chief Inspector of Prisons are managed through a specific protocol which was introduced in November 1997. This requires a full response and action plan to be drawn up within 30 days of the publication of the report and updated at nine and 15 months afterwards. The original and updated action plan is sent to Ministers and to the Chief Inspector.

The protocol was not applied retrospectively. It is currently under review.

Mr. Beith: To ask the Secretary of State for the Home Department what action has been taken by Prison Service managers in response to the finding in Her Majesty's Chief Inspector of Prisons 1999 report on HMP Wormwood Scrubs that cell call alarms had been muted on A Wing in the prison; and if he will make a statement. [90588]

Mr. George Howarth: A governor's order was issued immediately after Her Majesty's Chief Inspector of Prisons' inspection which required managers to make regular checks on the system. The checks include both random and regular visual checks of alarm panels in wing offices. Staff have also been briefed directly by the governor and reminded of their personal responsibilities to respond to cell alarms. Notices to prisoners have been published and displayed on wing notice boards reminding prisoners that cell call systems are for emergency use only.

The broken mute switch referred to in the Chief Inspector's report has been repaired and the cell call system is now in full working order on A Wing.

Mr. Beith: To ask the Secretary of State for the Home Department if he will list those Prison Service establishments which are currently under special managerial attention; how long they are expected to remain under special managerial attention; and if he will make a statement. [90585]

Mr. George Howarth: The following Prison Service establishments are currently listed as requiring closer managerial attention:

Brockhill

Bullwood Hall

Chelmsford

Feltham

Glen Parva

Holloway

Parc

Wellingborough

Wormwood Scrubs.

All establishments are kept under review and no dates have been set for their removal.

Mr. Beith: To ask the Secretary of State for the Home Department what are the Prison Service's current projections for changes in the prison population in each of the next five years; and if he will make a statement. [90597]

Mr. George Howarth: The Research Development and Statistics Directorate of the Home Office provided revised projections of the prison population in England and Wales in May, and a summary of the projection is included in the April 1999 'Prison Population Brief' which is available on the Internet at http://www.homeoffice.gov.uk/rds/index.htm

Projections are provided according to various alternative scenarios. The middle variant projection assumes that Crown Court custody rates increase at 0.6 per cent. for males and 1.1 per cent. for females, and that sentence lengths increase by 0.2 months per year in the first two years (but by no more thereafter). A higher variant assumes that from 2001, in addition to the custody rate increases assumed in the middle variant, sentence lengths continue to increase after the first two years at 1.5 per cent. per annum for males and 2 per cent. per annum for females. The results are as given in the table.

These scenarios both assume that the amount of courts' business remains constant over the period. A third scenario, that sentence lengths and custody rates do not increase further, leads to a prison population of 67,400 by 2006. Projections take into account known legislative and policy changes.

Long term projections of male and female prisoners, projected through to 2006, England and Wales

	1999	*2000*	*2001*	*2002*	*2003*	*2004*	*2005*	*2006*
Higher variant: Total	64,900	67,000	68,800	70,000	70,800	72,000	73,500	75,000
Male	61,600	63,200	64,800	65,900	66,600	67,700	69,200	70,600
Female	3,300	3,800	4,000	4,100	4,200	4,300	4,300	4,400
Middle variant: Total	64,800	66,500	68,100	68,800	69,200	69,700	70,200	70,900
Male	61,600	62,900	64,300	64,800	65,200	65,600	66,100	66,700
Female	3,300	3,600	3,800	4,000	4,000	4,100	4,100	4,200

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what steps the Prison Service takes to monitor prisoners who are transferred from private to public prisons, with particular reference to the honouring of risk assessments conducted in private prisons. [90988]

Mr. George Howarth: Risk assessments on prisoners are prepared at prisons for a variety of purposes, including categorisation, sentence planning, release on temporary licence and home detention curfew. Contracted out prisons are subject to the same rules, procedures, guidance and policy for risk assessments as public sector prisons. Assessment processes at contracted out and public sector prisons are monitored during standards audits. Where prisoners transfer, the assessment will be the responsibility of the prison with final accountability for the decision in question, but in doing so, it would normally be expected to take into account any previous assessment undertaken by other prisons. Prisoners dissatisfied with decisions at contracted out or public sector prisons can make use of the request and complaints procedures.

Wormwood Scrubs

Mr. Beith: To ask the Secretary of State for the Home Department, pursuant to his oral statement of 28 June 1999, *Official Report*, column 28, on Wormwood Scrubs, on what date he asked Her Majesty's Chief Inspector of Prisons to re-inspect HMP Wormwood Scrubs within six months of the publication of the 1999 report on the prison. [90710]

Mr. George Howarth: The Chief Inspector indicated in the preface to his report his intention to return to Wormwood Scrubs in six months' time. The formal request made by my right hon. Friend the Home Secretary for him to do so was effective from the date of his statement to the House.

Mr. Beith: To ask the Secretary of State for the Home Department on how many occasions he and other Ministers in his Department have met representatives of the Prison Service to discuss the report of Her Majesty's Chief Inspector of Prisons on HMP Wormwood Scrubs published in 1997; and if he will make a statement. [90581]

Mr. George Howarth: My right hon. Friend the Home Secretary and the Minister with responsibility for prisons, my right hon. and noble Friend Lord Williams—and, until July 1998, my right hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin)—hold regular meetings with the Director General of the Prison Service in addition to quarterly performance meetings to discuss the Prison Service's quarterly performance reports. Issues arising from the reports of Her Majesty's Chief Inspector of Prisons are discussed at these meetings as appropriate. My right hon. and noble Friend Lord Williams also has regular meetings with other senior Prison Service officials and chairs the Prison Service Strategy Board which meets eight times a year.

Prisons (Hepatitis C)

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what estimate he has made of the percentage of the prison population with hepatitis C; and what *(a)* preventive measures are taken against and *(b)* treatment is available for hepatitis C in the Prison Service. [90425]

Mr. George Howarth: A voluntary, anonymous survey of HIV and hepatitis and risk behaviour was conducted in 1997–98 by the Public Health Laboratory Service at eight prisons. The survey found prevalence of hepatitis C to be 7.4 per cent. of the prison population overall.

The Prison Service has a strategy for preventing the spread of communicable diseases which covers training, education, prevention, risk reduction and harm minimisation. A pilot project on the provision of disinfecting tablets to reduce the risk of spreading hepatitis C through prisoners sharing injecting equipment has recently been completed. The Prison Service hopes to be able to extend this initiative across the remainder of the prison estate during the coming year. Advice and guidance is sent to prison governors and doctors on an ad hoc basis and covers the management of blood-borne viruses including hepatitis C. Every prison is expected to have a communicable diseases management team to deal strategically with the management, medical and social challenges involved.

The treatment available for prisoners with hepatitis C follows that provided to members of the general public by the NHS with decisions about initiating further investigations and treatment taken only by specialists.

Prison Service (Litigation)

Mr. Luff: To ask the Secretary of State for the Home Department if he will conduct a further study of the use by convicted criminals of small claims court procedures to take actions against the Prison Service. [91075]

Mr. George Howarth: My right hon. Friend the Home Secretary has asked the Prison Service to conduct an assessment of the extent of litigation of all types by

serving prisoners and to report to him by the end of July. We will decide whether any further study is necessary in the light of the results of this work.

Citizenship Applicants

Mr. Steinberg: To ask the Secretary of State for the Home Department what criteria are used to determine whether an applicant for citizenship is a political extremist. [90982]

Mr. Mike O'Brien: There are no such criteria. "Political extremism" is not a matter which is included in the guidance to staff on the good character requirement.

Race Relations Act (Review)

Mr. Salter: To ask the Secretary of State for the Home Department if he will publish the Government's response to the Commission for Racial Equality's Third Review of the Race Relations Act 1976. [91696]

Mr. Straw: I have today placed in the Library, a copy of the Government's response to the Commission for Racial Equality's Third Review of the Race Relations Act 1976. In deciding their response, the Government have taken into account the Better Regulation Task Force's report on anti-discrimination legislation and the Equal Opportunities Commission's proposals for updating the Sex Discrimination Act 1975 to which we are also responding today.

The Government recognise that although significant progress has been made since the Race Relations Act 1976 was introduced 23 years ago, there is much to be done before we achieve a truly inclusive society. Institutional racism, as highlighted by the Stephen Lawrence Inquiry report, has to be tackled in a number of ways, of which the legislative framework is only one.

The Government want the public sector to set the pace and lead by example. This approach is reflected in our response.

Prisons-probation Panel

Mr. Pike: To ask the Secretary of State for the Home Department what progress has been made on the appointment of a joint prisons-probation panel to accredit the design and delivery of work with offenders designed to reduce re-offending. [91697]

Mr. Straw: The following independent experts have been appointed to the Panel:

Panel members	
Mrs. Hilary Eldridge	Director, Lucy Faithfull Foundation
Dr. Dawn Fisher	Consultant Forensic Clinical Psychologist, Llanarth Court Psychiatric Hospital
Professor Don Grubin	Professor of Forensic Psychiatry, University of Newcastle upon Tyne
Dr. Moira Hamlin	Clinical Psychologist formerly with University of Bristol Health Trust
Dr. Norman Hoffman	Senior Adviser, Abt Associates Inc, Cambridge Massachusetts
Dr. Doug Lipton	Senior Research Fellow, National Development and Research Institutes Inc., New York
Professor Mike Maguire	Professor of Criminology & Criminal Justice, Cardiff University
Dr. Jancie Marques	Chief of Programme Development & Evaluation, California Department of Mental Health
Dr. William Murphy	Professor of Psychiatry, University of Tennessee
Dr. Frank Porporino	Senior Partner, T3 Associates, Ottawa, Canada
Professor Peter Raynor	Professor of Applied Social Studies, University of Wales, Swansea
Mr. Simon Shepherd	Clinical Psychologist and Chief Executive, European Association for the treatment of Addiction

The Panel will also include nominated representatives of the Home Office, the Prison Service, the Association of Chief Officers of Probation, and Her Majesty's Inspectorate of Probation.

The Panel will, under the Chairmanship of Sir Duncan Nichol, start work later this year.

Metropolitan Police Committee

Mr. McNulty: To ask the Secretary of State for the Home Department if he will publish the latest Annual Report and Annual Plan of the Metropolitan Police Committee; and if he will make a statement. [91698]

Mr. Straw: The Annual Report of the Metropolitan Police Committee for 1998–99, and the Annual Plan of the Committee for 1999–2000, are being published today.

The Report gives information about the advice and other work which the Committee have undertaken for the past financial year. The Plan sets out the work which the Committee aims to undertake on tasks which we have agreed that it will undertake, again to support me in my role as Police Authority in the current financial year. A major task is to help prepare for the Metropolitan Police Authority, planned for July next year.

Copies of the Report and Plan are being placed in the Library. The Chairman of the Committee is writing with copies to a wide range of interested people and organisations, including all Members with London constituencies, all Members of the European Parliament whose constituencies include London areas, all London Boroughs, all Police Community Consultative Groups and all Lay Visitor Panels.

I am grateful to Sir John Quinton, the Chairman of the Committee and all his colleagues for their advice and other assistance to me, and look forward in particular to working with them on the transition to the new arrangements for the governance of London's policing.

Drug-related Crime

Mrs. Ellman: To ask the Secretary of State for the Home Department if he will make a statement on the action he is taking to tackle drug-related crime. [91699]

Mr. Straw: I made an announcement earlier today and copies have been placed in the Library.

Animal Experiments

Mr. Shaw: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member

for Lewes (Mr. Baker) of 5 July 1999, *Official Report*, column *332*, what decision he has reached on whether there is a need to suspend, under the powers granted by section 13 of the Animals (Scientific Procedures) Act 1986, the certificate of designation held by Harlan UK Ltd. [91709]

Mr. George Howarth: Based on advice received from the Animals (Scientific Procedures) Inspectorate, I am satisfied that there are no grounds under section 13 of the Act to suspend the certificate of designation.

While the investigation into the allegations made against this establishment continues, it would be inappropriate for me to comment further at this stage.

Freedom of Information Bill

Mr. Baker: To ask the Secretary of State for the Home Department if he will list the respects in which the proposals within the draft Freedom of Information Bill represent an increased restriction on access to information. [90719]

Mr. Straw *[holding answer 13 July 1999]:* There are no proposals in the draft Bill which represent an increased restriction on access to information.

WALES

Deeside

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on objective 2 status for Deeside. [89670]

Mr. Hain *[holding answer 2 July 1999]:* New objective 2 areas will not be known for some time. The Government must first submit proposals to the European Commission for their approval. The Government have recently consulted widely on what our priorities should be. The National Assembly for Wales is fully involved in discussions.

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on assisted area status and its effects on Deeside. [89671]

Mr. Michael *[holding answer 2 July 1999]:* We have today announced our proposals for new assisted areas to operate from 1 January 2000. The proposals have been submitted to the European Commission, which must now agree the final areas. I am confident that our proposal represents a good deal for Wales, with 71.5 per cent. population coverage, and a good deal for Deeside, as can be seen from the proposals which I have today copied to all Welsh MPs and MEPs.

Higher Education

Mr. Llwyd: To ask the Secretary of State for Wales if he will list the number of university and higher education entrants from each county in Wales in *(a)* 1998–99 and *(b)* 1999–2000; and if he will make a statement. [89940]

Mr. Hain: The number of entrants to higher education courses at Higher Education Institution in Wales from each county in Wales for the academic year 1998–99, is provided in the following table. Data for 1999–2000 are not yet available.

Further and higher education funding is a matter for the National Assembly for Wales.

Number of entrants to higher education courses at Higher Education Institutions in Wales, by county, for the academic year 1998–99[1]

Unitary Authority	*Number of entrants*
Isle of Anglesey	405
Gwynedd	798
Conwy	542
Denbighshire	485
Flintshire	440
Wrexham	677
Powys	770
Ceredigion	837
Pembrokeshire	845
Carmarthenshire	1,563
Swansea	2,594
Neath Port Talbot	1,125
Bridgend	1,240
The Vale of Glamorgan	1,589
Cardiff	3,282
Rhondda, Cynon, Taff	1,819
Merthyr Tydfil	539
Caerphilly	1,608
Blaenau Gwent	357
Torfaen	855
Monmouthshire	952
Newport	877
Wales	24,199

[1] Provisional. Includes all higher education students in their first year of a particular programme of study.

Source:
Higher Education Statistics Agency, December Record 1998–99

ATTORNEY-GENERAL

Mr. Jay Abatan

Mr. Peter Bottomley: To ask the Attorney-General if he and the CPS will meet the hon. Member for Worthing, West in connection with the fatal attack in Brighton on Mr. Jay Abatan. [90748]

The Attorney-General: Criminal proceedings are currently being brought against two defendants following the incident which resulted in the death of Mr. Jay Abatan. So long as these matters remain sub judice it would not be proper for me, the Chief Crown Prosecutor, or his staff, to discuss the case with either the hon. Member, or his constituent who is a vital witness in the case. I understand that the Chief Crown Prosecutor for Sussex will be pleased to meet the hon. Member or his constituent when the case has been completed.

TRADE AND INDUSTRY

Millennium Compliance

Jacqui Smith: To ask the Secretary of State for Trade and Industry if he will make a statement on the progress being made by United Kingdom offshore oil and gas producers and oil companies to deal with the millennium bug. [91663]

Mr. Byers: DTI continues to fulfil the role of "responsible body" reporting to the Action 2000 National Infrastructure Forum on the preparations being made by the oil industry and UK's offshore oil and gas producers to avoid any disruption due to the Year 2000 threat to computer systems.

At the National Infrastructure Forum meeting in January 1999, the industry attracted an overall "amber" assessment against the standard colour code adopted by Action 2000. I am pleased to report that WS Atkins Consultants Ltd. have confirmed that the industry continues to make substantial progress both onshore and offshore.

In detail WS Atkins found that over 80 per cent. of the industry now merit a blue assessment (no identified risks of material disruption), and that the remainder are on track to attain that rating once work scheduled during the normal summer shutdown period has been completed, and that residual contingency planning and external dependency issues had been finalised.

The DTI has arranged for WS Atkins to carry out a further review at the end of September, to monitor progress on those outstanding issues and carry out a further programme of independent check visits to confirm that the scheduled work has been completed successfully. DTI will report on this work at the National Infrastructure Forum meeting in October 1999, and will continue to monitor the industry's progress throughout the millennium period.

A summary of their report has been placed in the Libraries of the House, and copies have been made available on the DTI internet site.

EC Voice Telephony Directive

Mr. Burstow: To ask the Secretary of State for Trade and Industry if he will set out the progress that has been made in implementing Article 8 of the EC Revised Voice Telephony Directive. [90789]

Mr. Wills: Article 8 of the Revised Voice Telephony Directive (RVTD) requires member states to take specific measures where appropriate to ensure equal access to, and affordability of, fixed public telephone services, including directory services for disabled users and users with special social needs. Regulations implementing Article 8 were made in 1998 (The Telecommunications (Open Network Provision) (Voice Telephony) Regulations 1998).

Following a consultation exercise in 1998, Oftel has proposed further specific measures to improve access to telecommunications for the disabled. The Government are planning to consult on the detail of these proposals later this year.

Industrial Development Advisory Boards

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what the arrangements are for remunerating the members of Industrial Development Advisory Boards for expenses that arise in the exercise of their duties. [90659]

Mr. Wills: Members of the Industrial Development Advisory Board and the Regional Industrial Development Boards are entitled to claim travel and subsistence expenses incurred in attending Board meetings or on visits on behalf of the Board. Expenses are reimbursed at the rates applicable to senior civil servants.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what the policy of his Department is on decisions taken by members of the Industrial Development Advisory Boards which do not reflect the priorities of his Department. [90665]

Mr. Wills: The Regional Industrial Development Boards are kept informed of the Departments priorities, eg as most recently set out in the Competitiveness White Paper (Cmnd. 4176). My colleagues and I consider carefully the advice of the Regional Industrial Development Boards before reaching our decisions on regional selective assistance applications.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what procedures his Department follows to ensure that conflicts of interest cannot arise in the case of the *(a)* members of the Industrial Development Advisory Boards and *(b)* those who advise them. [90666]

Mr. Wills: In the case of members of the Industrial Development Advisory Board and the Regional Industrial Development Boards, guidance from the Office of the Commissioner for Public Appointments is followed to ensure that any potential conflict of interest is recognised.

Officials who advise Board members are bound by the Civil Service Code which states that civil servants should not misuse their official position or information acquired in the course of their official duties to further their private interests or those of others.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry if he will amend the membership criteria of the Industrial Development Advisory Boards to include representatives of elected bodies, trade union organisations and sub-regional development organisations. [90657]

Mr. Wills: The Industrial Development Advisory Board is appointed under Section 10 of the Industrial Development Act 1982. By virtue of Section 10(3) of the Act, the Board is to include

> "persons who appear to the Secretary of State to have wide experience of, and to have shown capacity in, industry, banking, accounting and finance".

The Chairman and members of the Regional Industrial Development Boards (RIDBs) are selected for their regional knowledge of industry and commerce. I have made it clear that the RIDBs should take account of the strategic economic focus which is being provided by the new Regional Development Agencies in giving their advice on regional selective assistance cases.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what guidance he has given the Industrial Development Advisory Boards on responding to approaches from hon. Members prior to the consideration of applications for regional selective assistance. [90667]

Mr. Wills: Hon. Members should approach my colleagues and me on issues which they consider relevant to an application for regional selective assistance.

North West Industrial Development Board

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry (1) if he will list the members of the North West Industrial Development Board and the dates of their appointment; [90660]

(2) when he next intends to announce an appointment to the North West Industrial Development Board. [90651]

Mr. Wills: The members of the North West Industrial Development Board and the dates of their appointment are as follows:

Members	*Date of appointment*
Mr. Raymond Armstrong	1 January 1999
Mrs. Lorraine Clinton	1 May 1998
Mrs. Christine Coates	1 January 1993
Mr. John Dixon	1 August 1997
Mr. John Hancock	29 March 1995
Mr. David McCall	1 August 1997
Mr. Kirit Pathak	1 January 1999
Mr. Anthony Pilkington	1 January 1994
Mr. Anil Ruia	1 January 1994
Mr. Anthony Strachan	1 August 1998

At the present time, there are no definite dates for the announcement of further appointments to the Committee.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry if he will list the persons who have attended each of the last 12 meetings of the North West Industrial Development Board when applications for regional selective assistance have been under discussion. [90661]

Mr. Wills: The attendees of the last 12 meetings of the North West Industrial Development Board are listed on the table. Please note that meetings were not held in October or November 1998.

NWIDB Attendance: May 1998–June 1999

	May	*June*	*July*	*August*	*September*	*December*	*January*	*February*	*March*	*April*	*May*	*June*
Board Members												
G. Elliott	Yes	Yes	Yes	No	Yes	Yes	No	No	No	No	No	No
J. Dixon	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
P. Hynd	Yes	Yes	No	No	Yes	Yes	No	No	No	Yes	No	No
D. McCall	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
A. Pilkington	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
A. Strachan	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	No	Yes
R. Armstrong	No	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes
L. Clinton	No	Yes	Yes	No	No	No	No	No	No	No	No	Yes
C. Coates	No	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No	Yes
A. Ruia	No	Yes	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
J. Hancock	No	No	Yes	Yes	No	Yes	No	Yes	Yes	No	Yes	Yes
K. Pathak	No	No	No	No	No	No	Yes	No	Yes	No	Yes	Yes
Officials												
D. Rae	No	No	No	No	Yes	No	No	No	No	No	No	No
D. Higham	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
P. Styche	Yes	Yes	Yes	No	No	No	No	No	No	No	No	No
D. Harrison	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
C. Rushby	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes
J. Lappin	Yes	No	No	No	No	No	No	No	No	No	No	No
A. Davis	No	No	No	No	No	Yes	No	No	No	No	No	No
J. Long	Yes	Yes	Yes	Yes	Yes	No	No	Yes	No	Yes	Yes	No
D. Cooke	No	No	No	No	No	Yes	Yes	No	Yes	Yes	No	Yes
M. McCrae	Yes	No	No	No	Yes	No	No	No	No	No	No	No
P. Money	No	No	No	No	No	Yes	No	No	No	No	No	No
L. Fallows	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
C. Aspey	No	No	No	No	No	No	No	Yes	No	No	No	No
P. Dobson	No	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	No	Yes	Yes
H. Nicholson	No	Yes	No	No	No	No	No	No	No	No	No	No
I. Wright	No	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	No
M Henesey	No	Yes	No	No	No	No	No	No	No	No	No	No
S. McKeow	No	No	Yes	No	No	No	No	No	No	No	No	No
F. Duffy	No	No	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
O. Davies	No	No	No	Yes	No	No	No	No	No	No	No	No

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry (1) what guidance he gives to members of the North West Industrial Development Board on the exercise of their responsibilities on behalf of the Secretary of State; [90662]

(2) what guidelines he has given to members of the North West Industrial Development Board on the policy of his Department towards the allocation of regional selective assistance to areas of high unemployment in the North West of England. [90664]

Mr. Wills: Members of the North West Industrial Development Board, the other Regional Industrial Development Boards and the Industrial Development Advisory Board give advice to Ministers from a commercial perspective on higher value RSA cases, within the RSA Scheme criteria.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry on how many occasions in each of the last five years decisions taken by the North West

Industrial Development Board have been subject to amendment by the Secretary of State under the Industrial Development Act 1982. [90663]

Mr. Wills: There has been one such occasion.

Regional Selective Assistance

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry if he will list by name of recipient all allocations of regional selective assistance in the last five years to organisations in the North West of England, the value of the assistance and the date of the allocation, in development and intermediate areas separately. [90668]

Mr. Wills: As the list requested runs to some 900 companies, I will write to my hon. Friend and place a copy of that letter in the Libraries of the House.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry in what circumstances pressures from competitors on UK commercial undertakings can be taken into account by the members of industrial development advisory committees or those advising them when considering applications for regional selective assistance. [90652]

Mr. Wills: Applicants are only eligible for regional selective assistance if they are making new investments. As well as the viability of the project, competition and job displacement are factors taken into account when considering applications.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what statistics are collected by his Department in respect of rejections of applications for regional selective assistance which lead to the cancellation of the proposed investment projects and a consequential loss of potential jobs. [90653]

Mr. Wills: The Department keeps a record of all regional selective assistance applications. It is not part of the scheme procedures, however, to continue contacts with unsuccessful applicants, and subsequent developments are not, therefore, routinely recorded.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what estimate his Department has made of the number of jobs or potential jobs lost as a result of refusals of applications for regional selective assistance which have led to the cancellation of the proposed investment in each of the last three years. [90654]

Mr. Wills: No estimate has been made. It is reasonable to assume, however, that the figure would be small. Within available funds, the Department gives a sympathetic hearing to any eligible application and the main reasons for rejection are either on grounds that a project will proceed in any event without grant or that a project is not viable and would not, therefore, provide sustainable jobs.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what estimate his Department has made of the cost of regional selective assistance per job created in the North West of England in the last five years. [90655]

Mr. Wills: The average cost per job resulting from Regional Selective Assistance offers accepted in the North West over the last five years is £4,019.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry on how many occasions in the last five years members of the North West Industrial Development Advisory Committee or those who advise them have had to stand aside from the consideration of regional selective assistance applications for reasons of either personal or professional conflict of interest. [90656]

Mr. Wills: There have been nine occasions of such instances as quoted by my hon. Friend.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry when he next intends to review the workings of the Industrial Development Act 1982 in relation to the allocation of regional selective assistance. [90658]

Mr. Wills: I have no plans to review the workings of the Industrial Development Act 1982 for this purpose.

Miners (Compensation)

Dan Norris: To ask the Secretary of State for Trade and Industry how long ex-miners will have to wait for payments once they have been assessed as eligible under the compensation scheme. [91161]

Mr. Battle: Details of the time-scales for claimants passing through the various stages of the assessment process for Chronic Obstructive Pulmonary Disease have still to be finalised. However, the intention is that individuals will receive an offer of compensation within 28 days of their detailed medical assessment having been completed and their eligibility for compensation established. Payment will then be made within 14 days of written confirmation that the offer has been accepted.

Dan Norris: To ask the Secretary of State for Trade and Industry how many claimants he estimates will use the ex-miner compensation lung-test centre facility in Bristol; and when he expects testing of those people to be concluded. [91160]

Mr. Battle: To date a total of 108 claimants have been assessed at the Bristol spirometry centre and a further 19 claimants, who have yet to respond to a letter of invitation, remain to be tested. In addition, 12 claimants in the Bristol area have provided doctors' letters which mean they will receive domiciliary visits.

Trade Mission (Turkey)

Mr. Reed: To ask the Secretary of State for Trade and Industry which Ministers and Officials will be accompanying the outward mission to Turkey in September; and at what cost. [91177]

Mr. Wilson: British Trade International is supporting two outward missions to Turkey in September:

Business Link Bedfordshire: 13–17 September

Defence Manufacturers Association: 28 September-1 October.

No Ministers or Officials from my Department will accompany either mission.

Radioactive Waste

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what quantities of spent fuel have been imported from Spain, and on what dates; what safeguards

arrangements cover the fuel; and what commitments there are to return the radioactive waste arising from reprocessing the fuel to Spain. [91171]

Mr. Battle: The timing and quantities of spent fuel imported to Sellafield for specific customers are a commercial and operational matter for BNFL and their customers. All civil nuclear material in the United Kingdom is subject to Euratom safeguards and to the terms of the UK/Euratom/IAEA safeguards agreement. Since 1976 all new contracts for the reprocessing of overseas spent fuel have contained options for the return of wastes. BNFL's overseas reprocessing contracts prior to 1976, including those with Spanish utilities, do not contain return of wastes options.

Post Office Appointments

Rev. Martin Smyth: To ask the Secretary of State for Trade and Industry how many people have been recruited to the Post Office in the past 12 months from outside Northern Ireland; and what was their perceived religion. [91000]

Mr. Ian McCartney: I am informed that the hon. Member refers to recruitment to the Post Office within Northern Ireland. I understand from the Post Office that in the last 12 months it has not recruited anyone to fill a position in Northern Ireland who has recorded an address outside Northern Ireland.

Manufacturing Jobs (Northern Region)

Mr. Steinberg: To ask the Secretary of State for Trade and Industry if he will list the number of manufacturing jobs in the Northern Region in May of each year since 1979. [91006]

Mr. Battle: Information on a consistent basis is available from June 1982 and is shown in the table. Estimates for May are not available as the data are collected quarterly. The estimates refer to the former North standard statistical region, which comprised the counties and former counties of Cleveland, Durham, Northumberland, Tyne and Wear and Cumbria.

Year (June)	*Employee jobs in manufacturing, not seasonally adjusted*
1982	300,033
1983	272,535
1984	259,224
1985	260,229
1986	254,788
1987	254,120
1988	259,208
1989	258,890
1990	252,979
1991	239,463
1992	230,377
1993	218,251
1994	225,630
1995	227,592
1996	239,870
1997	236,213
1998	225,270

Biotechnology Industry

Joan Ruddock: To ask the Secretary of State for Trade and Industry what estimate he has made of the value of public investment in the biotechnology industry in *(a)* 1998–99 and *(b)* 1999–2000 (i) in total and (ii) as a percentage of total investment in the industry. [87768]

Mr. Battle: This information is not available from official statistics.

DTI and Research Council expenditure on support for technology transfer and innovation in the biotechnology industry is estimated at:

£12.8 million for the year 1998–1999; and

£15.6 million for the year 1999–2000.

These figures do not include expenditure by other Departments or by the Research Councils on basic research in the bio-sciences. The figures do include Research Council co-funding of LINK programmes.

Figures are not available for the total investment; but dedicated UK biotechnology companies themselves invested an estimated £319 million in R&D in 1997–78.

Source:

UK biotech '97—making the right moves, Arthur Andersen.

Takeovers Directive (Spanish Reservation)

Mr. Bercow: To ask the Secretary of State for Trade and Industry if he will make a statement on the *(a)* nature and *(b)* consequences of the Spanish Gibraltar-related reservation on the designation of competent authorities for the Takeovers Directive; and what representations he has (i) received and (ii) made on the issue. [90396]

Mr. Ian McCartney: At the Internal Market Council on 21 June Spain maintained a general reserve on the proposed Takeovers Directive in respect of the designation of authorities for supervising bids in accordance with the Directive. Her Majesty's Government are considering currently whether any change to the relevant clause could be made which would safeguard Gibraltar's rights, while meeting Spanish concerns over the Directive. I have received no representations on this issue. Her Majesty's Government are liaising closely with the Government of Gibraltar and our European partners to find a solution which is acceptable to all parties.

INTERNATIONAL DEVELOPMENT

Debt Relief

9. **Mr. Corbyn:** To ask the Secretary of State for International Development what policies are being followed by her Department to prevent debt-relieved countries becoming indebted again. [89760]

Clare Short: The revision to the HIPC Initiative, which we hope will be finalised at the annual meeting of the World Bank and the IMF in September, will provide more debt relief to countries following sound pro-poor policies. This will increase the likelihood of countries achieving a permanent exit from their debt problems.

We provide all our aid through grants, not loans, and are encouraging others to do the same. We are also working to try to ensure that export credits are not provided for non-productive expenditure.

We are working with the World Bank and the IMF to bear down on corruption and to ensure that the Bank and the Fund support economic policy and social spending that benefit the poor.

13. **Ms Ryan:** To ask the Secretary of State for International Development what contribution her Department is making to the Government Review of the Heavily Indebted Poor Countries Initiative. [89764]

Clare Short: We are working closely with the Treasury to influence the Heavily Indebted Poor Countries (HIPC) Review being carried out by the World Bank and the International Monetary Fund. In the first phase, we submitted a joint paper on the need for faster, deeper and wider debt relief, and I am pleased that there is now an international consensus that more debt relief is required for countries committed to eradicating poverty. The second phase of the Review is currently under way and is examining how the link between debt relief and poverty reduction can be strengthened. We have recently submitted a further joint DFID and Treasury paper to the Review team, setting out our ideas and proposals. Decisions on this will be taken at the Annual Meetings of the IMF and the World Bank in September. Both papers are available in the Library.

15. **Sir Sydney Chapman:** To ask the Secretary of State for International Development if she will report progress in tackling and reducing the debt of the heavily indebted poorer countries, following the Cologne summit. [89766]

Clare Short: The Cologne Debt Initiative represents a major step forward in the effort to remove the debt burden of the poorest countries. We welcome the commitment to a major improvement in the Heavily Indebted Poor Countries (HIPC) Initiative so that it delivers faster, wider and deeper debt relief to countries committed to eradicating poverty. If agreed at the annual meetings of the World Bank and the IMF, the HIPC initiative will provide twice as much debt relief, twice as quickly. It is also important that there was a call to cancel outstanding aid debts. These amount to $20 billion owed to the G7 countries alone. The UK has already cancelled the aid debts of the poorest countries, and we are pressing others to follow our lead. The UK has also made the largest pledge to the Millennium Trust Fund—a total of $171 million. It is important that everyone plays their part in funding the enhanced debt relief, and we are calling on the European Commission to make a substantial contribution.

22. **Mr. Heppell:** To ask the Secretary of State for International Development what recent discussions she has had with NGOs on the progress of the heavily indebted poor countries initiative. [89773]

Clare Short: I regularly meet representatives from the NGOs to discuss key development issues including debt. At a meeting last month with the Directors of those NGOs which form the British Overseas Aid Group (BOAG), we discussed the G7 initiative on debt launched at the Cologne Summit. We also considered the second phase of the HIPC Review, which is examining how the link between debt relief and poverty reduction can be strengthened.

Serbia

10. **Mr. Randall:** To ask the Secretary of State for International Development what humanitarian aid her Department is providing for Serbia. [89761]

Mr. Foulkes: We provide humanitarian assistance wherever it is needed, but it is essential to verify need and proper use. Applying these principles in Serbia is difficult in view of limited independent access. We shall consider requests for assistance through international humanitarian organisations. ECHO have allocated a total of 26.5 million euros for humanitarian assistance to Serbia, of which the UK share will be some £2.5 million.

Nigeria

11. **Mr. Worthington:** To ask the Secretary of State for International Development if she will make a statement about development assistance being given by her Department and the European Union to aid the return of Nigeria to democracy. [89762]

Clare Short: Britain and the EU provided significant support to the transition process which led to President Obasanjo's inauguration in May and the return of Nigeria to democracy.

The challenge for the new Nigerian government is to redirect their resources towards growth and development aimed at removing inequalities and eliminating poverty. International assistance will be needed. Britain and the EU are ready to help Nigerian government efforts to bear down on corruption and adopt reforms that benefit the poor.

AIDS

12. **Mr. Alan W. Williams:** To ask the Secretary of State for International Development what help the Government are providing to tackle the spread of AIDS in developing countries. [89763]

Clare Short: We are supporting HIV/AIDS work in 39 developing countries. We are also working with UNAIDS and other UN agencies to develop a more co-ordinated and intensified global response. We are funding research into development of new methods of protection against HIV, such as microbicides and an HIV/AIDS vaccine.

Sub-Saharan Africa

14. **Mrs. Fyfe:** To ask the Secretary of State for International Development what spending on aid for sub-Saharan Africa by her Department *(a)* was in 1997–98, *(b)* is in the current year and *(c)* is planned to be in 2000–01. [89765]

Clare Short: Bilateral country programme expenditure in sub-Saharan Africa in 1997–98 was £332.36 million. A firm figure for 1998–99 is not yet available, but expenditure is estimated to be at least £400 million. Planned outturn figures for 1999–2000 and 2000–01 are expected to be £450 million and £477 million respectively. In addition,

we make substantial contributions to multilateral organisations, where our share of assistance in 1997 amounted to £217 million, much of which is spent in Africa.

World Poverty

16. **Mr. David Stewart:** To ask the Secretary of State for International Development what progress she is making with her plans for halving world poverty by 2015. [89767]

Clare Short: Great progress has already been made this century—more people have climbed out of poverty in the last 50 years than in the previous 500—but we must continue with our efforts at every level to meet this ambitious target. The plans for halving world poverty by 2015 are in place and set out in the 1999 Departmental Report, working both with our partners in country and internationally. It is achievable if the international system works together. It requires greater coherence of aid, trade, environment, agriculture and economic reform policies. We are engaging positively with all our partners to this end.

Balkans

19. **Mr. Pike:** To ask the Secretary of State for International Development what additional requests for aid she has received since March for those countries in the Balkan area affected by the Kosovo conflict. [89770]

Clare Short: Requests for international assistance from countries affected by the Kosovo crisis have been handled within the framework of Donor's Conferences.

We have responded through our contributions to the EU and World Bank pledges which, to date, total some $200 million to Albania and $250 million to Macedonia. Bilaterally, we have committed £90 million in humanitarian assistance, much of which has been spent in Albania and Macedonia. We have also committed £10 million for technical assistance to the Governments of Albania and Macedonia to help strengthen their capacity to take forward key reforms and to help them absorb international assistance through improvements to their budgetary planning and assessment processes.

We expect that the proposed regional Stability Pact will provide a framework for discussing the regeneration of the Balkan region. The EU will be a key participant in this process and in the international reconstruction effort in Kosovo.

Kashmir

20. **Mr. Hammond:** To ask the Secretary of State for International Development what plans she has to visit the Indian sub-continent before the end of the year to discuss the consequences of the conflict in Kashmir. [89771]

Clare Short: I visited India in March, before the start of the present fighting in Kashmir. I have no plans at present to visit the sub-continent again before the end of the year.

Kosovo

21. **Mr. Robathan:** To ask the Secretary of State for International Development if she will make a statement on the aid which she plans to make available for the reconstruction of Kosovo. [89772]

Clare Short: The EU, with the support of the World Bank, will assume leading responsibility for reconstruction within the overall UN-led civil implementation structure. They are co-ordinating damage and needs assessment and will organise donor conferences over the coming months to mobilise the necessary international effort. We contribute to EC funds and also intend to provide technical assistance to try to ensure that EC funds are well spent.

24. **Helen Jones:** To ask the Secretary of State for International Development what measures her Department is taking to support reconstruction in Kosovo, with particular reference to assistance with mine clearance. [89776]

Clare Short: The EU, with the support of the World Bank, will assume responsibility for reconstruction within the overall UN-led civil implementation structure. They will organise donor conferences over the coming months to mobilise the international effort. We are working to ensure that the arrangements for managing EU assistance are effective.

We have already committed over £1.7 million in support of humanitarian mine actions and we are ready to do more through the United Nations Mine Action Co-ordination Centre (MACC) Kosovo programme.

St. Helena

23. **Mr. Bob Russell:** To ask the Secretary of State for International Development what plans she has to visit the island of St. Helena to discuss improved transport links. [89774]

Clare Short: I have no plans to visit St. Helena. Later this month, the St. Helena Government will be receiving the Final Report of the preliminary desk study into the viability of air access to St. Helena. We will then discuss the report and possible changes in the scheduling of the RMS St. Helena with them.

Central America (Hurricane Mitch)

25. **Mr. Corbett:** To ask the Secretary of State for International Development what action her Department is taking to assist countries in central America with reconstruction after Hurricane Mitch. [89777]

Clare Short: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for St. Helens, North (Mr. Watts) on 16 June 1999, *Official Report*, column *177*.

Montserrat

26. **Barbara Follett:** To ask the Secretary of State for International Development what her assessment is of the current humanitarian situation on the island of Montserrat. [89778]

Clare Short: The situation has improved considerably since the height of the volcanic activity in 1997. Accommodation has been or will have been provided by the end of the year for approximately 850 households—370 direct build houses, 338 self-build houses and permanent accommodation for 130 elderly people. Consideration is currently being given to providing the necessary infrastructure for a further 220 houses. It is

intended that all those remaining in shelters will be given the opportunity to build their own homes or move into direct-build housing by March 2001.

We are supporting a health development programme to support the delivery of primary and secondary health care and to improve public health standards. Additionally, a major upgrade of the St. John's hospital is to be completed in August 1999. We are also assisting with the continued provision of education. A more targeted, comprehensive means-tested social support system is being developed to replace the current universal welfare scheme. Major investments have also been made to upgrade the infrastructure in the north of the island, including improvements to the roads, power and water supply and waste disposal.

These measures will continue to be built upon, in the context of the Montserrat Country Policy Plan for the period 1998–99—2000–2001 agreed between HMG and the Government of Montserrat, to which DFID is contributing £75 million.

IMF

27. **Mr. John Cryer:** To ask the Secretary of State for International Development what assessment she has made of the impact of IMF structural adjustment programmes on the economies of the third world. [89779]

Clare Short: Last year's review of the IMF's Enhanced Structural Adjustment Facility (ESAF) recommended that the IMF should take more account of the social impact of their programmes, consider the quality of government expenditure and protect budgets in high priority areas such as health and education. We strongly welcomed this and are encouraging the IMF to work more closely with the World Bank to ensure that, in designing structural adjustment programmes, they take account of the impact on the poor. Following a proposal put forward by the UK, the World Bank is working with the IMF and the UN to develop good principles and practices of social policy, which will be drawn upon in the design of World Bank and IMF programmes. We continually emphasise the need for the IMF to build support for reform programmes, through discussion and consultation with civil society, so that they lead to economic growth which benefits the poor. A report on the implementation of the recommendations of the ESAF Review is expected in September.

Illegal Drugs

28. **Mrs. Ann Winterton:** To ask the Secretary of State for International Development what plans her Department has for additional measures aimed at encouraging developing countries to reduce the production and supply of illegal drugs. [89780]

Clare Short: We provide assistance to control the production of illicit drugs where this is part of sustainable policies for development. Current projects include support to farmers for alternative development in Pakistan, Peru and Bolivia; projects to reduce the demand for illicit drugs in South East Asia and Peru; and training and institution building projects for the Customs and the Police in the Caribbean. We will consider opportunities for the inclusion of drugs-related elements in current and future programmes, and we will continue to work with multilateral institutions which provide assistance to drugs-related activities.

Water Supplies

29. **Mr. Quinn:** To ask the Secretary of State for International Development what assistance Her Majesty's Government have given to assist in water distribution in those areas of the world suffering from drought and rationing of water supplies. [89781]

Clare Short: DFID provides support in a number of ways to assist in addressing drought. Good management of water resources and drought preparedness planning are essential to mitigate the impact of drought. We are currently funding projects in a number of countries, including Zimbabwe and South Africa, to assist governments in such planning. DFID also actively supports the work of the UN agencies and the Global Water Partnership in long-term sustainable use of freshwater resources at country and regional levels. We provide direct assistance in the provision of water supplies in situations of drought. Recent examples of support include projects implemented by non government organisations such as Save the Children Fund (UK) and International Committee of the Red Cross in Malawi, Zimbabwe, Lesotho, Guyana, and Bolivia.

EC Development Assistance

Ms Squire: To ask the Secretary of State for International Development what steps her Department is taking to improve the quality, effectiveness and poverty focus of EC development assistance. [89768]

Clare Short: There can be no doubt that the EC's development assistance programmes are not sufficiently poverty focused and are often ineffective. This is why we published a strategy paper at the end of last year containing 18 detailed proposals for strengthening our collaboration with the EC to improve the poverty focus and effectiveness of its programmes. We are pursuing implementation of this strategy vigorously, and I shall be making a speech in Brussels at the end of July setting out a reform agenda to strengthen the EC's role as we enter the new millennium.

The share of EC official development assistance going to the poorest countries has fallen from 75 per cent. in 1987 to 50 per cent. in 1997. The UK has proposed that for the proportion of EC official development assistance going to low-income countries should increase each year from 2000 to 2006, reaching 70 per cent. by 2006.

We will seek to ensure that poverty elimination is at the heart of the successor to the current Lomé Convention which provides the framework for the EU's aid, trade and political relations with 71 Africa, Caribbean and Pacific countries.

We will also seek to work with other member states and the Commission to implement the Council Conclusions on the Evaluation of the EC's development assistance programmes. These Conclusions were adopted at the Development Council on 21 May and provide a good basis to take the steps necessary to improve the EC's effectiveness.

UN Development Programme

Rev. Martin Smyth: To ask the Secretary of State for International Development what estimate she has made of the impact on international poverty alleviation of making available the United Nations Development Programme's estimated requirement of $80 billion in the current year. [89769]

Clare Short: The United Nations Development Programme, together with other UN organisations and the World Bank, has calculated that $80 billion per year would mean basic social services would be available to everyone in the world in the next 15 years. This would have an enormous impact on international poverty reduction and achievement of the International Development targets, particularly in the areas of health and education. Current international overseas development assistance is $50 billion.

The United Kingdom Government have made firm financial provision for an additional £1.6 billion of development assistance over the years 1999–2000—2001–02. But it is increasingly clear that aid spending is effective in reducing poverty only when sound policies are in place in recipient countries. Where this is lacking, aid is best spent on technical assistance to support reform and support for civil society so that it is able to press for the adoption of policy to reduce poverty.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for International Development how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91063]

Clare Short: Between May 1997 and 14 April 1998, 457 questions were tabled to my Department for a written answer on a named day; 95 per cent. received an answer on that day.

Child Labour

Mr. MacShane: To ask the Secretary of State for International Development what contribution her Department is making in the ILO's special programme for the eradication of child labour. [91141]

Clare Short: The ILO's special programme for the eradication of child labour—known as the International Programme for the Elimination of Child Labour (IPEC)—has been supported by a central donation and country based collaboration from the Department as follows:

- $1 million towards the "core" activities of the IPEC programme in 1998–99;
- £58,000 for a baseline study of child labour in Tanzania in 1998–99 and preliminary planning expertise in 1999–2000;
- £750,000 over three years for collaborative work with Save the Children Fund in Pakistan, ILO/IPEC, Pentland Plc, the Sialkot Chamber of Commerce on removing children from the Football Stitching industry in Sialkot 1998–99 to 2000–01;
- £2.75 million to the IPEC programme in the Indian State of Andhra Pradhesh, 1998–99 to 2000–01;
- £100,000 to IPEC's Asia programme for collaborative initiatives to prevent child trafficking programme, 1997–98;
- £35,000 for IPEC preparatory work on child trafficking in Asia, 1998–99.

Somalia

Mrs. Ray Michie: To ask the Secretary of State for International Development what steps are being taken to secure representation for Somalia in the negotiations on the successor to the Lomé Convention. [91090]

Mr. Foulkes: Somalia does not have a government and is not formally represented in the negotiations on a new convention. However, we are concerned that the Somali people should be able to benefit from Lomé. As part of the negotiations, we are therefore considering, with our EU partners, how to take account of countries like Somalia, who are members of the Lomé family but are not able to sign or ratify any future agreement. We are pressing hard to ensure that an equitable solution is reached.

Tobacco

Mr. Streeter: To ask the Secretary of State for International Development what steps her Department is taking to prevent growth in the number of deaths due to smoking in the developing world. [91198]

Mr. Foulkes: We view with great concern the estimate by the World Health Organisation (WHO) that, if current trends continue, tobacco will be the leading cause of disease burden by 2030, causing about one in eight deaths, and that 70 per cent. of tobacco-related deaths will be in developing countries. We strongly support the priority given to tobacco control by WHO through its "Tobacco Free" initiative, and the efforts to establish an International Framework Convention (ITC) for tobacco control.

Mr. Streeter: To ask the Secretary of State for International Development what steps her Department is taking to work towards a global ban on tobacco advertising. [91199]

Mr. Foulkes: We are committed to co-operating with other Governments in the establishment of an International Framework Convention (IFC) on tobacco control, which includes advertising. We have indicated our support to the World Health Organisation (WHO), who are co-ordinating this work and are discussing with them Britain's role in the first intergovernmental meeting to discuss the development of the framework. We are contributing £200,000 this financial year to WHO's "Tobacco Free" initiative.

Nepal

Mr. Ian Bruce: To ask the Secretary of State for International Development what assistance is being given to Nepal to help improve its educational infrastructure. [89775]

Clare Short: Our Country Strategy Paper, a copy of which will be sent to the hon. Gentleman, highlights low levels of education as one of the main causes of poverty in Nepal. A large number of donors are active in the sector. Many are involved in primary education. We are working with the Asian Development bank to raise the quality of secondary education. We are also promoting community literacy by helping local NGOs to improve their delivery of literacy training. We plan to work with

Government, donors and civil society to promote a more co-ordinated approach to addressing needs across the entire education sector.

DEFENCE

Tour Intervals

Mr. Keith Simpson: To ask the Secretary of State for Defence what is the average interval between operational tours for (i) Infantry battalions, (ii) Royal Armoured regiments, (iii) Royal Logistical Corps units, (iv) Adjutant-General Corps units and (v) Royal Army Medical Corps units. [85914]

Mr. Doug Henderson *[holding answer 8 June 1999]:* In the past three years, tour intervals (in months) for Infantry battalions, Royal Armoured regiments, Royal Logistical Corps units and Royal Army Medical Corps units have been as follows:

Arm/service	*1996–97*	*1997–98*	*1998–99*
Infantry	21	22	27
Royal Armoured Corps	25	19	30
Royal Logistical Corps	18	18	12
Royal Army Medical Corps	—	—	—
Field Ambulance	24	37	30
Field Hospital	12	12	12

The Adjutant General Corps deploy as individuals, rather than in units and there are therefore no recorded unit tour intervals.

For the current year (1999–2000), the interval would depend on the circumstances of the individual unit and the overall level of commitment; however, if there is a continuation of existing levels of commitment and undermanning this would be likely to result in tour intervals (in months) for 1999–2000 as follows:

Arm/service	*1999–2000*
Infantry	15
Royal Armoured Corps	12
Royal Logistical Corps	11
Royal Army Medical Corps	—
Field Ambulance	20
Field Hospital	12

These statistics reflect an unprecedented level of commitment. We are actively seeking to reduce the Army's level of commitment, specifically in Bosnia, and particularly for those arms and services that are most heavily committed, with a view to reducing overstretch.

MOD Hospital Units

Mr. Key: To ask the Secretary of State for Defence if *(a)* terms and conditions of service of his Department's employees and *(b)* arrangements for priority treatment of service personnel are laid out in (1) legally binding contracts or (2) Service Level Agreements at his Department's hospital units at (i) Peterborough, (ii) Frimley Park and (iii) Derriford; and if he will make a statement. [88422]

Mr. Doug Henderson *[holding answer 28 June 1999]:* Revised Customer Supplier Agreements (CSA) are being introduced to replace the Service Level Agreements (SLAs) existing with the host NHS Trusts for our Ministry of Defence Hospital Units (MDHUs) at Derriford, Peterborough and Frimley Park. The new financial model underpinning the CSAs is explained in Health Services Circular 1999/112 and is also being used for the CSA at our new MDHU at Northallerton. The agreements will not include details of the terms and conditions of service for military personnel. However, provision will exist in the agreements for the release of military personnel for operations, exercises and training. The agreements also include a commitment to the achievement of DSCA Key Targets 2 and 3, as set out on 20 May 1999, *Official Report*, column *436*, and to the operational priority treatment of patients referred under specific criteria.

Mr. Key: To ask the Secretary of State for Defence if he will place in the Library copies of the contracts or Service Level Agreements governing relations between the relevant NHS trusts and his Department's hospital units at *(a)* Peterborough, *(b)* Frimley Park and *(c)* Derriford. [88424]

Mr. Doug Henderson *[holding answer 28 June 1999]:* Following detailed discussions with the NHS during 1997 and 1998, the principles of a new Service Level Agreement (SLA) have been developed to form a revised contract from 1999–2000 at the three existing Ministry of Defence Hospital Units (MDHUs) at Peterborough, Frimley Park and Derriford and at the new MDHU Northallerton. This model will also form the basis of all future MOD contracts relationships with the NHS for hosting staff or providing treatment. The new contract model which has been agreed with all partner NHS Trusts in principle, was published in a Health Circular 1999/112 dated 21 May 1999 and will form the basis of the agreements which will replace the existing SLAs. It is expected that the contracts between MOD and individual NHS Trusts will be signed shortly after minor financial negotiations have been completed. These contracts embody commercial arrangements between each Trust and the MOD negotiated on an individual basis and so I am withholding them under exemption of the Code of Practice on Access to Government Information (Effective Management and Operations of the public service). However, a copy of Health Circular 1999/112 dated 21 May 1999 has been placed in the Library of the House.

Married Quarters

Mr. Key: To ask the Secretary of State for Defence if he will list *(a)* the number of married quarters, *(b)* the number empty and *(c)* the vacancy rate as a percentage in each year since 1992. [90629]

Mr. Spellar *[holding answer 12 July 1999]:* The information requested is given in the table.

DHE occupancy and voids tracking—by financial year

Date	*(a) Total stock*	*(b) Total void*	*(c) Void percentage*
1991–92	74,109	11,180	15.09
1992–93	70,806	10,809	15.27
1993–94	70,320	11,789	16.76
1994–95	70,586	13,464	19.07
1995–96	70,409	13,943	19.80

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DHE occupancy and voids tracking—by financial year

Date	(a) Total stock	(b) Total void	(c) Void percentage
1996–97	65,800	13,142	19.97
1997–98	64,238	13,225	20.59
1998–99	62,420	13,568	21.74

Since its inception in 1985, the Defence Housing Executive has disposed of 8,000 properties and has targets to dispose of some 2,000 a year thereafter. Despite this disposal programme the total number of voids has remained fairly constant over recent years because of falling Service demand for family accommodation and decisions awaited on future deployments arising out of the Strategic Defence Review.

Out of the current total voids stock of some 13,568, 3,360 are temporarily vacant awaiting incoming Service occupants. A further management margin has to be allowed to cater for family size, work location and family choice in relation to schooling etc. 1,930 properties are temporarily empty while undergoing refurbishment and modernisation. A further 2,000 properties are in the process of return to Annington Homes Ltd., for sale or demolition. The remaining stock is being assessed under a long-term housing plan in relation to military need and condition from which further disposal decisions will be made.

Mr. Key: To ask the Secretary of State for Defence if he will list by grade the condition of married quarters in *(a)* England and Wales, *(b)* Scotland, and *(c)* Northern Ireland giving the totals for (i) each grade and (ii) each of *(a) (b)* and (c); and what percentage the total of each grade represents of the whole stock. [90628]

Mr. Spellar *[holding answer 12 July 1999]:* The grading of condition of married quarters, which is established for rent purposes, is as follows:

England, Wales and Scotland

Grade	Number	Percentage
1	27,942	44
2	22,414	36
3	8,857	14
4	3,985	6
Total	63,195	

Northern Ireland

Grade	Number	Percentage
1	106	4
2	1,299	43
3	1,206	40
4	376	13
Total	2,987	

These figures do not refer solely to the condition of a property. They are based on a points system which identifies deficiencies and size and also takes into account the remoteness of the location to essential services.

The figure for Scotland is not separately maintained. The Defence Housing Executive has additionally, for the internal programming and prioritising of upgrade projects, put in place a marking system which is based on the Standard 1 for Condition definition, and which allocates points for a total of 106 property attributes dealing with for example Building Fabric, Kitchens, Energy Efficiency, etc. The worst marking of each individual group of the Standard becomes the overall Standard for the house for work scheduling. This is a very exacting standard which enables major deficiencies to be easily assessed and programmed.

A stock condition survey has been undertaken to support and inform the Upgrade programme. This has been analysed by the marking system which prioritises against the deficiencies in the property and not simply its overall condition. For example,

99.1 per cent. of the Building Fabric section complies with Standard 1

98.0 per cent. of Bedrooms comply with Standard 1

85.1 per cent. comply with Security requirements for Standard 1

59.0 per cent. of Kitchens comply with Standard 1

51.8 per cent. comply with Energy Efficiency requirements for Standard 1.

DHE now has in place Regional Upgrade Construction Contractors and Project managers to progress the upgrade programme aimed at achieving Standard 1 for Condition in the major part of the Housing Estate by 2005.

St. Malo Accord

Mr. Bercow: To ask the Secretary of State for Defence if he will make a statement on progress made in *(a)* planning for non-combatant evacuation operations, *(b)* organising joint exercises, *(c)* improving links between operational headquarters, *(d)* co-ordinating naval deployments, *(e)* exchanging information on peacekeeping activities, *(f)* millennium computer compliance solutions, *(g)* common resourcing of logistics and *(h)* arrangements for dealing with the media in the light of the St. Malo Accord; which units, offices and desks are involved; and when the next ministerial meeting to discuss these issues is planned. [89822]

Mr. George Robertson: Signature of the Letter of Intent on crisis management and operations has allowed good progress to be made in co-operation with France, as shown particularly in Kosovo operations. Specific examples of co-operation covered by the Letter of Intent are: the posting of liaison officers into operational headquarters; the attachment of HMS Somerset, and latterly HMS Grafton, to the French FOCH Carrier Task Group in the Adriatic during the Kosovo conflict; the joint signing ceremony in New York on 25 June of Memoranda of Understanding between our respective Governments and the UN on troop availability for UN peacekeeping operations; and co-operation on media handling during the Kosovo conflict.

Airborne Surveillance Capability

Mr. Cann: To ask the Secretary of State for Defence what steps the Government are taking to improve the UK's airborne surveillance capability. [90174]

Mr. Spellar: We are improving the UK's airborne surveillance capability in several ways. We have announced our intention to buy ASTOR, a high technology airborne ground surveillance system, which will substantially enhance our current capability. We are also

procuring RAPTOR, a long-range reconnaissance sensor pod to be fitted to Tornado GR4, which will provide a day/night real time capability. We are modifying the radar in the E-3D sentry aircraft to counter improvements in stealth technology and missile capabilities and we are also upgrading the electronic reconnaissance capability of the Nimrod R. Also, in addition to the Phoenix Unmanned Aerial Vehicle, UAV system, which has already successfully entered service, we are considering procurement of further UAV systems for surveillance purposes.

Single Currency

Mr. Duncan Smith: To ask the Secretary of State for Defence how much spending his Department *(a)* has incurred to date and *(b)* forecasts it will incur on preparations for possible United Kingdom entry into the European single currency; and if he will make a statement. [91181]

Mr. George Robertson *[holding answer 13 July 1999]:* Any costs incurred to date would have been minor and accommodated within existing budgets. Their extent is not known centrally. Work is in train to establish processes for the identification and forecasting of possible future costs.

Chinook

Mr. Hancock: To ask the Secretary of State for Defence if he will list the reports on the US Army's experience of Chinook incidents and accidents which his Department has evaluated in the last 12 months. [90417]

Mr. Doug Henderson: Over the last 12 months, the US Army have issued the following Safety of Flight Messages (SoFM) and Aviation Safety Action Messages (ASAM) as a result of incidents and accidents to their CH47 fleet. Each message has been evaluated for applicability to the RAF HC Mk 2/2A Chinooks and where appropriate the action taken is described as follows:

ASAM—CH-47-98-ASAM-05 dated 17 September 1998—de-restricting the CH 47 fleet from roll on landings. Same details repeated within CH-47-ASAM-99-05 dated 22 April 1999.

MOD Action taken—issue of Servicing Technical Instruction (STI) STI/CHINOOK/318A dated 3 March 1999.

SoFM—CH-47-99-01 dated 30 January 1999—Main rotor synchronisation shaft bearing support bracket—check for adequate clearance.

MOD Action taken—issue of Preliminary Warning Instruction (PWI) PWI/CHINOOK/293 dated 27 May 1999.

ASAM—CH-47-99-ASAM-01 dated 9 February 1999—Mandatory maintenance requiring a one time inspection of Lag Dampers.

MOD Action taken—issue of PWI/CHINOOK/288A dated 4 June 1999.

ASAM—CH-47-99-ASAM-02 dated 16 February 1999—Mandatory maintenance requiring modifications to Boost Actuators.

MOD Action Taken—None required, no applicability, RAF only use post modified Boost Actuators.

ASAM—CH-47-99-ASAM-03 dated 23 February 1999—One time and recurring inspection of hoist/cargo hood control panel and water intrusion in cockpit.

MOD Action Taken—Awaiting advice from Boeing on applicability to RAF Chinook.

ASAM—CH-47-99-ASAM-04 dated 16 March 1999—CH47D and 47E Fwd and Aft Longitudinal Cyclic Trim Yoke Bushing—Inspection and aircraft manual changes.

MOD Action Taken—None required—MOD already has adequate inspection procedures in place within the HC Mk2/2A aircraft maintenance manuals.

My Department has also evaluated an extract from the United States Army investigation report of a non-fatal Chinook incident in which the aircraft suffered an uncommanded 360 degree barrel roll. This incident result in ASAM CH-47-99-02 detailed above where no remedial action was required as the Chinook Mk2s in service with the RAF have an improved standard of actuators fitted which overcome the suspected cause of the US army incident.

Kosovo Deaths

Mr. Ottaway: To ask the Secretary of State for Defence what were the type of explosives that killed Lieutenant Gareth Evans and Sergeant Balam Rai in Kosovo; and if UK forces have been fully trained in the techniques and methods of disarming these explosives. [90392]

Mr. George Robertson: The munitions were from CBU 87 cluster bombs. As it is not possible to disarm this type of munition, the method for disposal is to destroy them. All troops deploying to theatre are briefed on the correct procedures should they encounter mines, unexploded ordnance or other explosive devices.

HEALTH

Waiting Times (By-pass Surgery)

Dr. Cable: To ask the Secretary of State for Health what changes there have been to the waiting times for heart by-pass surgery in each health trust since his answer of 18 March 1999, *Official Report*, columns *736–38*. [87851]

Mr. Hutton: Information on waiting lists by specialty are published quarterly in "Hospital Waiting List Statistics: England", copies of which are available in the House of Commons Library.

Drugs

Mr. Peter Bradley: To ask the Secretary of State for Health how many drugs have appeared in the NHS category D list in each of the last six months; and what is the average number of drugs which have appeared in the list over the last 12 months. [90052]

Mr. Denham: Between February 1999 and July 1999 the number of category D entries appearing in the Drug Tariff published by The Stationery Office each month were:

Month (1999)	*Number*
February	46
March	79
April	74
May	76
June	109
July	131

The average number listed per month between August 1998 and July 1999 was 60.

Suffolk Health Authority

Mr. Spring: To ask the Secretary of State for Health if he will list the *(a)* income and expenditure deficit or surplus and *(b)* the recurring deficit or surplus for Suffolk Health Authority for each of the past five years up to and including 1999–2000. [90360]

Mr. Denham: The information available is given in the table.

The income and expenditure surplus/(deficit) and recurring surplus/(deficit) for Suffolk Health Authority

£000

Year	Surplus/(deficit) for the financial year	Recurring surplus/(deficit)
1995–96	(3,698)	(3,601)
1996–97	(4,300)	(9,271)
1997–98	(178)	(9,449)
1998–99	[1]—	[1]—
1999–2000	[1]—	[1]—

[1] Not available

Notes:

1. 1993–94 is not comparable with subsequent years as the accounts included the provision of services which were transferred upon the establishment of a trust.
2. 1996–97 and 1997–98 are not comparable with previous years due to change in accounting policy and a reorganisation of health bodies. Departmental funding from cash drawing to an accrual figure.
3. Latest available figures are for 1997–98, therefore there are no figures for 1998–99 or for 1999–2000.

Sources:

Annual accounts of district health authorities 1993–94 to 1995–96
Annual accounts of the health authorities 1996–97 to 1997–98

Embryonic Stem Cells

Mr. Amess: To ask the Secretary of State for Health if he will make a statement on the controls on the importation of embryonic stem cells; and what estimate he has made of the number of such cells imported in the past year. [90624]

Ms Jowell: Research involving the removal of cells such as stem cells from human embryos is subject to strict control under the Human Fertilisation and Embryology Act 1990. Such research would require a licence from the Human Fertilisation and Embryology Authority (HFEA). The importation of human embryos is also subject to the provisions of the Act.

The provisions of the 1990 Act do not extend to established cell cultures of embryonic origin. Such cell lines, including embryonic stem cells may be imported and used without requiring a licence from the HFEA.

Emergency Admissions

Mr. Paul Marsden: To ask the Secretary of State for Health if he will list by health authority the total number of emergency admissions in each year since 1992; and if he will make a statement. [90401]

Mr. Hutton: Figures for the years 1992–93 to 1997–98 have been placed in the Library.

Nurses' Pay

Dr. Tonge: To ask the Secretary of State for Health if he will take steps to limit the fees which NHS trusts may pay to nurses working for nursing agencies. [90528]

Mr. Denham: We are unaware of any occasions where National Health Service trusts have paid nurses fees while they are working for nursing agencies. Agency staff are normally paid directly by their agency, who in turn are paid by NHS trusts.

The NHS Executive is working with the Social Partnership Forum to review the use of bank and agency staff and alternative approaches to employment flexibility, with a view to recommending good practice guidance to NHS employers.

Cloning

Mr. Amess: To ask the Secretary of State for Health when the new Commission of Inquiry into the HFEA/HGAC recommendations on cloning will be appointed. [90836]

Ms Jowell: I hope to announce the membership of the Chief Medical Officer's expert advisory group shortly.

Care Homes

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Peterborough (Mrs. Brinton) of 6 July 1999, *Official Report*, column *498*, concerning national standards for care homes, what the closing date for the consultation will be. [90925]

Mr. Hutton: The consultation exercise has not yet begun. People will be given three months from the issuing of the consultation pack in which to submit their comments.

Public Health Development Fund

Mr. Hesford: To ask the Secretary of State for Health if the proposed Health Development Agency will be responsible for spending from the new Public Health Development Fund. [90739]

Ms Jowell: The Public Health Development Fund will be administered by the Department.

Health Development Agency

Mr. Hesford: To ask the Secretary of State for Health what steps he will take to ensure that the proposed Health Development Agency will be able to operate independently of Government when exercising its public health monitoring functions. [90740]

Ms Jowell: We anticipate that the Health Development Agency will have the status of a Special Health Authority and operate at arm's length from the Department. The Agency will be accountable to my right hon. Friend the Secretary of State for the delivery of its agreed work programme and objectives.

CULTURE, MEDIA AND SPORT

Museums

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport if he will list the museums that have benefited from capital funding from the National Lottery and the amount which they have received. [90613]

Mr. Alan Howarth: Current records show that National Lottery distributors have awarded a total of £588 million of capital funding to 526 museum projects. I have placed a full list of projects, with the amounts awarded, in the Libraries of the House.

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport how many hits the 24 Hour Museum website has received since it was launched. [90610]

Mr. Alan Howarth: In the period from its launch on 13 May to 4 July 1999, the 24 Hour Museum website received 3,436,155 hits.

Libraries

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the *(a)* number and *(b)* percentage of local libraries that have IT capabilities. [90618]

Mr. Alan Howarth: The latest statistics on use of ICT in public libraries were collected late in 1997 and showed the following trends in the then 191 UK library authorities:

	Percentage
Use of computerised book issue and discharge systems	95
Computerised catalogue system	75
Service points with public access to online catalogue	48
Public access to CDRom databases	85
Service points with access to Internet for public use	5

The Library and Information Commission is currently updating these data as part of the development of the Public Library ICT Network, which will link all public libraries, where practicable, to the National Grid for Learning by 2002.

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport how much National Lottery money has been spent to date on grants for library ICT projects. [90617]

Mr. Alan Howarth: Lottery funding totalling £70 million for the ICT training of public library staff and the digitisation of material to support lifelong learning will be available through the New Opportunities Fund (NOF) from early 2000. A related £200 million NOF programme for Community Access to Lifelong Learning, focusing substantially on the development of the public library IT network and community grids for learning, will be the subject of consultation later this year.

Digital Television

Mr. Llew Smith: To ask the Secretary of State for Culture, Media and Sport if he will list the number and location of sites in Wales that can and will provide digital television services; and how many television viewers in Wales will not be covered by digital service transmitters. [90738]

Janet Anderson: Nine transmitters sites located in Wales are included in the launch phase for digital terrestrial television. They are as follows: Aberdare, Blaenplwyf, Carmel, Kilvey Hill, Llanddona, Moel-y-Pac, Pontypool, Pressely and Wenvoe.

Coverage across each of the six multiplexes from the nine Welsh transmitters in the launch phase is as follows:

Welsh transmitter	*Percentage*
BBC	70
ITV/Channel 4	63
SDN (including Channel 4 and S4C)	60
MUX B ONdigital	77
MUX C ONdigital	31.5
MUX D ONdigital	31

British Library

Mrs. Ewing: To ask the Secretary of State for Culture, Media and Sport what is his estimate of the building costs of the new building for the British Library; and if he will estimate the value of contracts associated with this construction with companies based in *(a)* London, *(b)* the South East of England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland. [90858]

Mr. Alan Howarth *[holding answer 13 July 1999]:* The British Library St. Pancras project is working to a cash estimate of £511.1 million. The final figure may increase slightly when all the outstanding claims and final accounts have been settled. Some 160 contracts were let for the project which was completed two years ago. The construction cost data were not collected by company on a regional basis but by type of product.

CABINET OFFICE

Anti-discrimination Legislation

Ms Shipley: To ask the Minister for the Cabinet Office if he will make a statement on the Government's response to the Better Regulation Task Force review of anti-discrimination legislation. [91665]

Dr. Jack Cunningham: I have today placed copies of the Government's formal response to the Better Regulation Task Force review of anti-discrimination legislation in the Libraries of the House. The Task Force has made a timely, constructive and challenging contribution to the Government's thinking on these highly important issues. The Government are committed to eliminating all unlawful discrimination, and have accepted the majority of the Task Force proposals. We believe this response to the Task Force, in tandem with our responses today on similar issues to the proposals put forward by the equality Commissions, sets out in the strongest possible terms our commitment to a modern and diverse society.

The Government have accepted the Task Force's main recommendation, that a major legislative overhaul is not necessary at this stage, either in relation to the individual regimes, or in bringing them together. However, the Government agree that much more can be done to make the existing regimes work more effectively, by setting a lead in their own actions as policy makers, a service provider and employer; by encouraging the equality Commissions to act in a more targeted, strategic and joined-up manner; and by encouraging business to seize the initiative and adopt best practices more widely in this area.

To help businesses comply, the Government will further encourage the Commissions to consult with employers on producing simple, clear advice and guidance which everyone (especially small and medium employers) can quickly and easily act upon. This will include clarifying employer obligations in some key areas. Our Civil Justice and Legal Aid Reforms, along with the new Community Legal Service, will help ensure that ordinary citizens will have better and fairer access to justice.

Access Business Group

Ms Dari Taylor: To ask the Minister for the Cabinet Office what changes there have been to the membership of the Access Business Group, set up to consider how central and local governments' regulatory advice and service can be made more transparent, accessible and helpful. [91666]

Mr. Kilfoyle: The Access Business Group was set up in July 1997 under my chairmanship. I have recently invited my hon. Friend the Financial Secretary to the Treasury to join the group in view of the importance of small businesses to the Government's growth and productivity agenda. The other members are the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Mansfield (Mr. Meale) and my hon. Friend the Minister for Small Firms, Trade and Industry, in addition to Teresa Graham of the Better Regulation Task Force and Councillor John Ryan OBE, (Barnsley MBC) of the Local Government Association.

Data Series

Jackie Ballard: To ask the Minister for the Cabinet Office what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90530]

Mr. Kilfoyle: The Cabinet Office carried out a staff attitude survey in May 1999. The information that respondents were asked to provide included details of age, gender, ethnic origin and disability, and analyses of these categories were included in the survey's findings.

Civil Servants

Mr. Alasdair Morgan: To ask the Minister for the Cabinet Office if he will list the number and percentage of civil servants employed at each grade in *(a)* Scotland, *(b)* England, *(c)* London, *(d)* the South East of England, *(e)* Wales, *(f)* Northern Ireland and *(g)* the United Kingdom in total at the latest available date. [90861]

Mr. Kilfoyle: Numbers and percentages of staff in the Home Civil Service in the areas and responsibility levels[1] specified are set out in tables 1 and 2. The full detail requested is not available for all staff. However, estimates covering 97 per cent. of permanent non-industrial staff in the Home Civil Service are set out in tables 3 and 4.

[1] Responsibility levels are an approximate assignment of staff to a level of seniority broadly equivalent to the former service-wide grades.

Table 1: Staff in the Home Civil Service, by responsibility level—April 1998, UK

Level	*Staff numbers*
Permanent non-industrial	430,460
of whom:	
Senior Civil Service	3,720
Level 6–7	21,130
SEO/HEO	70,060
EO	105,070
AO	164,040
AA	66,440
Permanent industrial	32,800
Casual staff	17,670
All-staff	480,930

Source:
Civil Service Statistics

Table 2: Staff in the Home Civil Service, by area—April 1998

	Scotland	*England*	*London*	*Rest of South East*	*Wales*	*Northern Ireland*	*UK*[1]
Permanent non-industrial staff	41,940	356,150	83,960	50,500	23,030	3,360	430,460
Permanent industrial staff	3,500	22,130	1,410	6,590	3,460	1,740	32,800
Casual staff	1,930	40,160	2,310	1,840	1,270	100	17,670
All staff	47,370	418,440	87,680	58,930	27,760	5,200	480,930

[1] Includes staff in departments not on Mandate database

Source:
Civil Service Statistics and Mandate

Table 3: Civil servant numbers by grade and area. Permanent, non-industrial civil servants—April 1998

	Scotland	*England*	*London*	*Rest of South East*	*Wales*	*Northern Ireland*	*UK*[1]
Senior Civil Service	260	2,640	1,800	140	130	10	3,720
Level 6–7	1,410	16,980	6,890	2,220	820	90	21,130
SEO/HEO	5,440	56,500	15,830	9,190	2,470	500	70,060

Table 3: Civil servant numbers by grade and area. Permanent, non-industrial civil servants—April 1998

	Scotland	England	London	Rest of South East	Wales	Northern Ireland	UK[1]
EO	11,530	82,780	16,960	12,990	5,310	780	105,070
AO	16,080	133,930	21,900	18,470	9,950	1,150	164,040
AA	7,560	52,320	9,230	7,020	4,540	1,010	66,440
All grades[1]	42,320	348,900	72,690	50,090	23,240	3,530	430,360

[1] Includes staff in departments not on Mandate database

Source:
Mandate

Grade profile of each area. Permanent, non-industrial civil servants—April 1998

Percentage

	Scotland	England	London	Rest of South East	Wales	Northern Ireland	UK[1]
Senior Civil Service	0.6	0.8	2.5	0.3	0.6	0.2	0.9
Level 6–7	3.3	4.9	9.5	4.4	3.5	2.4	4.9
SEO/HEO	12.8	16.2	21.8	18.4	10.6	14.1	16.3
EO	27.3	23.7	23.3	25.9	22.8	22.1	24.4
AO	38.0	38.4	30.1	36.9	42.8	32.4	38.1
AA	17.9	15.0	12.7	14.0	19.5	28.5	15.4

[1] Includes staff in departments not on Mandate database

Source:
Mandate and Civil Service Statistics

Civil Service Salaries

Mr. Alasdair Morgan: To ask the Minister for the Cabinet Office if he will list the current average salary by Civil Service grade. [90862]

Mr. Kilfoyle: The average[1] salaries for non-industrial civil servants at 1 April 1998 are:

£

Responsibility level[2]	*Average salary*
Senior Civil Service	56,120
Grades 6 and 7	37,520
SEO/HEO	23,850
EO	17,670
AO	13,140
AA	10,850

[1] Annual full-time equivalent salary including basic pay and pay related allowances

[2] Responsibility levels are an approximate assignment of staff to a level of seniority broadly equivalent to the former service wide grades

Source:
Cabinet Office—Civil Service Statistics 1998

Departmental Salaries

Mr. Alasdair Morgan: To ask the Minister for the Cabinet Office if he will list the number of his Department's employees by United Kingdom region, indicating the wage bill *(a)* in total and *(b)* by region in the most recent year for which figures are available, separately identifying the costs of London allowances and weightings. [90864]

Mr. Kilfoyle: Information in respect of the Department's agencies is not held centrally and could be provided only at disproportionate cost. Therefore this response relates to the core Department only.

The Cabinet Office employed 1,130 staff during financial year 1998–99. All staff are based in the south east of England. The vast majority of staff are located in central London, although there are small regional offices in Norwich and Basingstoke.

The wage bill for the Department during this period was £37,404,000. This figure includes National Insurance and superannuation costs.

London allowances were consolidated into basic pay with effect from 1 August 1997 and therefore it is not possible to provide a separate figure for these costs.

Ministerial Drivers

Mr. Baker: To ask the Minister for the Cabinet Office how many drivers allocated to Ministers have been *(a)* stopped, *(b)* cautioned, *(c)* charged and *(d)* convicted of motoring offences since 1 May 1997, giving in each case (i) the nature of the offence, (ii) the date of the offence and (iii) the minister to whom the driver was allocated. [91273]

Mr. Kilfoyle: Responsibility for this matter has been delegated under the terms of the Framework Document to the Government Car and Despatch Agency. I have asked its Chief Executive, Mr. Nick Matheson, to write to the hon. Member.

Letter from Nick Matheson to Mr. Norman Baker, dated 14 July 1999:

The Parliamentary Secretary has asked me in my capacity as Chief Executive of the Government Car and Despatch Agency to reply to your Parliamentary Question about the number of this Agency's drivers who have been convicted of motoring offences since 1 May 1997.

The Agency only holds records for motoring convictions. It does not hold any information about drivers who have been stopped, cautioned, or charged but not successfully prosecuted with motoring offences. Since 1 May 1997 only one driver has been convicted of

two speeding offences whilst on official duty. Both convictions are dated 2 April 1999. I am reluctant to name the minister to whom the driver was allocated at the time because it would be easy to identify the individual concerned and this would constitute an invasion of privacy.

Single Currency

Mr. Lansley: To ask the Minister for the Cabinet Office how much expenditure his Department has *(a)* incurred to date and *(b)* forecast to be incurred, on preparations for possible United Kingdom entry into the European single currency; and if he will make a statement. [91089]

Dr. Jack Cunningham: Following the publication of the Government's Outline National Changeover Plan my Department is considering what preparations may be necessary.

PRIME MINISTER

Engagements

Mr. Ian Bruce: To ask the Prime Minister if he will list his official engagements for Wednesday 14 July. [89793]

The Prime Minister: This morning I had meetings with Ministerial colleagues and others. In addition to my duties in the House I will have further such meetings later today.

EU Meetings

Mr. Norman: To ask the Prime Minister whether he will list the meetings which have taken place in the last month between his adviser on European affairs and EU ambassadors; and for each meeting, if he will list those who accompanied him, and specify the purpose of the meetings. [90121]

The Prime Minister: A number of civil servants and special advisers in my office provide me with information and advice on European matters. In the past month, in addition to attending the meetings I hold with EU ambassadors, my advisers have had bilateral discussions on matters of mutual interest with the Danish and Spanish ambassadors. There was also a meeting with the Swedish Ambassador to discuss the situation in Kosovo.

Arms Exports (Eritrea)

Mr. Bercow: To ask the Prime Minister if he will make a statement on his Government's response to the involvement of a British company in an arms consignment destined for Eritrea, seized at Antwerp on 7 February; what assistance has been supplied *(a)* to that company and *(b)* to the national authorities involved; and what changes to departmental procedures have resulted. [86643]

The Prime Minister: We have no information on the seizure of an arms consignment on 7 February in Antwerp. But we are aware that a shipment of goods originating in Germany, destined for Eritrea, was seized by Belgian Customs authorities in Antwerp in August 1998. The Belgian Embassy in London notified us in November 1998 that a British company was involved in organising the shipment. The matter is currently before the Belgian courts.

The British company, JMT Charlesworth Ltd., applied in 1997 for a DTI-funded Export Marketing Research Scheme grant. The grants are open to British companies with less than 500 employees wishing to research specific overseas markets and are payable after the work has been successfully completed. This was a legitimate request and the company received a grant of just over £1,000 following their study of the market for used, refurbished trucks for sale to Eritrea and Ethiopia. Since the seizure of the shipment the company has received no assistance from the British Government.

In line with our ethical foreign policy we supported UN Security Council Resolution 1227 of 10 February 1999 which demanded a cessation of hostilities between Ethiopia and Eritrea and called for a voluntary arms embargo. We announced on 15 February that the United Kingdom had implemented this arms embargo. We were also instrumental in the adoption by the European Union of a common position on 15 March 1999 implementing an EU arms embargo on Ethiopia and Eritrea.

Human Rights

Sir Richard Body: To ask the Prime Minister if he will list those countries held by the Government to be in breach of the Universal Declaration of Human Rights. [90920]

The Prime Minister: While the Universal Declaration was not itself a legally binding treaty, it set the framework for human rights obligations in the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESR). The ICCPR has been ratified by 143 states and the ICESR by 141 states. The UK ratified both these Treaties within 7 months of their coming into force in 1976. UN independent expert committees monitor the performance of individual states under these Treaties. The committees report their findings publicly, including failures of implementation. But neither they nor we attempt comparative assessments on what are wide ranging obligations.

South Africa

Sir Richard Body: To ask the Prime Minister if he will make a statement on the discussions held by his advisers in South Africa in January on the issue of reconciliation; which policy advisers were involved; whom they met; what topics of United Kingdom interest were discussed; and what policy changes ensued. [90943]

The Prime Minister: I was accompanied by the Head of my Policy Unit and my policy advisers on criminal justice, and health and local government. As part of the ongoing and wide-ranging dialogue between the United Kingdom and South Africa, my advisers, together with FCO officials, had discussions with advisers in the Deputy President's office. These discussions, which took place in the run up to the recent elections, focused on the challenges facing an incoming Administration committed to a reforming agenda.

Civil Wars

Sir Richard Body: To ask the Prime Minister if he will list those civil wars since May 1997 in which

he *(a)* made a decision to intervene and *(b)* decided against intervention; and if he will list the nature of the military intervention in each case. [90921]

The Prime Minister: Preventing and resolving violent conflict, including internal conflict, is a key foreign policy objective for this Government. Since May 1997 we have worked actively with our partners in the Security Council, European Union and elsewhere to find diplomatic solutions to conflicts around the world. Militarily, we have taken action with our NATO partners in Kosovo to prevent an overwhelming humanitarian catastrophe; and with the United States in Iraq to prevent repression of the civilian population and Iraq's posing a threat to its neighbours. We currently have troops deployed to UN authorised or led peacekeeping operations in Bosnia, Sierra Leone, Cyprus, Georgia, East Timor and on the Iraq/Kuwait border.

Government Policies

Mr. Paul Marsden: To ask the Prime Minister if he will make a statement on progress made with putting into effect the Government policies set out in the Queen's Speeches in 1997 and 1998 [90869]

The Prime Minister: Fifty-two Government bills became law in the 1997–98 parliamentary Session, including those to raise standards in education, delivering our manifesto commitment on constitutional reform, tackling crime, ensuring economic stability through Bank of England independence, and ensuring fairness at work through measures such as the national minimum wage.

In the 1998 Queen's speech we undertook to bring forward legislation on a wide range of issues including modernising the National Health Service, delivering on our pledge to modernise the youth justice system, and through our welfare reform programme. Ten bills have reached Royal Assent and a further 18 are on course to do so before the end of the Session.

The Government's Annual Report will be published towards the end of this month and this will detail progress on the Government's entire programme as set out in the manifesto. The Report will also set out what the Government's priorities are for the coming years.

European Commission

Mr. Llew Smith: To ask the Prime Minister if he will make a statement on the proposed appointments to the European Commission; and if he will list the experience and expertise of each nominated commissioner which is relevant to their portfolio. [91172]

The Prime Minister: Mr. Prodi announced on 9 July the people he and member states intended to nominate as Commissioners and their proposed areas of responsibility. The nominees will now be put to the European Parliament for approval, most probably at its September plenary.

It is not for any Government to comment on other member states' nominees. The two British candidates are both extremely well suited to the posts for which they have been nominated.

Advisory Committee on Business Appointments

Dr. George Turner: To ask the Prime Minister if he will list the members of the Advisory Committee on Business Appointments; and if he will make a statement. [91667]

The Prime Minister: Sadly, Lord Gillmore of Thamesfield, who became Chairman of the Committee in February, died shortly after taking up his appointment.

Lord Mayhew has agreed to become the new Chairman, and I intend to appoint shortly a new member of the Committee to fill the vacancy left by Lord Gillmore.

The current membership of the Committee is as follows:

The right hon. Lord Mayhew of Twysden QC—(Chairman)

Sir John Blelloch KCB—(Vice-chairman)

The right hon. Lord Shore of Stepney

The right hon. Baroness Williams of Crosby

Admiral Sir Kenneth Eaton GBE, KCB, FEng, FIEE

Sir Denys Henderson

Sir Bryan Nicholson.

All the appointments are unpaid, and I am grateful to the members for the time they give to the Committee.

TREASURY

Air Passenger Duty

Mrs. Ray Michie: To ask the Chancellor of the Exchequer what plans he has to abolish the domestic flight return-leg exemption from air passenger duty; and if he will make a statement. [90813]

Mrs. Roche: We are considering how to respond to the European Commission's challenge to the domestic return leg exemption.

Departmental Staff

Mr. Swinney: To ask the Chancellor of the Exchequer if he will list the number of his Department's employees by UK region, indicating the wage bill *(a)* in total and *(b)* by region in the last year for which figures are available, separately identifying the costs of London allowances and weightings. [90565]

Dawn Primarolo *[holding answer 13 July 1999]:* I refer the hon. Member to "Civil Service Statistics 1998" which is placed in the Libraries of the House. This will show total numbers of staff in Departments and Agencies and the number of employees by UK region for Inland Revenue, HM Customs and Excise, National Savings, the Office for National Statistics, HM Treasury and the Royal Mint.

Figures indicating the wage bill, in total and by region are shown in the table. The costs of London allowances and weightings have been separately identified, where available.

Regional split of pay bill for Chancellor's Departments (1997–98)

£ million

Government office regions	HM Treasury	Inland Revenue (excluding Valuation Office Agency)	Inland Revenue Valuation Office Agency	Customs and Excise	Debt Management Office[1]	National Savings	Office for National Statistics	Royal Mint	Government Actuary's Department
London	33	170	22	160	—	3.9	22.4	0.5	4.8
South East	—	115	18	93	—	—	16.3	—	—
Eastern	—	61	3	93	—	—	—	—	—
South West	—	72	7	23	—	—	0.1	—	—
West Midlands	—	71	10	22	—	—	—	—	—
East Midlands	—	75	6	19	—	—	—	—	—
Yorkshire/Humberside	—	93	12	20	—	—	—	—	—
North West	—	107	10	35	—	20.6	2.3	—	—
Merseyside	—	56	1	23	—	—	9.4	—	—
North East	—	43	2	12	—	19.2	—	—	—
Wales	—	72	5	13	—	—	16.3	23.8	—
Scotland	—	113	3	30	—	29.9	—	—	—
Northern Ireland	—	24	—	12	—	—	—	—	—
Total	33	1,072	102	555	—	73.6	66.8	24.3	4.8
Cost of London weightings and allowances	[2]0.124	[4]—	[2]2	8.1	—	0.3	[5]—	[5]—	0.025

[1] The Debt Management Office came into existence on 1 April 1998, so no figures are available for 1997–98.
[2] London weightings for Treasury staff below Senior Civil Service level were consolidated into the pay system at 1 April 1996. The figure given therefore represents London Weighting and London Allowance for Senior Civil Service Grades only.
[3] The Inland Revenue consolidated London Weighting into basic pay on 1 August 1994. Separate London Weighting was no longer paid after that date; therefore the cost cannot be separately identified.
[4] The Value Office Agency pay structure does not separately identify London Allowances and Weightings, but a best estimate has been provided.
[5] London Weighting is absorbed into the Royal Mint and ONS pay scales; therefore figures are unavailable.
Note:
All figures in £ million—because of roundings, the sum of entries in each column may differ slightly from the total.

Child Carers

Mr. Fabian Hamilton: To ask the Chancellor of the Exchequer if he will review the tax system with a view to removing measures which disadvantage single earner families where the wife remains at home to look after children. [89894]

Dawn Primarolo: All aspects of the tax system are kept under review and the Chancellor has announced a range of measures in his Budgets benefiting single earner families, in which one partner stays at home to look after children. They include the Working Families' Tax Credit from October 1999 and the new children's tax credit from April 2001. In addition, he has announced substantial increases in Child Benefit, the first of which took effect in April 1999. As a result of the measures announced, a single earner family on average male earnings with two children will be £460 a year better off.

Married Man's Tax Allowance

Mr. Fabian Hamilton: To ask the Chancellor of the Exchequer if he will reassess the married man's tax allowance to take account of the added financial responsibility of supporting a non-earning and dependent wife. [89896]

Dawn Primarolo: The higher personal allowance available to a married man became the married couple's allowance with the introduction of independent taxation in 1990–91. The Chancellor announced in his Budget statement this year, 9 March 1999, *Official Report*, columns 173–91 that, as part of a package of reform of income tax reliefs, the married couple's allowance would be abolished from 6 April 2000 for couples aged under 65 at that date. It will be replaced from 6 April 2001 by the children's tax credit, which will be worth up to twice as much for families with children.

Vehicle Repairs (VAT)

Mr. Reed: To ask the Chancellor of the Exchequer what representations he has received about the liability for VAT on work done by vehicle repair shops owned by insurance companies; and if he will make a statement. [91315]

Dawn Primarolo: The Government have received a number of representations on the VAT treatment of vehicle repairs carried out by motor insurers.

Customs are reviewing this issue.

Working Families Tax Credit

Ms Buck: To ask the Chancellor of the Exchequer if he will estimate the number of households which will become eligible for the new child care tax credit from October in each region of England and Wales; and what the projected change is in the number of claimants as compared with the family credit child care disregard. [90642]

Dawn Primarolo: I regret that it is not possible to provide reliable estimates of the number of families who will receive the childcare tax credit as part of the Working Families' Tax Credit for each Government Region in England and Wales.

Ms Buck: To ask the Chancellor of the Exchequer how many households in each region of England and Wales he estimates will become entitled to working families tax credit in October; how many additional households in each region will receive working families tax credit

compared with family credit; and what proportions these figures represent of the number of households in work in each region. [90641]

Dawn Primarolo: Estimates for 2000–01, the first full year of the Working Families' Tax Credit, are given in the table.

Government office region	*Number of families in receipt of Working Families' Tax Credit*	*Percentage of families in work*	*Number of families in receipt of Working Families' Tax Credit who would not have received Family Credit*	*Percentage of families in work*
England	—	—	—	—
North East	70,000	9	20,000	3
North West	170,000	8	40,000	2
Yorkshire and The Humber	120,000	9	40,000	3
East Midlands	110,000	7	50,000	3
West Midlands	160,000	9	60,000	3
East of England	130,000	7	50,000	3
London	140,000	7	50,000	3
South East	150,000	5	70,000	2
South West	110,000	7	40,000	3
Wales	60,000	8	30,000	3
Total England and Wales	1,220,000	7	430,000	3

Note:
Figures for families are rounded to the nearest thousand and may not sum to totals.

Ms Buck: To ask the Chancellor of the Exchequer what the *(a)* average and *(b)* maximum additional benefit is for claimants of working families tax credit as compared with family credit for each region in England and Wales. [90643]

Dawn Primarolo: It is estimated that in 2000–01, the first full year of the Working Families Tax Credit, the average weekly gain for families in receipt of the credit, compared with Family Credit, is £24. This includes families who would not have been in receipt of Family Credit. Estimated average gains for each region of England and Wales are given in the table.

The maximum gain from the Working Families Tax Credit depends upon the circumstances of individual families, in particular the number of children and the expenditure on eligible child care. It is not possible to forecast what this maximum gain will be.

£

Government Office Region	*Average weekly gain from Working Families Tax Credit*
England	
North East	28
North West	22
Yorkshire and the Humber	24
East Midlands	25
West Midlands	24
East of England	22
London	23
South East	27
South West	22
Wales	22

Correspondence

Mr. Swayne: To ask the Chancellor of the Exchequer when he plans to reply to the letter from Mr. Barnes of Barton Court Road, New Milton, of 22 March. [90761]

Dawn Primarolo: The Inland Revenue were asked to reply to Mr. Barnes, and did so on 13 July. They have apologised to him for the delay.

Household Statistics

Mr. Rooney: To ask the Chancellor of the Exchequer (1) what percentage of and how many households in the UK are accounted for by *(a)* married couples with children, *(b)* cohabiting couples with children, *(c)* single mothers with children, *(d)* single fathers with children, *(e)* single men and women under pension age, *(f)* single pensioners and *(g)* pensioner couples; [90326]

(2) what evidence he has of the percentage of *(a)* men and *(b)* women who work until pension age without a career break, and of those who have breaks in their careers; and what are the average total time spent out of work for each sex, and the average length of time of each break in career; [90325]

(3) if he will list for the most recent available date the percentage and number of *(a)* married couples and *(b)* cohabiting couples in which (i) both work full-time, (ii) both are unemployed, (iii) the man works full-time and the woman works part-time, (iv) the woman works full-time and the man works part-time, (v) both work part-time, (vi) the man works full-time and the woman is unemployed, (vii) the woman works full-time and the man is unemployed, (viii) the man works part-time and the woman is unemployed and (ix) the woman works part-time and the man is unemployed, showing figures separately for those with and without dependent children. [90324]

Ms Hewitt *[holding answer 8 July 1999]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Terry Rooney, dated 12 July 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your three recent parliamentary questions (90324, 90325 and 90326) on households, families and career breaks.

In answer to your question about couples according to the status of the 'husband' and 'wife' I attach two tables. Table 1a gives estimates from the spring 1998 Labour Force Survey (LFS) of actual numbers comparing the labour market status of the husband/man with that of his wife/partner for the four different couple types requested. For example, looking at the block for married couples without dependent children you can see that there were 997,000 couples where the husband worked full-time and the wife worked part-time. Table 1b shows this information in terms of percentage breakdowns. These analyses have been based on all working age couples i.e. couples where both the husband and the wife are of working age. Working age is defined as 16–59 for women and 16–64 for men.

LFS estimates have also been used to answer your question about households by type of household and family (see table 2).

Regarding your third question about those reaching retirement age and the incidence and average length of any career breaks they may have taken, I regret that the ONS cannot provide any directly relevant information.

Table 1a: Working age couples [1] according to economic status of head and wife, marital status and presence of dependent [2] children United Kingdom, spring 1998 (not seasonally adjusted)

Thousand

		Status of wife/partner				
Status of husband/man	*All*	*In employment: All*	*In employment: Full-time*	*In employment: Part-time*	*ILO un-employed [3]*	*Inactive [4]*
Married couple without dependent children						
All	4,195	3,092	1,856	1,236	71	1,033
In employment	3,417	2,760	1,691	1,069	55	602
working full-time	3,226	2,631	1,634	997	48	548
working part-time	190	129	57	72	*	54
ILO unemployed	115	54	31	23	*	53
Inactive	663	278	134	144	*	378
Married couple with dependent children						
All	5,130	3,562	1,365	2,196	140	1,428
In employment	4,617	3,382	1,279	2,102	111	1,123
working full-time	4,476	3,304	1,243	2,060	104	1,068
working part-time	140	78	36	42	*	55
ILO unemployed	170	56	24	32	18	97
Inactive	343	124	62	62	11	208
Cohabiting couple without dependent children						
All	1,056	938	824	114	34	85
In employment	964	893	791	102	21	51
working full-time	932	866	771	95	21	46
working part-time	32	27	20	*	*	*
ILO unemployed	36	19	14	*	*	*
Inactive	56	25	18	*	*	27
Cohabiting couple with dependent children						
All	657	388	177	211	38	231
In employment	537	356	163	194	22	159
working full-time	512	344	157	187	21	148
working part-time	25	13	*	*	*	11
ILO unemployed	67	16	*	*	12	39
Inactive	52	16	*	*	*	33

* Sample size too small for reliable estimate

[1] Working age couples are those in which the man is aged 16–64 and the woman is aged 16–59.

[2] Dependent children are those aged 0–15, and those aged 16–18 in full-time education.

[3] ILO unemployment—The International Labour Office measure refers to people who are without a job, available to start work within two weeks and who had either looked for work in the previous weeks or were waiting to start a job they had already obtained.

[4] Inactive—those who are neither in employment nor ILO unemployed are defined as being economically inactive.

Source:

Labour Force Survey Household Datasets

Table 1b: Working age couples [1] according to economic status of head and wife, marital status and presence of dependent [2] children United Kingdom, spring 1998 (not seasonally adjusted)

Percentage

		Status of wife/partner				
Status of husband/man	*All*	*In employment: All*	*In employment: Full-time*	*In employment: Part-time*	*ILO un-employed [3]*	*Inactive [4]*
Married couple without dependent children						
All	100	74	44	29	2	25
In employment	81	66	40	25	1	14
working full-time	77	63	39	24	1	13
working part-time	5	3	1	2	*	1
ILO unemployed	3	1	1	1	*	1
Inactive	16	7	3	3	*	9

Table 1b: Working age couples [1] according to economic status of head and wife, marital status and presence of dependent [2] children
United Kingdom, spring 1998 (not seasonally adjusted)

Percentage

		Status of wife/partner				
Status of husband/man	*All*	*In employment: All*	*In employment: Full-time*	*In employment: Part-time*	*ILO un-employed [3]*	*Inactive [4]*
Married couple with dependent children						
All	100	69	27	43	3	28
In employment	90	66	25	41	2	22
working full-time	87	64	24	40	2	21
working part-time	3	2	1	1	*	1
ILO unemployed	3	1	0	1	0	2
Inactive	7	2	1	1	0	4
Cohabiting couple without dependent children						
All	100	89	78	11	3	8
In employment	91	85	75	10	2	5
working full-time	88	82	73	9	2	4
working part-time	3	3	2	*	*	0
ILO unemployed	3	2	1	*	*	1
Inactive	5	2	2	*	*	3
Cohabiting couple with dependent children						
All	100	59	27	32	6	35
In employment	82	54	25	29	3	24
working full-time	78	52	24	29	3	22
working part-time	4	2	*	*	*	2
ILO unemployed	10	2	*	*	2	6
Inactive	8	2	*	*	*	5

* Sample size too small for reliable estimate
[1] Working age couples are those in which the man is aged 16–64 and the woman is aged 16–59.
[2] Dependent children are those aged 0–15, and those aged 16–18 in full-time education.
[3] ILO unemployment—The International Labour Office measure refers to people who are without a job, available to start work within two weeks and who had either looked for work in the previous weeks or were waiting to start a job they had already obtained.
[4] Inactive—those who are neither in employment nor ILO unemployed are defined as being economically inactive.
Source:
Labour Force Survey Household Datasets

Households by type of household and family—Table 2
United Kingdom, spring 1998 (not seasonally-adjusted)

	Thousand	*Per cent.*
One person		
Under pensionable age [1]	3,266	13.5
Over pensionable age [1]	3,497	14.4
Two or more unrelated adults	769	3.2
One family		
Married non-pensioner couples [2]		
All	8,881	36.7
of which with:		
No children	2,743	11.3
Dependent children [3]	4,934	20.4
Non-dependent children only	1,203	5.0
Cohabiting non-pensioner couples [2]		
All	1,619	6.7
of which with:		
No children	930	3.8
Dependent children [3]	640	2.6
Non-dependent children only	48	0.2
Pensioner couples		
All	3,219	13.3
of which with:		
No children	2,859	11.8
Dependent children [3]	30	0.1
Non-dependent children only	330	1.4
Female lone parents with:		
Dependent children [3]	1,363	5.6
Non-dependent children only	559	2.3
Male lone parents with:		
Dependent children	156	0.6
Non-dependent children only	146	0.6
At least one family plus others	735	3.0
All households	24,209	100.0

[1] Pensionable age is defined here as 60 for women and 65 for men.
[2] Non-pensioner couples are those where neither the husband nor the wife is a pensioner.
[3] Dependent children are those aged 0–15 and 16–18 year olds in full-time includes those families with both dependent and non-dependent children.
Source:
Labour Force Survey Household Datasets

HOUSE OF COMMONS

Special Advisers

Mr. Don Foster: To ask the President of the Council if she will list the subject and date of each written briefing prepared by her special advisers for all Labour Members since May 1997 and the total number and total cost to date of these. [89997]

Mrs. Beckett: Special Advisers are appointed under terms and conditions set out in the Model Contract for Special Advisers. Schedule 1, Part 1 of the Model

Contract sets out the role and duties of Special Advisers. As well as research for Ministers and reviewing papers, contributing to policy planning within the Department and preparing policy papers, speech writing and liaison with outside interest groups, their role explicitly includes liaising with the Party and helping to brief Party MPs. Records are not held of when such briefings are given. Similar arrangements have applied under successive Governments.

Portcullis House

Mr. O'Hara: To ask the Chairman of the Accommodation and Works Committee if he will list the type and designation of the electrical cable used to wire (i) the lifts, (ii) the standby generation system, (iii) the emergency lighting system, (iv) the fire alarm system and (v) the smoke extraction system in Portcullis house. [90704]

Sir Sydney Chapman: I have asked the Director of Works to write to the hon. Member and place a copy of his reply in the Library of the House.

FOREIGN AND COMMONWEALTH AFFAIRS

European Communities Working Groups

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the European Communities working groups which met over the last 12 months with a representative from his Department in attendance; if he will list the number of times each met; if he will indicate the nature of the Government's representation; and if he will make a statement. [88474]

Ms Quin: Officials from the Foreign and Commonwealth Office regularly attend more than 50 working groups, most notably those dealing with the EU's external relations.

The frequency of meetings varies from group to group. For example, the ad hoc Lomé working group meets weekly, while the Euro-Med group meets monthly. The Government are always represented at these meetings by officials from the FCO or by officials from the UK's Permanent Representation in Brussels.

There is no record of the exact number of times each working group has met. Given the large number of groups involved it would be extremely difficult and time consuming to compile such a record.

River Danube

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of when the River Danube in Serbia will be open for normal commercial traffic; what assessment he has made of the effect of the blocking of the River Danube to commercial traffic on the economies of adjacent states other than Serbia; and what help is being given by NATO and the EU to adjacent states whose commercial and industrial traffic has been affected by the blocking of the Danube by destroyed Serbian bridges. [90004]

Mr. Tony Lloyd: We do not know when the River Danube will be open for normal commercial traffic. We are in close touch with all the countries surrounding Serbia, and with the international financial institutions who are carrying out economic impact assessments. We have already contributed to packages of support for those countries, other than Serbia, most directly affected, and will continue to do so.

Single Currency

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs how much expenditure his Department *(a)* has incurred to date and *(b)* expects to incur in the future, on preparations for possible United Kingdom entry into the European single currency; and if he will make a statement. [91237]

Ms Quin: Following the publication of the Government's Outline National Changeover Plan, my Department is considering what preparations may be necessary.

Arms Sales

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if the consolidated report to the Council on the EU Code of Conduct on arms sales will be made public. [90700]

Mr. Tony Lloyd: Member states have yet to decide whether to make public the consolidated report on the operation of the Code of Conduct. This is likely to depend on the extent to which the report, which has not yet been agreed, contains information which member states have agreed should remain confidential, such as details of individual licence refusals and consultations between member states. Any changes to the Code as a result of the report will by definition be made public.

Working Time Directive

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the guidance supplied to posts overseas on the application of the Working Time Directive. [90699]

Mr. Tony Lloyd: I am placing in the Library of the House a copy of the guidance supplied to posts overseas on the application of the Working Time Directive/ Regulations.

Yugoslavia

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has for future support of Radio B-92 in Yugoslavia; and what measures he is planning to encourage the restoration of former management. [90941]

Mr. Tony Lloyd: Her Majesty's Government will not offer any support to Radio B-92 as long as it is being run by the Milosevic regime.

FCO officials have met with the exiled representative of Radio B-92 and are discussing means of restoring the station to its rightful owners.

International Labour Organisation

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his policy regarding adherence to International Labour Organisation legislation; and which

human rights instruments *(a)* have been rejected, *(b)* are under consideration and *(c)* have been accepted in principle, where the United Kingdom had not fully acceded, since May 1997. [90944]

Mr. Tony Lloyd: The Government are committed to supporting and promoting adherence to the standards and principles of the International Labour Organisation (ILO). My right hon. Friend the Secretary of State for Education and Employment has lead responsibility for Government policy towards the ILO.

Our commitment to the ILO is matched by action. At the International Labour Conference (ILC) in June 1999, we played a leading role in securing agreement to a new Convention on the Worst Forms of Child Labour, which becomes one of the ILO's core labour standards. At that Conference, we also announced our ratification of the ILO Convention 111 on Discrimination in Employment, one of the core labour conventions. At the ILC in June 1998, we played a key role in the agreement of a Declaration on Fundamental Principles and Rights at Work. And we are currently reviewing our position on ILO Convention 138 on Minimum Age of employment, the only one of the seven existing core labour conventions that the UK has yet to ratify. The UK has ratified a total of 66 conventions, which bears favourable comparison with other industrialised countries.

My right hon. Friend the Secretary of State for the Home Department announced the outcome of the Government's review of international human rights instruments in reply to my hon. Friend the Member for Halton (Mr. Twigg) on 3 March 1999, *Official Report*, columns 756–57. Since then, on 31 March 1999 we signed the Second Optional Protocol to the International Convention on Civil and Political Rights, and on 20 May 1999 we ratified protocol 6 to the European Convention on Human Rights. Both protocols concern abolition of the death penalty.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for Foreign and Commonwealth Affairs how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91066]

Mr. Tony Lloyd: 2,351 parliamentary questions have been tabled to the FCO for named day answer since 2 May 1997. Our existing database does not allow us to determine which of them received a substantive response on that named day without manually checking each question. To do so would incur disproportionate cost.

Immigration Office, Islamabad

Lorna Fitzsimons: To ask the Secretary of State for Foreign and Commonwealth Affairs how many entry clearance applications for indefinite leave to remain from Islamabad have been made in each year since 1992. [90981]

Mr. Hoon: The following are the figures requested:

Year	*Settlement applications*
1994	6,973
1995	7,869
1996	7,988
1997	9,183
1998	10,837

Notes:

1. The figures relate to applications in Islamabad for settlement entry clearance. The term 'Indefinite leave to remain' refers to the removal of conditions of entry by the Home Office after an individual subject to immigration control has spent a qualifying period in the UK.
2. Information for 1992 and 1993 is not held centrally and could be obtained only at disproportionate cost.
3. Further figures on settlement applications for the years 1994–98 inclusive can be obtained from the Global Entry Clearance Statistics, copies of which are available in the House of Commons Library.

Lorna Fitzsimons: To ask the Secretary of State for Foreign and Commonwealth Affairs how the average turn-round time for processing applications for *(a)* visit visas and *(b)* marriage visas from Islamabad has changed over the last five years. [90974]

Mr. Hoon: Non-settlement visa applicants dealt with at Tier 1 or 2 will normally have their application processed within 24 hours. The percentage of visa applicants dealt with at Tier 1 and 2 has risen from 52 per cent. in 1994 to 54 per cent. in May 1999. Only those processed at Tier 3 (non-settlement) or Tier 4 (settlement) will be recalled at a later date for interview. Waiting times for these two tiers have been collated only since 1996 and are as follows:

Tier 3 (non-settlement)

Date	*Waiting time (days)*
At 31 December 1996	3
At 31 December 1997	11
At 31 December 1998	18

Tier 4 (settlement)

	Waiting time (months)	
Date	*Queue 2*	*Queue 3*
At 31 December 1996	4	6
At 31 December 1997	4	5
At 31 December 1998	6	7

Note:

Settlement applications in Islamabad are dealt with in four queues:
Q1: Right of Abode claimants, dependent relatives over 65, special compassionate cases.
Q2: Spouses, children under 18.
Q3: Fiance(e)s, other categories.
Q4: Re-applicants.

Persons applying for settlement in UK in order to join a spouse or parent are dealt with at queue 2; those coming to the UK to marry and settle are dealt with in queue 3. The latter also includes other visa applicants and is not solely for the categories mentioned. Waiting times fluctuate during the year. Further details on waiting times are obtainable from the Global Entry Clearance Statistics, copies of which are held in the House of Commons Library.

Lorna Fitzsimons: To ask the Secretary of State for Foreign and Commonwealth Affairs how many applications for visitor's visas have been *(a)* made and *(b)* granted in each year since 1992; and how many in each year were from Islamabad. [90980]

Mr. Hoon: The following are the figures requested:

	Worldwide		*Islamabad*	
	Received	*Issued*	*Received*	*Issued*
1994	1,086,381	980,054	35,472	25,187
1995	1,167,295	1,042,667	35,597	22,130
1996	1,372,056	1,240,341	31,354	19,730
1997	1,372,314	1,243,987	23,828	14,726
1998	1,397,431	1,246,034	38,250	26,737

Note:
1. Information for 1992 and 1993 is not held centrally and could only be obtained at disproportionate cost.
2. Further figures on non-settlement applications for the years 1994–98 inclusive can be obtained from the Global Entry Clearance Statistics, copies of which are available in the House of Commons Library.

Argentina

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of Argentina. [91145]

Mr. Robin Cook: British and Argentine delegations met in London on 13 and 14 July to continue their dialogue on South Atlantic issues of common interest. I led the United Kingdom delegation, which included Members of the Falkland Islands Legislative Council.

I signed a Joint Statement with the Argentine Foreign Minister and exchanged letters recording understandings reached in these discussions on flights between the Falklands and South America, permission for Argentine passport-holders to visit the Falklands, co-operation against illegal fishing and other confidence-building measures. I have arranged for copies to be placed in the Library of the House.

This agreement has the approval of the Falkland Islands Legislative Councillors. It is an important advance for our relations with Argentina and will encourage friendship and trust between Argentina and the Falklands Islands. It has our whole-hearted support.

Mr. Al-Sayegh

Ms Kelly: To ask the Secretary of State for Foreign and Commonwealth Affairs what factors underlie his conclusion that Mr. Al-Sayegh of Bolton holds both British and Bahraini nationality. [91055]

Mr. Hoon: Mr. Al-Sayegh is a Bahraini national by birth and also a British national, having been granted British nationality in 1995 through his marriage to a British citizen. The Bahrainis have assured us that Mr. Al-Sayegh has not lost or been deprived of his Bahraini nationality.

Diplomatic Staff Cars

Mr. Nicholas Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's policy on the purchase, and use of, official cars for United Kingdom ambassadors and high commissioners serving overseas; what make of cars have been purchased over the past 12 months for ambassadors, high commissioners and other senior diplomatic staff overseas; and to which individual diplomats they have been supplied. [90951]

Mr. Hoon: 1. Flag cars are provided for official use of Ambassadors and High Commissioners and are not specifically assigned to individual diplomats.

2. Government policy is to advertise our requirements for flag cars in the Official Journal of the European Commission and to set up framework contracts with successful bidders against which individual cars are purchased as the need arises. The FCO currently has framework contracts, negotiated in 1996, with Rolls Royce, Jaguar, Rover and Land Rover.

3. The makes of flag car purchased during the last 12 months are Rolls Royce, Jaguar, Rover and Land Rover, Volvo, Opel, Ford and a Grand Marquis in Caracas. Details, including the Missions to which the cars have been allocated, are shown in the attached list. The few cars purchased outside the existing framework contracts are used in countries where European cars cannot be properly maintained.

BACKGROUND NOTE

1. The FCO has, in the last 12 months, bought the following 45 flag cars:

2. 1 × Rolls Royce, 15 × Jaguars, 6 × Rover 800s, 2 × Volvos, 1 × Opel saloon cars, 6 × Land Rover Discoverys and 12 × Range Rovers. A Grand Marquis was bought for Caracas and a Ford Mondeo for Ascension Island, as neither UK nor European cars could be supported in those countries.

3. The Embassies and High Commissions concerned were:

Model	*Post*
Volvo V70	Almaty
Rover 825	Amsterdam
Rover Sterling	Anguilla
Jaguar	Ankara
Discovery	Antananarivo
Ford Mondeo	Ascension Island
Range Rover	Asuncion
Jaguar 4.0	Athens
Jaguar Xj8 L	Atlanta
Volvo S80 F	Barcelona
Range Rover	Beirut
Jaguar S Type	Bordeaux
Jaguar Xj8 3.2	Brussels
Grand Marquis	Caracas
Discovery F	Casablanca
Range Rover	Dhaka
Rover 820 Sil	Gothenburg
Rolls Royce	Hong Kong
Jaguar	Johannesburg
Range Rover	Kampala
Range Rover	Kingston
Range Rover	Lagos
Jaguar Xj8 3.2	Ljubljana
Range Rover	Lusaka
Rover Sterling	Luxembourg
Discovery	Madras
Jaguar Xjv8	Madrid
Discovery	Managua

Model	Post
Rover 820	Milan
Range Rover	Montserrat
Jaguar Sov	Nicosia
Rover 825 Si	Oporto
Jaguar	Oslo
Jaguar Xj8	Peking
Jaguar F	Rome
Range Rover	Sana'a
Jaguar Xj8	Sofia
Jaguar	Stockholm
Opel Omega	Strasbourg
Range Rover	Tegucigalpa
Jaguar Sov	The Hague
Discovery	Victoria
Range Rover	Vilnius
Range Rover	Yaounde
Discovery F	Yerevan

Market Research

Mr. Don Foster: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the title and purpose of each item of market and opinion research commissioned by or through his Department, agencies and non-departmental public bodies since May 1997, stating in each case whether the results were published. [89696]

Mr. Hoon *[holding answer 5 July 1999]:* Since May 1997, the Foreign and Commonwealth Office has funded three pieces of public opinion research centrally. A survey of opinion formers in Pakistan and a public image survey in the Eastern Caribbean helped to establish how Britain is perceived in these two areas, to highlight misconceptions, and to measure Britain's profile. Results of these two surveys have not been published. A survey on British public attitudes to Europe in 1997 helped us prepare for the EU Presidency; a copy of the results has been placed in the Libraries of the House. It would involve disproportionate costs to provide the information requested for work carried out by individual FCO posts.

Gibraltar

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the European Commission concerning the obstruction of movement between Spain and Gibraltar. [90143]

Ms Quin: Our Permanent Representative to the EU, Sir S. Wall, wrote to the President of the European Commission on this subject on 11 February, and again on 22 June. Our Permanent Representation was in regular contact with the Commission in the intervening period.

Zimbabwe

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Secretary of State for International Development concerning human rights in Zimbabwe. [90136]

Mr. Tony Lloyd: My right hon. Friends the Foreign Secretary and the International Development Secretary meet to discuss issues that relate to the work of both departments. Officials from both departments co-ordinate policy closely in the UK and in a large number of countries worldwide, including Zimbabwe. The Government's commitment to human rights is central to the work of both departments.

British Subjects (Death Abroad)

Mr. Snape: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the treatment of the widow of a British subject who died in April this year in the Gambia, a constituent, whose name has been supplied to him. [90359]

Mr. Hoon: When a British National who is the customer of a tour operator dies overseas, the tour operator's representative normally takes responsibility for the necessary formalities. Our Consular staff provide advice and additional assistance as necessary.

In this case, our Consular staff played a supporting role in liaising with the tour operator's representative, the clinic and the mortuary. They also offered to speak to the police.

Mr. Snape: To ask the Secretary of State for Foreign and Commonwealth Affairs what services the Consular Service provides in the event of the death of a British subject abroad. [90358]

Mr. Hoon: The services provided are set out in the Consular Services leaflet "Death Overseas", copies of which have been placed in the Libraries of both Houses.

Western Sahara

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans the Government have to send a contingent to the United Nations Mission for the Referendum in Western Sahara. [90438]

Mr. Hoon: We have no plans at present to re-introduce a contingent to MINURSO because of heavy commitments elsewhere. The situation is kept under regular review.

Kuwait

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the recent elections in Kuwait. [90446]

Mr. Hoon: Elections for Kuwait's 50 seat National Assembly took place on 3 July. Twenty five MPs retained their seats; 16 new members were elected; the remainder being former MPs who have served in earlier parliaments.

Iraq

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent UN Security Council discussions on Iraq. [90445]

Mr. Hoon: Discussions are continuing within the UN Security Council on the various draft resolutions on Iraq. The UK resolution seeks to translate the work of the three UN assessment panels on disarmament, humanitarian and Kuwaiti issues into action. It is now co-sponsored by the Netherlands, Argentina, Brazil, Slovenia, Gambia and Bahrain. We do not consider that the Russian and French draft resolutions offer a realistic basis for agreement in the Council. We are working in the Council to rebuild

consensus on Iraq and hope that the remaining Council members will also move quickly to endorse our comprehensive approach.

Sudan

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Sudan concerning the camps which they have set up for people displaced in the civil war in Sudan. [90529]

Mr. Hoon: The return of UK staff to Khartoum, announced on 25 June, will allow us the opportunity to have a dialogue with the Government of Sudan on a whole range of humanitarian issues.

Kosovo

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current security situation in the Kosovo town of Mitrovica. [91231]

Mr. Tony Lloyd: KFOR is tasked with providing robust and even-handed protection for everyone in Kosovo. There has been some tension in Mitrovica where Serbs have tried to keep Kosovo Albanians out of an area of the city. KFOR has been present and escorted a relatively peaceful march through the affected part of the city by 2,000 people on 7 July. Most recently French troops broke up a demonstration on the bridge dividing the two areas on 11 July. KFOR has a strong presence in the area and has kept the situation under control, in line with their mandate under UNSCR 1244 to provide a secure environment for all the people of Kosovo.

SOCIAL SECURITY

Benefit Fraud

Mr. Burstow: To ask the Secretary of State for Social Security how many *(a)* malicious calls and *(b)* well intended but unfounded calls were made to the Benefit Fraud Hotline in each of the last three years; what was each category as a percentage of the total number of calls; and what was the average cost of investigating each such call. [90448]

Mr. Timms: This is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Alexis Cleveland to Mr. Paul Burstow, dated 13 July 1999:

The Secretary of State has asked Mr. Mathison to reply to your recent Parliamentary Question asking how many malicious and well intended but unfounded calls were made to the Benefit Fraud Hotline in the last three years; what was each category as a percentage of the total number of calls; and what was the average cost of investigating each such call. As Mr. Mathison is currently away from the office on annual leave I am replying.

Calls to the Hotline and investigations costs are not collated in the format you have requested. We do not seek to establish the motives and intentions of the caller.

It may be helpful if I explain that from its introduction on 5th August 1996 to March 1999, the Benefit Fraud Hotline has received 550,000 calls. Each case is scrutinised to establish whether a fraud investigation is appropriate. Of the above total 69% have been referred to the relevant fraud section for further action. Of these, 33% resulted in the reduction, cessation or the identification of an overpayment of benefit. The estimated average benefit staving per call was £218.

The Benefits Agency (BA) does not disclose the results of any investigation to any caller to the Hotline. Our aim is to provide a vehicle by which the public can become involved in protecting the benefits system. The BA believes that the Benefit Fraud Hotline provides a valuable and popular service to the public in helping to reduce the level of fraudulent claims.

I hope that this is helpful.

Savings

Mr. Field: To ask the Secretary of State for Social Security if he will list the percentages of households with *(a)* savings of up to £1,000, *(b)* savings between £1,000 and £20,000, in bands of £1,000 and *(c)* savings above £20,000; and if he will give the same data for households where the head of household is between 50 and 65 years. [91053]

Mr. Timms: The information is in the table.

Households by amount of savings and where head of household is between 50 and 65-years-old

Percentage of households

Capital	*Households with a head aged between 50 and 65-years*	*Total households*
Up to £1,000	38	48
£1,000 but less than £2,000	5	6
£2,000 but less than £3,000	5	5
£3,000 but less than £4,000	4	4
£4,000 but less than £5,000	3	3
£5,000 but less than £6,000	3	3
£6,000 but less than £7,000	2	2
£7,000 but less than £8,000	2	2
£8,000 but less than £9,000	2	2
£9,000 but less than £10,000	2	1
£10,000 but less than £11,000	2	1
£11,000 but less than £12,000	2	1
£12,000 but less than £13,000	2	1
£13,000 but less than £14,000	1	1
£14,000 but less than £15,000	1	1
£15,000 but less than £16,000	1	1
£16,000 but less than £17,000	1	1
£17,000 but less than £18,000	1	1
£18,000 but less than £19,000	1	1
£19,000 but less than £20,000	1	1
£20,000 or more	22	14
Total	100	100

Notes:

1. The estimates are based on sample counts which have been adjusted for non-response using multi-purpose grossing factors that control for region, Council Tax band and a number of demographic variables. Estimates are subject to sampling error and to variability in non-response.
2. It should be noted that questions on assets are a sensitive part of the FRS questionnaire and have relatively low level of response, and hence a higher level of imputation compare to other parts of the survey. Responses are imputed in around 1 in 10 cases. Past evidence has suggested some under reporting of capital by respondents, and figures for income from these sources for pensioners are lower on the FRS compared to other surveys such as the Family Expenditure Survey.
3. In the 1997–98 Family Resources Survey the head of the household is classified using standard procedures:
In a household containing only husband, wife and children under 16 (and boarders) the husband is always the head of the household.
Similarly, when a couple have been recorded as living together/cohabiting the male partner is treated as the head of the household.

In all situations where there are other relatives in the household where some or all of the household are unrelated; except that a husband always takes precedence, the person in whose name the accommodation is owned or rented is taken as the head.
When the accommodation is supplied with a job or provided rent free for some other reason, the person to whom the accommodation is given in this way becomes the head.
Occasionally more than one person will have equal claim to be the head, in these cases, where they are of the same sec, the oldest is the head; where they are of different sexes, the male is the head.
4. All percentages have been rounded to the nearest integer.
Source:
1997–98 Family Resources Survey (FRS)(Great Britain).

Social Security Administration (Scotland)

Mrs. Ewing: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Perth (Ms Cunningham) of 6 July 1999, *Official Report*, columns *506–07*, if his estimate assumed that *(a)* a separate Scottish system would require the provision of new buildings or *(b)* a separate Scottish system would be denied access to existing computer systems; and if he will make a statement. [90926]

Mr. Timms: No detailed assessment has been made of the costs of administering the Social Security system separately in Scotland. The estimate of £600 million in my previous reply, 6 July 1999, *Official Report*, columns *506–07*, was based on assumptions which were made about the apportionment of the Department's central and fixed costs which include these elements.

Mrs. Ewing: To ask the Secretary of State for Social Security if he will list the procedural steps for assessing eligibility, reviewing, appealing and making payment of *(a)* child support allowance, *(b)* housing benefit, *(c)* council tax benefit and *(d)* income support; and which of the offices of his Department and its agencies in Scotland handle each of these steps. [90866]

Mr. Timms: Applications for Child Support in Scotland are administered from the Child Support Agency Centre in Falkirk. Details of the procedure for applying for child maintenance and for review of assessment and appeals are set out in the booklet CSA 2008 "A guide to child support maintenance".

Housing Benefit and Council Tax Benefit are administered by Local Authorities, or in some cases Scottish Homes in respect of Housing Benefit only. The procedural steps on a claim, including those for assessment, reviews, appeals and payments, are set out in the booklet RR2 "A guide to Housing Benefit and Council Tax Benefit".

Eligibility to Income Support is assessed and payments are made in each local office of Benefits Agency in Scotland. The steps involved are set out in the booklet IS20, "A guide to Income Support". All aspects of appeals are handled by the Independent Tribunal Service.

Copies of all these documents are in the Library.

Mrs. Ewing: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Perth (Ms Cunningham) of 6 July 1999, *Official Report*, columns *506–07*, what were the total fixed costs for his Department in the UK; and if he will provide a breakdown by category of these costs for *(a)* his Department and *(b)* each relevant agency. [90928]

Mr. Timms: The information is not available in the format requested. The costs of administering the Department and its agencies are set out in the Social Security Departmental Report 1999–2000 (Cm 4214).

Social Fund

Mr. Cawsey: To ask the Secretary of State for Social Security when he intends to publish his annual report on the Social Fund for 1998–99 and the Social Fund Commissioner's annual report. [91644]

Angela Eagle: The Secretary of State's annual report on the Social Fund for 1998–99 (Cm 4351) was published today and has been laid before Parliament.

The report records that total gross expenditure in 1998–99 was £558 million. This included 225,000 non-repayable grants and 1,801,000 interest free loans together worth £501 million and funeral, maternity and cold weather payments totalling £57.2 million. In addition, around 10 million pensioners in over 7 million households received winter fuel payments totalling £200 million.

The Social Fund Commissioner's annual report has also been published today and copies have been placed in the Library.

Executive Agencies (Report and Accounts)

Mr. Rapson: To ask the Secretary of State for Social Security when he will make available the 1998–99 annual reports and accounts for each of his Next Steps agencies. [91645]

Mr. Darling: The 1998–99 annual reports and accounts for the Benefits Agency (HC 580), Child Support Agency (HC 533), Information Technology Services Agency (HC 518), War Pensions Agency (HC 527) and Contributions Agency (HC 523) have been laid before Parliament today. The Contributions Agency transferred to the Inland Revenue on 1 April 1999.

AGRICULTURE, FISHERIES AND FOOD

Organophosphorous Sheep Dips

Mr. Blizzard: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 1 July 1999, *Official Report*, column *267*, on a report from the Institute of Occupational Medicine on the effects of exposure to organophosphorous sheep dips, when he expects to receive advice from the Veterinary Products Committee; and if he will make a statement. [91660]

Mr. Rooker: I have received advice from the Veterinary Products Committee (VPC) on the implications of the IOM report for marketing authorisations of OPs and, in particular, OP sheep dips. A copy of the VPC's advice has been placed in the Library of the House.

I have accepted the VPC's recommendation that marketing authorisation holders should be asked to submit practical and workable plans to improve and standardise the design of sheep dip containers. If such plans are not submitted within three months, action will be commenced to revoke marketing authorisations.

I have also accepted recommendations on emphasising the importance of handling OP concentrate safely in advice to farmers and in training and the examination which leads to the issue of a Certificate of Competence. We are giving urgent consideration to the recommendation that handlers of OP sheep dip concentrate should be required to hold a Certificate of Competence.

The VPC made it clear that this is interim advice. The VPC will be offering further advice together with COT and the other independent advisory committees before the end of the year.

Quarantine

Mr. Reed: To ask the Minister of Agriculture, Fisheries and Food when he expects to announce the outcome of his review of quarantine regulations applying to animals originating from the United States and Canada. [90501]

Mr. Rooker: An announcement will be made as soon as possible.

Genetically Modified Crops

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food, (1) pursuant to his answer of 7 July 1999, *Official Report*, column *554*, if he will list the amounts of glyphosate and aminomethylphosphoric acid in residues of glufosinate-treated conventionally bred soya and genetically modified glyphosate-tolerant soya and the residues of glufosinate in conventionally bred soya and glufosinate and n-acetyl glufosinate in genetically modified varieties treated with glufosinate ammonium; and what the maximum permitted United Kingdom levels of retained residue are for each chemical; [91183]

(2) if he will list the chemical residues retained as a result of crop treatment of *(a)* imported genetically modified maize and *(b)* imported non-genetically modified maize; if he will give the amounts of each retained chemical and the current maximum permitted levels for each chemical. [91047]

Mr. Rooker: *[holding answer 13 July 1999]: Glyphosate:* Experimental studies indicate that two major residues may be found in soya and maize crops treated with glyphosate. The residues concerned are glyphosate itself and its metabolite aminomethylphosphoric acid (AMPA). These two residues occur in both conventionally treated and genetically modified (GM) glyphosate tolerant crops. However, the levels of the metabolite AMPA are generally higher in the GM crops.

The maximum residue level (MRL) permitted for glyphosate in maize in the UK is 0.1 mg/kg. This was the lowest level at which glyphosate could be reliably detected at the time the MRL was set, so represents an effective 'zero'. No MRL has been set for AMPA, as it is of less toxicological significance to humans than glyphosate.

The UK MRL for glyphosate on soya is 20 mg/kg. All maize and soya, including imports of GM and conventional crops, must comply with these MRLs.

The Government carried out monitoring for residues of glyphosate in imported and home produced maize during 1998. The results of this monitoring, including information on the actual levels found, will be published later this year. We are monitoring for residues of glyphosate and its metabolite in soya products during 1999. The results will be published next year.

Glufosinate ammonium: In the case of glufosinate ammonium, the major residue in traditional soya varieties is glufosinate. In GM soya varieties, the major components of the residue are glufosinate and a metabolite n-acetyl glufosinate.

No consent has been given to market genetically modified glufosinate ammonium tolerant soya in Europe, so setting an MRL for n-acetyl glufosinate has not been considered. There are currently no UK statutory MRLs for glufosinate ammonium, but any food treated with glufosinate ammonium must pose no unacceptable risk to consumers under general UK food safety legislation. The Government are monitoring for residues of glufosinate ammonium and its metabolite in soya products during 1999. The results will be published in the year 2000.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food what recent reports he has received from the United States Department of Agriculture on *(a)* the yields of genetically modified crops grown in the United States and *(b)* the quantities of chemical treatments used for such crops compared to non-genetically modified crops; and if he will make a statement. [91048]

Mr. Rooker *[holding answer 13 July 1999]:* I have received no such reports from the US Department of Agriculture.

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what comparative assessment his Department has made of the herbicide-residue levels in *(a)* GM soya and *(b)* non-GM soya; and if he will make a statement. [90722]

Mr. Rooker *[holding answer 13 July 1999]:* Data on residue levels of the herbicide glyphosate in both traditionally bred and GM soya have been submitted to the EU in support of the Maximum Residue Level (MRL). The data for traditionally bred soya were evaluated by EU experts and assessed by all EU member states, including the UK, by the MRL setting process. Subsequently, the data for GM soya were evaluated. The same MRL was set.

No approval has been given for the marketing of glufosinate ammonium tolerant soya in the UK.

Departmental Travel

Mr. Brake: To ask the Minister of Agriculture, Fisheries and Food how many kilometres have been travelled on his Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by his Department's employees; and if he will make a statement. [91016]

Mr. Morley *[holding answer 13 July 1999]:* The information on business travel is not collected in the form requested and therefore cannot be provided. As published in the Integrated Transport White Paper in July 1998, the Government have set a target that all Government Department headquarters buildings and main buildings

occupied by Executive Agencies should have Green Transport Plans by March 1999 and all other key buildings by March 2000.

We have completed Green Transport Plans for all our London headquarters buildings and our York building, which houses two of the Ministry's Executive Agencies and we are developing plans for all our other key buildings in line with the targets set out in the White Paper. The plans include measures to reduce single-occupancy car use by employees for commuting and business travel, including extending and encouraging wider use of the Department's video conferencing network and promoting suitable car sharing schemes.

Fishing Discards

Mr. Nicholls: To ask the Minister of Agriculture, Fisheries and Food if he will estimate by area in relation to each species of fish covered by quota, the amount of fish discarded from United Kingdom registered fishing vessels in the last five years; what proportion of, the fish discarded in each case were *(a)* of a marketable condition and *(b)* undersized; and if he will make a statement. [90733]

Mr. Morley: I refer the hon. Member to the replies given to the hon. Member for Buckingham (Mr. Bercow) on 17 June 1999, *Official Report*, columns *216–18*, and 8 July 1999, *Official Report*, column *626*.

Research work is continuing on why fish are discarded.

Glyphosate

Mrs. Anne Campbell: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the environmental impact of the use of the herbicide glyphosphate when it is applied to the land as an aid in conservation tillage schemes. [90599]

Mr. Rooker: I believe my hon. Friend is referring to the herbicide glyphosate. All pesticides are subject to strict statutory control and are approved only following thorough scientific evaluation of the risk that they pose to people, wildlife and to the wider environment. Only if this assessment shows that there is no unacceptable risk will approval be granted.

Glyphosate has been approved as a herbicide since 1974. The environmental impact of its use in conservation tillage schemes would have been assessed at that time. Glyphosate is currently being reviewed by the EU Commission and the UK is playing an active part in this work. The review is expected to be completed by about late 2000.

Parliamentary Questions

Mr. Brady: To ask the Minister of Agriculture, Fisheries and Food how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91067]

Mr. Morley: I refer the hon. Member to the reply given to him on 15 April 1999, *Official Report*, column *322*. All questions for a named day up to 14 April 1999 were tabled by 31 March 1999.

Food and Drink Inspections

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if he will list those sectors of the food and drink industry which are obliged to pay for the inspection of their products. [R] [90383]

Mr. Rooker: In the food and drink industry, charges are made for the hygiene inspection of meat, milk production and fish. Where export certification is required, the necessary inspections are paid for by the industry. In addition, the industry also pays for the sampling and analysis of food of animal origin for residues of veterinary medicines, and the agrochemical sector pays part of the cost of the pesticide residue monitoring arrangements.

Fruit and Vegetable Disposal

Sir Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what was the total amount spent by the EU on the subsidising of dumping of surplus fruit and vegetables in the most recent year for which figures are available. [90421]

Mr. Rooker *[holding answer 12 July 1999]*: Unpublished EU figures give the total cost of compensation for fruit and vegetables withdrawn from the market as £96.56 million[1] for the financial year ending 15 October 1998.

[1] *Source:*
EU Commission data, converted from ecu to £ using representative rate on 31 December 1998.

Sir Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement explaining the total amount spent by the EU on the disposal of fruit and vegetables in the most recent annual period for which figures are available; and if he will list the tonnage of each particular fruit and vegetable so disposed of. [90422]

Mr. Rooker *[holding answer 12 July 1999]*: The Government have no wish to see good food go to waste and have consistently opposed the system of paying compensation for produce withdrawn from the market, arguing that it distorts the market and encourages surpluses. The reform of the EU fruit and vegetable regime in 1996 was a step in the right direction, providing for reductions in withdrawal prices and volumes withdrawn over the first six years of the reform. The reform also encouraged greater use of free distribution to charities and other non-profit making institutions. A considerable amount of produce withdrawn in the UK has been distributed to such bodies in the past year.

Provisional quantities of each product withdrawn in the EU during the 1997–98 marketing years

	Tonnes
Cauliflower	172,928
Apricots	16,965
Nectarines	72,688
Peaches	89,616
Lemons	7,866
Tomatoes	240,828
Aubergines	4,050
Pears	86,208
Table grapes	133
Apples	357,615
Satsumas	4,033
Mandarines	1,836

Provisional quantities of each product withdrawn in the EU during the 1997–98 marketing years

	Tonnes
Clementines	68,964
Oranges	144,819
Melons	17,030
Watermelons	6,850

Source:
EU Commission data

Dairy Hygiene Inspection Charges

Mr. Todd: To ask the Minister of Agriculture, Fisheries and Food what are the levels of dairy hygiene inspection charges, or equivalent, levied in each European Union member state in sterling. [90856]

Mr. Rooker: The information requested is not currently available. I have asked for inquiries to be made about charges in other member states and I will write to my hon. Friend when I have further information.

Slaughterhouses

Mr. Paterson: To ask the Minister of Agriculture, Fisheries and Food how many invitations *(a)* he and *(b)* the Minister have received to visit slaughterhouses since their appointments; and how many each has visited. [88337]

Mr. Nick Brown *[pursuant to his reply, 7 July 1999, c. 554]:* My hon. Friend the Minister of State has visited slaughterhouses on nine occasions since 1 May 1997.

Written Answers to Questions

Thursday 15 July 1999

TRADE AND INDUSTRY

Company Directors

4. **Mr. Watts:** To ask the Secretary of State for Trade and Industry if he will make a statement on the progress he has made in implementing his policies relating to the activities of company directors. [90010]

Mr. Wilson: We have embarked on a fundamental review of company law, and two reviews of insolvency law are also being undertaken. However, we need to balance giving company directors maximum freedom to perform their duties with providing the public and business with protection against the activities of rogue directors. Over 2,500 unfit directors have been disqualified by the courts in the last two years.

Clean Coal Technology

6. **Mr. Bill O'Brien:** To ask the Secretary of State for Trade and Industry if he will make a statement on the current progress of clean coal technology for generating electricity. [90012]

Mr. Battle: On 22 April, I announced the launch of Energy Paper 67 on Cleaner Coal Technologies. At the time, I stated that my Department was allocating £12 million over the next three years towards a new research and development programme on cleaner coal technology, expecting that this money will generate some £60 million of collaborative industry and university projects over the period.

Out-of-town Supermarkets

14. **Dr. Whitehead:** To ask the Secretary of State for Trade and Industry what evidence he has assessed of the relationship between the location of out-of-town supermarkets and competition between their owners. [90022]

Mr. Byers: The Competition Commission is currently investigating the supply of groceries in the UK. It is due to deliver its report on 7 April 2000. It would not be appropriate for me to comment on matters which may form part of the Commission's inquiry.

Manufacturing Exports

15. **Mr. Bob Russell:** To ask the Secretary of State for Trade and Industry what plans he has further to promote manufacturing exports. [90023]

Mr. Wilson: I hope that all exporters, including manufacturers, will benefit from British Trade International. A wide range of support is available to manufacturing exporters. I am continuing to meet manufacturing companies throughout the UK in order to ensure that we are fully in touch with their needs and concerns.

Objective 1 Funding

16. **Mr. Llwyd:** To ask the Secretary of State for Trade and Industry what representations his Department has received on the application of the additionality principle in regard to Objective 1 funding; and if he will make a statement. [90024]

Mr. Wills: The Department has received one written representation on the application of additionality for the coming Objective 1 programmes; the issue has also been raised on several occasions with officials.

The UK complies with the rules on additionality and will continue to do so. For Objective 1, additionality will be calculated for all Objective 1 regions taken together, as required under Article 11 of the new Structural Funds regulation.

Assisted Area Status

17. **Mr. Blizzard:** To ask the Secretary of State for Trade and Industry when he expects to make an announcement on the new map of assisted area status. [90025]

32. **Mr. Campbell-Savours:** To ask the Secretary of State for Trade and Industry if he will review the arrangements for the allocation of regional selective assistance. [90041]

Dr. Palmer: To ask the Secretary of State for Trade and Industry when he will announce his proposals for the new assisted areas. [91661]

Mr. Byers: I am today submitting to the European Commission the UK Government's proposals for Assisted Areas under Article 87(3)a and 87(3)c of the EC Treaty.

A document explaining our protocols will be placed in the Library of the House and a copy will be sent to each hon. Member to inform him or her of our proposals. My right hon. Friends the Secretaries of State for Wales and for Scotland will write to the devolved Administrations setting out the proposals for Wales and Scotland.

Difficult Markets

18. **Mr. Robathan:** To ask the Secretary of State for Trade and Industry if he will make a statement on progress in respect of good projects in difficult markets. [90026]

Mr. Wilson: Since announcing the "Good Projects in Difficult Markets" scheme in August last year, ECGD has been asked to consider supporting around 40 projects in 18 countries with a potential UK export value in excess of £2 billion. Negotiations on a number of these projects are progressing well.

Dairy Industry

19. **Mr. Edwards:** To ask the Secretary of State for Trade and Industry if he will make a statement on the Monopolies and Mergers Commission report on the market in raw milk. [90027]

36. **Mr. Paterson:** To ask the Secretary of State for Trade and Industry if he will make a statement on the prospects for the dairy industry. [90045]

Mr. Jack: To ask the Secretary of State for Trade and Industry if he will make a statement about competition in the dairy industry. [90015]

Dr. Howells: My right hon. Friend the Secretary of State for Trade and Industry published on 6 July the former MMC's report on the supply in Great Britain of raw cows milk. I refer Members to the Secretary of State's speech given during the Dairy Industry debate on 7 July 1999, *Official Report*, column 1090–91.

Working Time Regulations

20. **Mr. Bercow:** To ask the Secretary of State for Trade and Industry if he will make a statement about the effect on small businesses of the working time regulations. [90028]

Mr. Wills: A Regulatory Impact Assessment on the costs and benefits resulting from the implementation of the Working Time Regulations, which considers small business, was made prior to implementation.

We are presently consulting on amendments which are designed to clarify the regulations and help business without removing the protection that the Directive provides to workers.

Copies of both the Regulatory Impact Assessment and the consultation documents are held in the Library of the House.

National Minimum Wage

21. **Mr. Coaker:** To ask the Secretary of State for Trade and Industry what steps he has taken to ensure that employers are complying with the national minimum wage. [90029]

Mr. Ian McCartney: I refer my hon. Friend to the reply given to my hon. Friend the Member for Warwick and Leamington (Mr. Plaskitt) today, column 557.

22. **Angela Smith:** To ask the Secretary of State for Trade and Industry what assessment he has made of the implementation of the national minimum wage for care home employees. [90030]

Mr. Ian McCartney: I have made no such assessment. The Government has asked the Low Pay Commission to monitor and evaluate the introduction and impact of the national minimum wage and to report by December. The Commission's terms of reference specifically require it to consider the impact on low-paying sectors and I understand that it has recently written to interested parties, including representatives of employers and employees in the care sector, inviting them to submit written evidence.

New Businesses

23. **Mr. Gapes:** To ask the Secretary of State for Trade and Industry what action he is taking to assist a wider range of people to establish businesses. [90031]

Mr. Wills: The Government is assisting a wider range of people to establish businesses by promoting a stable macro-economic climate with price stability, low interest rates and flexibility on the supply side. The Secretary of State has also announced that we will establish the Small Business Service to improve support services for small businesses. A consultation document on the Small Business Service was published on 1 July.

We envisage a key element of the Small Business Service to be to offer help to a wide range of people, including those wishing to become self-employed, and to encourage enterprise in socially and economically disadvantaged communities. The Chancellor of the Exchequer has recently appointed Lord Trotman to consider, over the summer, what more the Government can do to help encourage the foundation and growth of small firms. The review will look at the measures taken so far to support small and medium-sized enterprises, covering both tax and public spending programmes.

Wind Energy

24. **Mr. Chaytor:** To ask the Secretary of State for Trade and Industry what assessment he has made of the benefits of schemes to support wind energy. [90032]

Mr. Battle: Wind energy is one of the more promising renewable energy sources for electricity generation world-wide. The supporting analysis accompanying my renewables consultation paper includes a status report on wind energy and how the technology has been developing in the UK, highlighting the achievements of wind energy projects under the Non-Fossil Fuel Obligation (NFFO) and the supporting Research and Development Programme.

At 31 March 1999, there were 59 wind projects comprising 138 Mega Watts (Declared Net Capacity) operational in the UK. The cost of wind-generated electricity under successive NFFO orders has reduced significantly, with the average price having fallen from 7.98 p/kWh under NFFO-1 to 2.88 p/KWh under NFFO-5, substantially increasing both competitiveness and growth of renewables.

Electronic Commerce

25. **Mr. Chope:** To ask the Secretary of State for Trade and Industry when he expects to bring forward his legislative proposals for electronic commerce. [90033]

Mr. Wills: The Government is ready to introduce the Electronic Communications Bill into Parliament. However, the Government is currently seeking agreement to the use of the carryover procedure for this Bill.

Small Business Service

26. **Mr. Kidney:** To ask the Secretary of State for Trade and Industry in what ways the proposed Small Business Service will help to reduce compliance costs for small businesses. [90034]

Mr. Wills: The Small Business Service will have a clear task to help reduce the burden of regulation on small firms wherever possible. It will work closely with the Regulatory Impact Unit to ensure that the impact of proposed regulations on small business is properly understood and considered at all levels of Government. It will work to ensure that small businesses have access to clear and straightforward information and guidance on

regulatory requirements. It will also aim to identify practical ways in which it can help smaller business to cope with regulation.

The Government's proposals are set out in detail in the consultation document on the Small Business Service published on 30 June, copies of which have been placed in the Library of the House.

Climate Change Levy

27. **Mr. Syms:** To ask the Secretary of State for Trade and Industry if he will make a statement about the cost to business of the proposals for new energy taxes. [90036]

28. **Mr. Gray:** To ask the Secretary of State for Trade and Industry if he will make a statement about the impact of the climate change levy on business. [90037]

Mr. Battle: I welcome the representations from so many quarters of industry and business that something must be done to tackle climate change and to reduce emissions of greenhouse gases.

The new climate change levy is intended to encourage energy efficiency in business and to contribute towards our commitments to reduce greenhouse emissions.

Any assessment of the impact of the levy will depend on the final rates of tax which are set by my right hon. Friend the Chancellor of the Exchequer. HM Customs and Excise has previously published a consultation document on the design of the levy, which included some rates, but for illustrative purposes only.

The Government has promised that there will be significantly lower rates of levy for those energy intensive sectors, covered by the EU Integrated Pollution Prevention and Control Directive, which are prepared to enter negotiated agreements with the Government to deliver energy efficiency improvements and/or emissions reduction targets. Discussions with a number of energy intensive sectors are under way to develop outline negotiated agreements for their sectors.

The Government is determined to work closely with business on the detailed design and implementation of the climate change levy, and will take final decisions in the light of the responses to the Customs and Excise consultation as well as representations received from business and others.

Oftel

29. **Dr. Cable:** To ask the Secretary of State for Trade and Industry what plans he has to review the responsibilities of Oftel. [90038]

Mr. Wills: The Government's review of utility regulation has examined telecoms regulation and the responsibilities of Oftel. The proposals for new legislation on utility regulation, which will be introduced at the earliest possible opportunity, include giving Oftel a new primary duty to protect the interests of consumers and extending Oftel's duties to address the interests of low income users and the chronically sick. In addition, the Government is committed to a wider ranging reform of telecoms regulation and we expect to publish initial proposals later in the year. We are also working closely with Oftel on the 1999 Review of EC telecoms legislation, which will lead to a new telecoms regulatory framework in the EC early in the next century.

Employment Directives

31. **Mr. Forth:** To ask the Secretary of State for Trade and Industry what is his Department's estimate of the cost of the *(a)* social chapter's parental leave directive, *(b)* works councils directive and *(c)* part-time workers directive to British business. [90040]

Mr. Ian McCartney: On the question of the estimated costs of the Directives on Parental Leave and Part Time Workers, I refer the right hon. Gentleman to the answer given to the hon. Member for Altrincham and Sale, West (Mr. Brady) on 17 June 1999, *Official Report*, column *204*.

The Regulatory Impact Assessment for the European Works Councils Directive was published as part of the consultation exercise on the implementation on 1 July. It estimated the recurring compliance costs to business to be £14.5 million.

Consumer Protection

33. **Ms Stuart:** To ask the Secretary of State for Trade and Industry if he will make a statement on his Department's work on consumer protection. [90042]

Dr. Howells: My right hon. Friend the Secretary of State for Trade and Industry will be making a statement shortly on the Government's consumer White Paper.

Metrication (Food Industry)

34. **Mr. Gill:** To ask the Secretary of State for Trade and Industry if he will make a statement on metrication in the United Kingdom retail food industry. [90043]

Dr. Howells: The sale of retail food in metric units of measurement began in 1973. About 90 per cent. of retail food is now sold in metric weights or measures.

Under legislation made in 1994, foods sold loose by weight must be priced and weighed in grams and kilograms after 31 December 1999. Retailers will be able to display the weight and price in imperial units alongside their metric equivalents. Consumers will be able to describe in imperial weights the quantity they wish to buy. The retailer will simply provide the equivalent metric quantity.

I intend soon to report more fully to Parliament on metrication in the UK, including the Government's plans to provide small retailers and their customers with information and advice about the changeover for loose goods.

Petrol Service Station Licensing Agreements

35. **Ms Jenny Jones:** To ask the Secretary of State for Trade and Industry what representations he has received on licensing agreements in the petrol service station industry. [90044]

Dr. Howells: My Department has received a number of representations about licensing agreements in the petrol service station industry.

Mains Electricity

Mr. Öpik: To ask the Secretary of State for Trade and Industry if he will provide grants to support the generation of electricity from renewable energy sources by households without mains electricity; and if he will make a statement. [89852]

Mr. Battle: The Government's consultation paper "New and Renewable Energy—Prospects for the 21st Century" invited views on the balance of measures and precise form of support for renewables in their next stage of development. I am currently considering responses to the consultation exercise and I will publish a summary of these shortly. I will take these responses into account in drawing up policy proposals for further support measures.

Radioactive Waste

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what quantities of irradiated spent research reactor fuel from the Spanish reactors *(a)* Jen-I, *(b)* Argos and *(c)* Arbi, have been imported for reprocessing at Dounreay since 1992; what safeguards agreements cover this spent fuel; what quantities have been reprocessed to date; what contractual commitments exist to return the (i) radioactive wastes, (ii) uranium and (iii) plutonium arising to Spain; and what quantities of reprocessing arisings have been returned to Spain to date. [91169]

Mr. Battle: This is an operational matter for the UKAEA. I have asked the Chairman of the UKAEA for this information and his reply will be placed in the Library of the House.

Research Councils (Environmental Performance)

Mr. Gareth R. Thomas: To ask the Secretary of State for Trade and Industry who has responsibility within the Council for the Central Laboratory of the Research Councils for environmental performance; and if they are subject to performance-related pay. [91009]

Mr. Battle: Overall responsibility is held by the Deputy Chief Executive, Dr. Gordon Walker. A senior member of staff, Dr. Richard Wade, has been appointed to carry forward and implement environment policy. The particular issue of radioactive emissions is dealt with by another senior officer, Dr. Tim Broome.

All CCLRC staff are subject to performance related pay.

Small Businesses

Barbara Follett: To ask the Secretary of State for Trade and Industry how the Government will implement the proposal in the Competitiveness White Paper to support the growth of smaller businesses in areas with particular needs. [91662]

Mr. Byers: I am today announcing the introduction of Enterprise Grant Areas in England.

Details of these areas are set out in the document explaining our proposals for Assisted Areas under Article 87(3)a and Article 87(3)c of the EC Treaty.

A copy of this document will be placed in the Library of the House.

Motorsport Engineering

Mr. Burden: To ask the Secretary of State for Trade and Industry if he will make a statement on the contribution of motorsport engineering to UK manufacturing competitiveness. [90008]

Mr. Battle: The reputation of British motorsport engineering is world class. The demanding engineering and materials solutions required at the leading edge of this sport bring opportunities for technology transfer and other more mainstream industrial sectors, such as aerospace and vehicle production, have benefited from this.

Company Accounts

Mr. Canavan: To ask the Secretary of State for Trade and Industry what plans he has to review the operation of company law in the matter of *(a)* frequency of registering accounts and *(b)* penalties for late registration of accounts in relation to (i) trading and (ii) non-trading companies. [91300]

Mr. Ian McCartney: The periods allowed for delivering accounts to the Registrar of Companies will be reviewed as part of the fundamental review of company law, which the Department launched in March 1998. It is due to present its final report in the Spring of 2001. Separately, Companies House is reviewing whether the current penalty bands which apply to the late filing of accounts are having the maximum effect in encouraging compliance. The penalties apply equally to trading and non-trading companies.

Car Industry

Mr. Win Griffiths: To ask the Secretary of State for Trade and Industry what financial support his Department has given the car industry since May 1997. [90013]

Mr. Byers: DTI financial support is provided through Regional Selective Assistance (RSA). RSA grants totalling £71,742,000 have been made by the Department to the car industry since May 1997. This figure covers support given to both vehicle manufacturers and component suppliers.

British Nuclear Fuels Ltd.

Mr. Jack: To ask the Secretary of State for Trade and Industry for what reasons the right hon. Member for Fylde was not advised directly on 13 July of his Department's future proposals for BNFL's financial arrangements. [91710]

Mr. Byers: I understand that BNFL wrote to MPs with a constituency interest in the company about the announcement on 13 July. I have also written offering them further briefing about the announcement if they would find that helpful.

NORTHERN IRELAND

Northern Ireland Statistics and Research Agency

Mr. Rapson: To ask the Secretary of State for Northern Ireland what performance targets have been set for the Northern Ireland Statistics and Research Agency in 1999–2000. [91772]

Mr. Paul Murphy: For 1999–2000, the following key performance targets have been set for the Agency:

90–100 per cent. of key Government users of the Agency surveyed rating its overall service as satisfactory or better, with 50–55 per cent. rating it as very satisfactory.

95–100 per cent. of registered non-Government users of the Agency surveyed rating its overall service as satisfactory or better, with 55–60 per cent. rating it as very satisfactory.

To produce no fewer than 60 statistical publications and 16 ad hoc research publications during 1999–2000.

95–100 per cent. of NISRA readers rating key publications as satisfactory or better, 40–45 per cent. rating them as very satisfactory.

To process 98 per cent. of postal and personal applications for General Register Office certificates within eight and three working days respectively.

To carry out and evaluate a Census Rehearsal.

To achieve a minimum of 3 per cent. efficiency saving.

Full details are set out in the Agency's Corporate and Business Plan, copies of which will be placed in the Library of the House.

Data Series

Jackie Ballard: To ask the Secretary of State for Northern Ireland what new data series separated by gender, race, disability and age have been commissioned by her Department since June 1997. [90536]

Mr. Paul Murphy: In terms of the Northern Ireland Civil Service (NICS), since 1985 detailed monitoring of the workforce has been undertaken in terms of gender, religion and disability. The NICS is currently collecting, for the first time, data on disability to align with the provisions of the Disability Discrimination Act 1995. The outcomes of monitoring have been reported in the published reports of the Service's Equal Opportunity Unit, the first of which was published in 1986. The most recent report, the Sixth Report, was published in 1997 and it is intended to publish a Seventh Report later this year. Copies of the Reports are available in the Library of the House.

Since 1991, Home Civil Servants (HCS) working in the Northern Ireland Office, London, have required monitoring for ethnic origin. HCS staff have also been monitored in terms of gender and disability; and for staff working in Northern Ireland, community background.

EDUCATION AND EMPLOYMENT

Pupil Exclusions

Mr. Cox: To ask the Secretary of State for Education and Employment if he will list for each of the London education authorities the number of pupils who were excluded from school on 11 June. [90172]

Ms Estelle Morris: Information on exclusions is collected only on an annual basis. The latest available information in the form requested is for the academic year 1997–98 and is shown in the following table.

Number of permanent exclusions by type of school and Local Education Authority area
England 1997–98

	Number of permanent exclusions			
	Primary [1]	Secondary [1]	Special [2]	Total
City of London	0	[3]	[3]	0
Camden	11	34	5	50
Hackney	22	21	3	46
Hammersmith and Fulham	12	39	1	52
Haringey	5	38	3	46
Islington	8	38	1	47
Kensington and Chelsea	5	33	0	38
Lambeth	15	40	7	62
Lewisham	22	50	5	77
Newham	12	42	0	54
Southwark	15	76	5	96
Tower Hamlets	5	39	5	49
Wandsworth	10	59	7	76
Westminster	3	60	0	63
Barking and Dagenham	9	38	0	47
Barnet	8	65	4	77
Bexley	11	59	2	72
Brent	7	90	0	97
Bromley	10	83	0	93
Croydon	17	85	6	108
Ealing	11	71	0	82
Enfield	10	74	3	87
Greenwich	8	48	5	61
Harrow	5	50	5	60
Havering	4	66	0	70
Hillingdon	3	52	3	58
Hounslow	8	61	2	71
Kigston-upon-Thames	0	27	2	29
Merton	4	32	0	36
Redbridge	5	29	1	35
Richmond-upon-Thames	1	53	0	54
Sutton	6	37	2	45
Waltham Forest	10	76	3	89

[1] Includes middle schools as deemed
[2] Includes maintained and non maintained special schools
[3] not applicable (no schools of this type)

Religious Education

Lorna Fitzsimons: To ask the Secretary of State for Education and Employment what considerations have been given to including Koranic teaching in schools under religious education sections in the National Curriculum. [90306]

Mr. Charles Clarke: Religious education is required to be included, alongside the National Curriculum, as part of the basic curriculum. It has equal standing in relation to the National Curriculum subjects within a school's curriculum.

It is for the Local Education Authority to convene an agreed syllabus conference for the purpose of preparing an agreed syllabus for religious education. The local

education authority shall appoint constituent bodies consisting of persons representing such Christian denominations and other religions and denominations of such religions as, in the opinion of the authority, will appropriately reflect the principal religious traditions in the area. The role of a conference is to produce and recommend an agreed syllabus for religious education which meets fully the requirements of the 1988 Act and is educationally sound. Its recommendation must be unanimously agreed by the committees constituting the conference.

The Department issued Circular 1/94 *Religious Education and Collective Worship* that sets out the statutory position and gives guidance to governors, local education authorities and standing advisory committees on religious education on how to carry out their functions in regard to religious education.

Grammar Schools

Mr. Bercow: To ask the Secretary of State for Education and Employment how many inquiries he has received about petitions for ballots on the future status of grammar schools. [91202]

Ms Estelle Morris: A number of inquiries have been made about petitions but no central log has been made of these. The ballot administration company has received formal requests to calculate the number of signatures required for any petitions submitted by 31 July in order to trigger a ballot for the following areas: Barnet, Birmingham, Kingston-upon-Thames, and Ripon. To date, no petitions have been sent to the ballot company for checking and no ballots have taken place or are scheduled to take place.

School Pupils (Drug Possessions)

Mr. Clappison: To ask the Secretary of State for Education and Employment what estimate he has made of the number of pupils found to be in possession of controlled drugs on school premises in the last year for which figures are available. [91132]

Mr. Charles Clarke: These figures are not centrally available. However, we have asked local education authorities to provide us with information on the number of drug related exclusions of more than five school days in the current school year. This information should be available early next year.

Class Sizes (Greater London)

Mr. Cox: To ask the Secretary of State for Education and Employment what is the average class size of state schools within the Greater London area. [90773]

Ms Estelle Morris: Provisional figures show that the average class size for classes taught by one teacher in maintained primary and secondary schools in Greater London as at January 1999 are 27.3 and 21.8 respectively.

Young People (Leicestershire)

Mr. Reed: To ask the Secretary of State for Education and Employment what percentage of 17 to 18-year-olds in Leicestershire are in *(a)* schools, *(b)* further education and *(c)* work. [91207]

Mr. Mudie: In 1996–97, the proportion of young people aged 16 or 17 at the start of the academic year, in full or part-time education in schools and further education in Leicestershire, were 34 per cent. and 44 per cent. respectively.

The proportion of young people aged 16 or 17 at the start of the academic year, in employment, in the winter of 1998, in Leicestershire was 68 per cent.

Many young people combine work with education so there are significant overlaps between these groups.

New Deal (Private Sector Companies)

Mr. Reed: To ask the Secretary of State for Education and Employment what assessment he has made of the performance of private sector companies delivering the New Deal. [91205]

Mr. Andrew Smith: It is still early days, but progress in the 10 New Deal for Young People Private Sector-led Units of Delivery appears to be generally satisfactory. They are subject to the same evaluation and continuous improvement strategy as other units. As part of this, ES and its partners are working together to improve performance in the delivery of the New Deal. Private Sector-led Units of Delivery are no exception, and ES will shortly be undertaking a series of comprehensive contract review meetings with these partners. It is too early to make reliable assessments of performance for the New Deal 25+ Pilots.

Departmental Travel

Mr. Brake: To ask the Secretary of State for Education and Employment how many kilometres have been travelled on his Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by his Department's employees; and if he will make a statement. [91020]

Mr. Mudie *[holding answer 13 July 1999]:* Information on business travel is not collected in the form requested. As published in the Integrated Transport White Paper in July 1998, the Government have set a target for all Government Department headquarters buildings and main buildings occupied by Executive Agencies and Government Offices for the Regions to have green transport plans by March 1999 and all other key buildings by March 2000.

We have completed plans covering our five headquarters buildings. The Employment Service have also completed a plan covering their headquarters and main buildings. We are developing plans for all other key buildings in line with the targets set out in the White Paper. The plans include measures to reduce single occupancy car use by employees for commuting and business travel.

School Transport

Mr. Lock: To ask the Secretary of State for Education and Employment what guidance he has issued to local authorities about charging parents for school transport to the nearest denominational school to their home. [91291]

Mr. Charles Clarke: The Department has issued no specific guidance on charges for transport to denominational schools as this is for Local Education Authorities to consider in the light of local circumstances. General guidance on the duties and powers of Local Education Authorities with regard to school transport is contained in a letter from the Department to Chief Education Officers dated 21 January 1994.

National Disability Council

Mr. Shaw: To ask the Secretary of State for Education and Employment when the National Disability Council will report on its activities during the 1998–99 financial year. [91823]

Ms Hodge: I am pleased to announce that the Secretary of State has today laid the National Disability Council's fourth annual report before Parliament. Copies of the report have been placed in the Library.

CULTURE, MEDIA AND SPORT

Ancient Monuments

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport on how many occasions and in what circumstances English Heritage has exercised its powers to take control of an ancient monument. [89400]

Mr. Chris Smith *[holding answer 2 July 1999]:* English Heritage does not have powers to take control of an ancient monument in the sense of a compulsory acquisition. Its management of historic sites and properties arises under the direction of myself, or through acquisition or Guardianship arrangements entered into by agreement.

Archaeology

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will set out the responsibilities of English Heritage in relation to local government archaeological services. [89404]

Mr. Chris Smith *[holding answer 2 July 1999]:* English Heritage has policy responsibility for advising Local Authorities on the adequacy of their archaeological services; more specifically it assists with the funding of archaeological posts in local authorities connected with data gathering and the maintenance of Sites and Monuments Records (a contribution of £164,752 in 1999–2000). It also funds survey work, totalling £387,876 in 1999/2000; provides archaeological planning advice to the Greater London Boroughs; provides eight scientific advisers to assist local authorities' archaeological curators (with a ninth post due to be filled shortly); and funds an administrative support post for the Association of Local Government Archaeological Officers.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport how many people were employed in local government archaeological services *(a)* in 1990 and *(b)* at the latest date for which figures are available. [89403]

Mr. Chris Smith *[holding answer 2 July 1999]:* A 'RESCUE' (The British Archaeological Trust) survey in 1990 indicated that 1,021 people were employed in local government archaeological services in that year; I understand that a forthcoming report by the Institute of Field Archaeologists and the Council for British Archaeology will show that, at September 1998, 795 people were employed. The reduction partly reflects the increase in the provision of private sector archaeological services following the publication in 1990 of Planning Policy Guidance Note 16—Archaeology and Planning.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the Secretary of State for Education and Employment regarding the development of NVQs in archaeology. [89414]

Mr. Chris Smith *[holding answer 2 July 1999]:* None, but the relevance of NVQs to archaeology is one of the issues being considered by English Heritage and archaeological bodies within English Heritage's Training Liaison Forum.

Team Sports (Women's Participation)

Mr. Gorrie: To ask the Secretary of State for Culture, Media and Sport what assessment the Sports Council has made of the opportunities available to girls and young women to take part in previously mostly male team sports; and what plans it has to expand those opportunities. [91054]

Mr. Banks: Sport England works with a range of organisations, including the Women's Sports Foundation, to promote and encourage opportunities for girls and young women in sport at all levels.

Sport England regularly commissions research into sporting participation patterns and trends and will be carrying out its Young People and Sport survey later this year, which will focus specifically on the participation rates of girls in sport.

Projects developed with Lottery funding are monitored to assess the participation levels of previously under-represented groups. Gender-specific targets have been set in the document developed by Sport England entitled "England, the Sporting Nation" and targets for increasing the participation rates for women in sport are being developed in line with the new Funding Agreement with this Department.

As part of its aim to raise the participation rates of girls in sport, Sport England has undertaken a pilot initiative, 'Girl Sport', and hopes to begin introducing the initiative nationwide later this year.

Any governing body which receives funding from Sport England must provide development proposals for women's sport as a condition of that funding. Also, all organisations applying for funding from the National Lottery Sports Fund are required to include ways of encouraging the participation of women and girls. This is now helping to increase participation levels, particularly in those sports that have traditionally been male-dominated.

Sport England has also organised gender equity training for governing bodies, including senior executives.

Specific activities that Sport England has undertaken with governing bodies of sports that have been traditionally male-dominated include:

providing financial support for a women's development officer for rugby league;

encouraging women's sections of rugby union clubs;

helping to facilitate the amalgamation of male and female governing bodies in football and cricket, with the result of additional resources for the development of the women's game, with girls' age-group national teams formally established.

Where the men's professional game is ineligible for lottery revenue support through the 'World Class Performance' programme, Sport England are still able to support women's elite sport in cricket and rugby union.

We are hopeful that the establishment of the UKSI National Network will also prove extremely beneficial to women's sport.

Sports Grounds (Safety)

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport what measures he plans to introduce to improve safety and facilities at cricket and rugby grounds. [91210]

Mr. Banks: The Government are determined that spectators of all sports should be able to enjoy the action in safety and comfort. In April I announced new roles for both Sport England and the Football Licensing Authority in our drive to modernise sports grounds across the country. Sport England is to fund a £10m improvement scheme over the next four years to help top rugby league and rugby union teams, and the major cricket counties to improve safety at their grounds. In addition, the Football Licensing Authority will be reconstituted as the Sports Grounds Safety Authority and will have an advisory role on safety issues associated with all sports which use outdoor sports stadia, including cricket. I am sure my hon. Friend will agree that these are welcome development.

Data Series

Jackie Ballard: To ask the Secretary of State for Culture, Media and Sport what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90824]

Mr. Chris Smith: Since June 1997 my Department has commissioned two internal staff surveys, one on ethnicity and one on disability.

Social Exclusion Unit

Ms Stuart: To ask the Secretary of State for Culture, Media and Sport when he will publish the report of the Social Exclusion Unit's Neighbourhood Renewal Policy Action Team 10 on arts and sport; and if he will place a copy in the Library. [91860]

Mr. Chris Smith: The Government warmly welcome the report of Policy Action Team 10, set up by the Social Exclusion Unit to look at the contribution arts and sport can make to neighbourhood renewal. The Team was led by my Department and its report shows how participation in the arts and sport can develop individuals' talents and self-confidence, encourage collective effort and contribute to improvements in health and educational achievement and reductions in crime and unemployment. The report will be published tomorrow morning and copies will be placed in the Libraries of the House.

Cinemas

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with representatives of the small cinema industry about the viability of independent cinemas; and if he will make a statement. [91431]

Mr. Chris Smith: My Department has received no recent representations on this issue from representatives of the small cinema industry. The Government are keen to encourage the growth of a diverse, successful British film industry in which a wide range of film-makers, distributors and exhibitors can flourish. This will be one of the key aims of the new Film Council, to be established by 1 April 2000.

Film Council

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will publish the findings of Lord Attenborough's inquiry into the structure and remit of the Film Council. [91433]

Mr. Chris Smith: Following an extensive, open consultation exercise, which showed that there was strong support for the proposed Film Council, I asked Lord Attenborough for his personal views and advice on the proposals, given his unrivalled breadth of experience of the British film industry over many years. It was never intended that Lord Attenborough would produce a report for publication. However, I took his advice into account before making a final announcement on the establishment of the new body, at the Cannes Festival in May.

Film Companies

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will publish the applications for the franchises to operate National Lottery-funded film companies. [91434]

Mr. Chris Smith: Applications for Lottery-funded franchises were made to the Arts Council of England and contained information of a commercially sensitive nature. The Arts Council of England has therefore decided not to publish the applications.

INTERNATIONAL DEVELOPMENT

Low-income Countries

Dr. Tonge: To ask the Secretary of State for International Development what recent discussions she has had with her European counterparts with regard to increasing the proportion of EU assistance which is invested in low-income countries. [91301]

Mr. Foulkes: I have recently agreed with my Irish, Swedish and Dutch counterparts a joint message to the European Commission asking it to bring forward proposals for increasing the proportion of EC official

development assistance to low-income countries each year from 2000–06, with the aim of the proportion reaching 70 per cent. by 2006.

World Trade Organisation

Dr. Tonge: To ask the Secretary of State for International Development if she will set out her priorities for the forthcoming World Trade Organisation Round with regard to improving market access to developing countries. [91302]

Mr. Foulkes: The Government's objectives for the proposed Millennium Round of negotiations are set out in the Minister of Trade's answer to the question put by the hon. Member for Hazel Grove (Mr. Stunell) of 21 January 1999, *Official Report*, column *548–49*. The priority for the forthcoming World Trade Organisation meeting in Seattle is to launch a comprehensive set of negotiations which will, among other things, enable developing countries to make solid and substantial gains. A key part of this is the opportunity that broad-based negotiations will offer developing countries to significantly improve their access to markets.

Agriculture and textiles are particularly important areas for developing countries. The 1994 agreement on Agriculture in the WTO contains a commitment to continue the reform process started in the Uruguay round by further reducing support and promotion for trade in agriculture. The UK actively supports further progress in this area. We will also be vigilant in ensuring the EU's full implementation of the agreement to abolish quotas on textiles and clothing, and will seek an acceleration of this. In the forthcoming Millennium Round of trade negotiations, the UK and the EU are advocating a comprehensive tariff negotiation aiming at reducing tariffs, removing all tariff peaks and at harmonising the tariff structures of all WTO members across all non-agricultural products.

The Government also strongly supports the EU's proposal that WTO members should agree at Seattle to provide duty free access for essentially all products from the Least Developed countries no later than the end of the round.

Debt Relief

Dr. Tonge: To ask the Secretary of State for International Development what assessment her Department has made of the impact which the debt relief measures proposed at the Cologne summit will have on individual countries. [91304]

Mr. Foulkes: The debt relief measures agreed at Cologne were based on aggregate figures. It is too early to assess with precision the impact of the Cologne proposals for each of the HIPC countries. The impact in each case will depend on the economic circumstance of the country at the time, the precise manner in which the debt relief is delivered and, for some countries, up-to-date information on their total indebtedness. For the many countries still to be assessed for HIPC relief, the estimate of their total indebtedness is uncertain, and the nature of their debt is not fully known. We are pressing the World Bank and IMF to provide information, including on various options for delivering debt relief, and the timeframe over which the costs of these would fall. We are also pressing the World Bank and the IMF to speed up the process by which countries are assessed for debt relief, so that three-quarters of countries will have reached their Decision Point by the end of the year 2000.

Dr. Tonge: To ask the Secretary of State for International Development what discussions she had with *(a)* her European counterparts and *(b)* the European Commission on the proposal that unspent European Development Funds should be invested in debt relief. [91305]

Mr. Foulkes: The Chancellor of the Exchequer and I wrote to Commissioners Pinheiro and Marin in April urging them to consider ways in which the EC could contribute more to debt relief, including by using uncommitted European Development Funds for this purpose. I raised this issue again at the Development Council on 21 May and the Chancellor discussed it with his counterparts at the Economic and Financial Affairs Council (ECOFIN) on 12 July. The Commission has told us that they will bring forward specific proposals, in response to our request, later in the year.

Kosovo Refugees

Dr. Tonge: To ask the Secretary of State for International Development what assessment she has made of the long-term needs of families in Albania which have provided accommodation for Kosovo refugees. [91303]

Mr. Foulkes: We recognise and applaud the generosity of the Albanian people in hosting about 440,000 refugees. Throughout the crisis, the Department for International Development (DFID) has supported NGOs to run a range of activities with long-term benefits for the host communities in Albania, such as improvements to water, sanitation, health and education facilities. A DFID scoping mission visited Albania in May to assess the needs of host communities and refugees. As many refugees have now returned to Kosovo, we are discussing the future of these programmes with the responsible humanitarian assistance agencies.

Data Series

Jackie Ballard: To ask the Secretary of State for International Development what new data series separated by gender, race, disability and age have been commissioned by her Department since June 1997. [90533]

Mr. Foulkes: Statistics on employment by gender and ethnic origin have, from this year, been published in our Annual Report. These series were maintained but not published in earlier years. We have within the last year undertaken a survey of staff who are suffering from disabilities, and statistics will be included in the next Annual Report. No new data series on age has been commissioned pending the acquisition of a personnel management database system.

CABINET OFFICE

Senior Salaries Review Board

Mr. Woodward: To ask the Minister for the Cabinet Office what is the level of the lowest salary currently set by recommendation of the Senior Salaries Review Board. [91517]

Mr. Kilfoyle: £17,560, which the Senior Salaries Review Board recommended for Junior Ministers in the Scottish Parliament, in addition to their salary as Members of the Scottish Parliament.

Government Car Service

Mr. Woodward: To ask the Minister for the Cabinet Office how many Government Car Service cars if run as privately owned private/light goods vehicles would qualify for the lower rate of vehicle excise duty. [91524]

Mr. Kilfoyle: Responsibility for this matter has been delegated under the terms of the Framework Document to the Government Car and Despatch Agency. I have asked its Chief Executive, Mr. Nick Matheson, to write to the hon. Member.

Letter from Nick Matheson to Mr. Shaun Woodward, dated 15 July 1999:

The Parliamentary Secretary has asked me in my capacity as Chief Executive of the Government Car and Despatch Agency to reply to your Parliamentary Question about the number of Government Car Service vehicles that could qualify for lower vehicle excise duty.

This Agency has no cars which would qualify for the lowest rate of vehicle excise duty if they were operated privately.

People's Panel

Gillian Merron: To ask the Minister for the Cabinet Office when he intends to publish results from the third wave of research using the People's Panel; and if he will make a statement. [91864]

Dr. Jack Cunningham: The third wave of results from the People's Panel looks at: what levels of services people expect from public agencies, and where they would like to obtain them from; where people live and the housing they live in; helping children learn to read; and gas safety. The results also include other research carried out using the Panel, notably on attitudes to biosciences which was first published on 21 May. I have today placed in the Libraries of the House copies of the results from this third wave of research.

Property Advisers

Mr. Singh: To ask the Minister for the Cabinet Office what targets he has set for the Property Advisers to the Civil Estate for 1999–2000. [91865]

Mr. Kilfoyle: I have set PACE the following targets for 1999–2000:

1. To identify savings from proposals to be agreed with departments for the co-ordination of property activities on the Civil Estate which in net present value terms should be at least 12 times the agency's related running costs;
2. To deliver on time at least 93 per cent. of the Central Advice Unit's annual work plan;
3. To recover 100 per cent. of the costs of providing intelligent client services and to increase the percentage of all the agency's running costs recovered to 12 per cent.;
4. To dispose of 68 freeholds and leaseholds and to maintain expenditure and receipts within the voted provision;
5. To achieve an improvement in overall customer satisfaction for the agency's services.

Central Office of Information

Mr. Rooney: To ask the Minister for the Cabinet Office what performance targets he has approved for the Central Office of Information for 1999–2000. [91866]

Mr. Kilfoyle: I have approved the following key performance targets for Central Office of Information for 1999–2000:

1. To achieve a financial surplus of £0.1 million on an accruals basis;
2. To achieve efficiency improvements of a unit cost reduction of 2 per cent.;
3. To achieve a customer satisfaction index of 8.25 (out of 10).

Civil Service College

Mr. Stephen Twigg: To ask the Minister for the Cabinet Office what performance targets he has approved for the Civil Service College for 1999–2000. [91862]

Mr. Kilfoyle: I have approved the following key performance targets for the Civil Service College:

1. To achieve financial breakeven on an accruals basis;
2. To generate an income on consultancy of £1.1 million;
3. To have 1,900 students from the Senior Civil Service;
4. To have 900 students from the private sector;
5. To achieve 89 per cent. of course evaluations by students in the top two boxes of a six box scale.

DEFENCE

Weapons Exports

Mr. Bercow: To ask the Secretary of State for Defence from which budget the Paveway III bombs, supplied to Saudi Arabia, were paid for; and to which other countries the JP 233 Runway Denial Systems have been exported. [90435]

Mr. George Robertson: The cost of the Paveway III bombs gifted to Saudi Arabia will be met from the defence budget. JP233 has been exported only to Saudi Arabia.

Nuclear Weapons

Mr. McCabe: To ask the Secretary of State for Defence what plans he has to review the arrangements for the movement of nuclear weapons in the United Kingdom following the RAF's relinquishing of its nuclear capability. [91863]

Mr. Doug Henderson: On 1 April 1999 the Chief of Defence Logistics (CDL) assumed overall responsibility for the movement of nuclear weapons in the United Kingdom. The responsibility for the day-to-day movement of nuclear weapons is being moved, in phases, from RAF personnel to the Ministry of Defence Police with support from AWE civilians and the Royal Marines. An Implementation Team has been established to manage the transfer, which will be completed by 31 March 2002. The process will occur gradually in recognition of the importance and complexity of the task and the MOD will continue to maintain the highest levels of safety and security during convoy operations.

European Armament Policy

Mr. Bercow: To ask the Secretary of State for Defence if he will make a statement on the mandate and activities of the EU Working Group on European Armament Policy. [90434]

Mr. Tony Lloyd: I have been asked to reply.

The Ad Hoc EU Working Party on a European Armaments Policy (POLARM) was established by COREPER in July 1995 to consider a report produced by governmental experts and see if work should be taken forward within the EU. Since December 1997, POLARM has considered a draft common position on framing a European armaments policy on which there has been no agreement to date.

FOREIGN AND COMMONWEALTH AFFAIRS

Espionage (Russia)

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his assessment of the current espionage threat level from Russia. [89609]

Mr. Robin Cook *[holding answer 2 July 1999]:* In accordance with her Majesty's Government's long-standing policy, I cannot comment on intelligence matters.

UN Civilian Administration (Kosovo)

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the number of UN personnel earmarked for the UN civilian administration in Kosovo; how many UN personnel have been recruited for the UN civilian administration in Kosovo; and how many UN personnel earmarked for the UN civilian administration in Kosovo have already been deployed. [90128]

Mr. Tony Lloyd: The United Nations is planning to deploy 3,200 international police personnel to Kosovo and has received pledges for 2,400 officers. The UN is not yet in a position to provide detailed information on its overall staffing requirements for the Interim Civil Administration or on the number of personnel so far recruited. It is still in the process of identifying and recruiting qualified personnel from within the UN itself, from other international organisations and from member states. As of 5 July, the UN had 257 staff on the ground in Kosovo.

Panel 2000

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 30 June 1999, *Official Report*, column *168*, on Panel 2000, if he will list the progress which has been made in respect of each of the recommendations listed. [90499]

Mr. Hoon: I shall write to the hon. Member with details of the progress which has been made on each of the Panel 2000 recommendations listed in my answer of 30 June 1999, *Official Report*, column *168*.

Ministerial Meetings

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times Ministers in his Department have held meetings with ministers and officials of the Irish Government since 1 January, indicating the dates and locations of each meeting, the Ministers involved and the names of the Irish ministers and officials at each meeting. [90411]

Mr. Robin Cook: There has been one formal bilateral meeting of a Foreign Office Minister with an Irish Minister since 1 January 1999. The Minister of State, my right hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin), met Ms Sile de Valera, Irish Minister for Arts, Culture, the Gaeltacht (Irish speaking area) and the Islands, in the FCO on 17 June. Irish officials in attendance were Mr. Tadgh O'hEalaithe, Secretary General of the Department of Arts; Mr. Geoffrey Keating, First Secretary, Irish Embassy; and Ms Sheila Clifford, Ms de Valera's personal assistant.

I have regularly met the Irish Foreign Minister, David Andrews, at EU Councils, including the monthly meetings of the General Affairs Council, and have often held exchanges with him in the margins.

Technical Co-operation Training Places

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effect of the Department for International Development's reduction of the number of technical co-operation training places available in the UK on his Department's operations in developing countries. [90633]

Mr. Hoon *[holding answer 12 July 1999]:* The Department for International Development have advised us that the Pre-service and In-service Training budget for Technical Co-operation has increased between 1996–97 and 1998–99 and is expected to rise further in 1999–2000. The number of technical co-operation training places under the Associate Professional Officer Scheme is also expected to increase.

Montenegro

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made on the proposals for constitutional reform in Montenegro; and if he will make a statement. [91243]

Mr. Tony Lloyd: We have not made representations on constitutional reform in Montenegro. We have underlined our support for democracy in Montenegro. Our goal is to see democratic principles and values flourish throughout the FRY.

Balkans

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what security guarantees have been provided by NATO to states in the Balkan region and their neighbours since the end of the Kosovo conflict; and if he will make a statement. [91228]

Mr. Tony Lloyd: No new security undertakings have been made by NATO to states in the Balkan region, nor to their neighbours, since the end of the Kosovo conflict. The Secretary General of NATO reiterated in his letter of 29 June to the Foreign Minister of Macedonia, Mr. Dimitrov that

> "the security of [Macedonia] remains of a direct and material concern to the Alliance".

During the air campaign, Mr. Solana made clear in his letters to frontline Partner states that

> "it would be unacceptable for the Federal Republic of Yugoslavia to threaten [their] territorial integrity, political independence or security".

We are committed to promoting long-term security and stability throughout the Balkan region. We are working bilaterally, and with partners and Allies in the Stability Pact and NATO's South East Europe Initiative, to build democracy, security and mutual confidence among the countries of the region.

Zimbabwe

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government have made recently on the issue of land seizures in Zimbabwe; and if he will make a statement. [91246]

Mr. Tony Lloyd: I have discussed land reform in Zimbabwe when I met President Mugabe on 5 July. The Government supports the principle of land reform, provided that the process is transparent, fair and sustainable; and welcomes the Zimbabwe government's adoption of the Inception Phase for land resettlement agreed with donors, stakeholders and beneficiaries at a conference in September 1998.

Yugoslavia

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what contact he has had with the leader of the Democratic Party of Serbia since the end of the conflict in Kosovo; [91233]

(2) what contacts the United Kingdom Government have had with the leaders of Serbian opposition parties since the end of the conflict in Kosovo. [91234]

Mr. Tony Lloyd: My right hon. Friend the Secretary of State and I both met the leader of the Democratic Party of Serbia, Zoran Djindjic, in London on 22 June.

Bosnia-Herzegovina

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the postponement of local elections in Bosnia-Herzegovina. [91229]

Mr. Tony Lloyd: Ambassador Robert Barry, Chairman of the Organisation for Security and Co-operation's Provisional Election Commission for Bosnia and Herzegovina (PEC) announced on 24 June that, given the political situation in Bosnia, the PEC had decided to postpone forthcoming municipal elections in Bosnia until 8 April 2000. The PEC made the decision following consultations with representatives of the Bosnian political parties and other elected officials, the Peace Implementation Council established in accordance with the Dayton Peace Agreement and the OSCE.

The PEC has emphasised that the decision will not affect voter registration within Bosnia and Herzegovina or out-of-country which is continuing according to schedule.

Non-proliferation Policy

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what non-proliferation assessments have been conducted by his Department over the past 12 months; and if he will place copies in the Library. [91247]

Mr. Tony Lloyd: Before any decision is taken on non-proliferation policy, the Foreign and Commonwealth Office assesses and takes into account all relevant factors. Such assessments are covered by Exemption 2 of the Code of Practice on Access to Government Information (Internal discussion and advice). The Foreign and Commonwealth Office also contributes to assessments made elsewhere in the Government.

Kosovo

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs if arrangements are to be made by his Department for a delegation of hon. Members, apart from the Foreign Affairs Committee, to visit Kosovo. [91424]

Mr. Tony Lloyd: There are currently no arrangements in hand by the Foreign and Commonwealth Office for Parliamentary delegations to visit Kosovo.

ATTORNEY-GENERAL

European Single Currency

Mr. Garnier: To ask the Attorney-General how much expenditure his Department *(a)* has incurred to date and *(b)* forecasts that it will incur in the future, on preparations for possible United Kingdom entry into the European single currency; and if he will make a statement. [91168]

The Attorney-General: Following the publication of the Government's Outline National Changeover Plan, my Departments are considering what preparations may be necessary.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Genetically Modified Crops

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions if the new measures he announced in his oral statement of 21 May 1999, *Official Report*, columns 1371–73, on biotechnology will enable some commercial planting of genetically modified crops to take place with Government approval. [86128]

Mr. Meacher *[holding answer 8 June 1999]:* The new measures announced by my right hon. Friend the Minister for the Cabinet Office in his statement of 21 May were the SCIMAC (Supply Chain Initiative on Modified Agricultural Crops) Code of Practice and Guidelines. General planting of GM crops can take place only with Government approval. At present, no genetically modified (GM) crops have all the necessary approvals for general cultivation.

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answers of 22 March 1999, *Official Report*, columns *41–42*, and 16 June 1999, *Official Report*, columns *135–36*, on Parliamentary Scrutiny of Draft Directive 90/220 concerning powers of the Council of Ministers and Commission of the European Community to determine rules for the deliberate release into the environment of genetically-modified organisms; when the relevant draft was debated in the House; and how the directive differed from the draft then considered. [88688]

Mr. Meacher: The position of the Government with regard to the original Commission proposal for the amendment of Directive 90/220 has been laid out in Explanatory Memorandum 6378/98, submitted to the House of Commons on 23 March 1998. I wrote to the House of Commons European Scrutiny Committee on 27 November with further details of the Government's priorities in the negotiations, and the Explanatory Memorandum was debated in the House of Commons European Standing Committee A on 24 March 1999.

The Government submitted a further Explanatory Memorandum (7138/99) on 30 April following the publication of the Commission's amended proposal taking account of the European Parliament's Opinion. The Committee responded in its Nineteenth Report, acknowledging that the main issues had been thoroughly discussed, but seeking the Government's view on a number of outstanding issues. I responded to these points by letter on 22 June.

There were only two points on which the text agreed at Council differed from the position which the Government had laid out before the Committee. The time limitation of consents was fixed at a maximum of ten years for first marketing consents. This was above the Commission's proposal of seven years, but below the European Parliament's proposal of twelve years. Differentiated procedures were also deleted from Part C of the Directive which relates to marketing consents. The possibility of introducing differentiated procedures will be considered by the Commission as part of its review of the Directive in 2003.

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 22 June 1999, *Official Report*, column *334*, on genetically modified oilseed rape, when an application to release genetically modified crops on East Lodge Farm, Stanton, Gloucestershire was made; and when the applicant was notified of the outcome. [89747]

Mr. Meacher *[holding answer 5 July 1999]:* Three consents have been issued in respect of East Lodge Farm, all in respect of genetically modified (GM) winter oilseed rape. Although the farm itself is inside the Gloucestershire boundary, the applications and consents refer to East Lodge Farm as being in Stanton, near Broadway, Worcestershire. The details of the consents are as follows:

Reference	*Applicant*	*Application date*	*Consent issued*
R30/3	CPB Twyford Ltd.	12 February 1998	15 June 1998
R15/24	Plant Genetic Systems	16 February 1998	10 July 1998
R22/6	Monsanto plc	20 June 1996	6 August 1996

Aircraft Safety

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will make his Department responsible for monitoring the response to, and actions following, the safety recommendations made by its Air Accident Investigation Branch; and if he will make a statement. [90416]

Ms Glenda Jackson: The Air Accident Investigation Branch and the CAA's Safety Regulation Group are independent of each other. Legislation requires investigation of aviation accidents and serious incidents to be carried out by an organisation independent of the regulator. It is the responsibility of the Safety Regulation Group to maintain and enhance standards of aviation safety, taking into account among other things recommendations made by the Air Accident Investigation Branch.

Capital Investment Programme

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will list his Department's capital investment programme for the years 1996 to 2002 under the headings *(a)* railways, *(b)* national motorway and trunk road network and *(c)* local transport. [90963]

Ms Glenda Jackson *[holding answer 12 July 1999]:* The Department of the Environment, Transport and the Regions Departmental Investment Strategy, published in April 1999, set out the major elements of public sector investment anticipated as a result of the resources allocated to the Department following the comprehensive spending review. The following table illustrates capital investment generated through and related to the DETR programmes and policies for railways, national motorway and trunk roads, and local transport. investment prior to 1998–99 is given as an average figure.

£ million

	(a) *Railways*[1]	*(b)* *Motorways and trunk roads*[1]	*(c)* *Local transport*
Average 1993–94 to 1997–98	n/a	1,457	894
1998–99	1,900	1,121	623
1999–2000	2,894	1,119	641
2000–01	2,612	1,166	724
2001–02	2,555	1,245	1,016

[1] Including for *(a)* and *(b)* PPP/PFI generated investment

Rural Public Transport

Dan Norris: To ask the Secretary of State for the Environment, Transport and the Regions how much Government money has been invested in initiatives to improve rural public transport in *(a)* Bath and North East Somerset and *(b)* South Gloucestershire, since May 1997. [91159]

Ms Glenda Jackson: In his March 1998 Budget, the Chancellor made available an additional £50 million a year to assist public transport in rural areas. The bulk of these extra resources is being used to provide additional bus services. We allocated £139,970 to Bath and North East Somerset and £191,415 to South Gloucestershire in Rural Bus Subsidy Grant for 1998–99. We have allocated the same amounts to both authorities for 1999–2000. In addition, both authorities submitted successful bids under the 1998 Rural Bus Challenge competition. Bath and North East Somerset were allocated £34,600 for a project to improve lighting at bus stops in rural areas, while South Gloucestershire were allocated £612,000 for a project to develop three community transport co-ordination centres.

Bull Bars

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy in respect of the addition of bull bars to motor vehicles. [90728]

Ms Glenda Jackson *[holding answer 13 July 1999]:* Following a consultation exercise on the possibility of taking action on the bull bar issue, we are now in the process of identifying how best to take matters forward. As a part of this process we have asked the Transport Research Laboratory to do some test work comparing a range of bull bars and base vehicles.

We are also awaiting the opportunity to examine the detail of a European Commission proposal for a pedestrian protection Directive, which we understand will be put forward later this year. As well as making car fronts safer, such a Directive could provide a Europe-wide mechanism for preventing aggressive bull bars being fitted to vehicles to make them more pedestrian friendly. Increasing the pedestrian friendliness of cars has the potential to reduce significantly the numbers of vulnerable road users who are killed and injured each year.

Car Tax Evasion

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what initiatives his Department has introduced to reduce car tax evasion on Merseyside; and if he will make a statement on their progress. [91211]

Ms Glenda Jackson *[holding answer 13 July 1999]:* The main responsibility for enforcement action against unlicensed vehicles rests with the Driver and Vehicle Licensing Agency. The police and traffic wardens in the Merseyside area provide the Agency with reports on unlicensed vehicles seen on the public road. Last year, the Agency took successful enforcement action against some 25,000 evaders in the Merseyside area, bringing in over £2.9 million in fines and penalties. In addition, the Agency and the police conduct campaigns periodically against road tax evaders. These take the form of extensive localised publicity to encourage motorists to relicense their vehicles, or risk being caught in subsequent police checks. The last such campaign in Merseyside was run in March of this year, and resulted in around £0.3 million recovered in additional revenue.

The Agency also operates a permanent wheelclamping operation in Merseyside as part of a national scheme. The scheme has proved to be very successful in encouraging motorists to relicense their vehicles. Since its introduction in Merseyside in November 1997, almost 2,000 vehicles have been clamped. Some 50 per cent. of these have been left unclaimed and disposed of. The initial publicity of the scheme led to the recover of £0.5 million in additional revenue.

Further initiatives aimed at reducing the level of vehicle excise duty evasion include measures to improve the quality of the vehicle register and to make it more difficult for motorists to drop out of the licensing system. Planning is being done for the introduction of camera systems in Merseyside and the rest of the country to detect and deter evasion.

Maritime and Coastguard Agency

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the Maritime and Coastguard Agency's letter of 24 June (ref. FA00059) to Mr. G. S. Wright in respect of payment for a survey for seaworthiness made on 8 March, if he will refund the overpayment outstanding together with interest; and if he will make a statement on the factors underlying the delay in repayment. [90834]

Ms Glenda Jackson *[holding answer 14 July 1999]:* The Survey was carried out on 6, 7 and 20 April 1999 and was completed on 18 May 1999 on the production of Mr. Wright's Radio Certificate.

The refund was then issued on 29 June 1999 and cashed on 7 July. I can confirm that the delay was due to an administrative error whereby the survey cheque was posted to an incorrect account. Should a claim for interest be made in writing it will be calculated as per current legislation.

Computerised Vehicle Routeing

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions what guidance on computerised vehicle routeing and scheduling software he intends to produce. [91445]

Ms Glenda Jackson: We intend to publish a guide on Computerised Vehicle Routeing and Scheduling (CVRS) later this summer. It is being produced by the Energy Efficiency Best Practice Programme and will inform transport managers of the benefits of CVRS. The guide will summarise the general capabilities of CVRS systems and show how they can be used to avoid wasted mileage and reduce fuel consumption. It will also present some short case studies in order to demonstrate the savings that can be achieved.

Greater London Assembly

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what he expects to be the salary of London Assembly members when they first meet. [91493]

Mr. Raynsford: We have invited the Senior Salaries Review Body to make recommendations about the initial levels of salary of the Mayor of London and members of the London Assembly. the Review Body is due to report by December this year, and we will announce our decision when we have had an opportunity to consider its recommendations.

Aeroplane Noise

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions how many meetings Ministers have had with *(a)* officials and *(b)* others regarding the draft Aeroplane Noise (Amendment) Regulations 1999. [91052]

Ms Glenda Jackson *[holding answer 14 July 1999]:* None. The draft Aeroplane Noise (Amendment) Regulations are simply an administrative measure. They align UK legislation with the latest EU amendment by deleting 11 aeroplanes which no longer qualify for exemption.

Household Waste

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of household waste from Greater London is *(a)* recycled, *(b)* incinerated and *(c)* taken to landfill sites. [91499]

Mr. Meale: The table gives the proportion of municipal waste collected in Greater London in 1997–98, which was recycled, incinerated or sent to landfill.

	Percentage
Municipal waste recycled	5.5
Municipal waste incinerated	18.7
Municipal waste taken to landfill sites	75.8

Source:
DETR/WO Municipal Waste Survey

Eighty-two per cent. of municipal waste collected in London in 1997–98 was household waste, and 5.7 per cent. of this was recycled. Separate figures for the proportions of household waste sent to incineration or landfill are not available.

Regional Development Agencies

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what functions of Training and Enterprise Councils will be taken over by the Regional Development Agencies when TECs are abolished. [91502]

Mr. Meale: Regional Development Agencies (RDAs) will not be taking over any of the functions currently performed by TECs. From April 2001, the Learning and Skills Council for England will assume responsibility from TECs for funding Modern Apprenticeships, National Traineeships and other government-funded training for young people and workforce development. RDAs will work closely with the Learning and Skills Councils at local and national levels. The Learning and Skills Council will be responsible for setting a national post-16 Learning and Skills Strategy which will draw on and support the RDAs' regional strategies and skills action plans. RDAs will be represented on the boards of the national and local Learning and Skills Councils.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions when the Regional Development Agencies will determine the boundaries of local Learning and Skills Councils; and whom they must consult beforehand. [91503]

Mr. Meale: Regional Development Agencies (RDAs) will advise Government, by 30 September, on the boundaries for the local Learning and Skills Councils and the local outlets of the Small Business Service after consulting their public and private sector partners.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions if the Civil Service code of conduct applies to employees of Regional Development Agencies. [91514]

Mr. Meale: No. Regional Development Agencies are required to have in place a code of guidance for staff based on the "Model Code for Staff of Executive Non-Departmental Public Bodies", produced by the Cabinet Office.

Single Regeneration Budget

Mr. Gunnell: To ask the Secretary of State for the Environment, Transport and the Regions when he will make an announcement about successful bids under round five of the Single Regeneration Budget. [91664]

Mr. Prescott: I have announced today details of the successful bids under Round 5 of the Single Regeneration Budget. Brief descriptions of the successful bids in their region have been sent to hon. Members in English constituencies. Full copies of the bid documents for successful bids by region will be held for inspection at the relevant Regional Development Agency and the Government Office for London.

SRB Round 5 operated under bidding guidance issued in September 1998. Subject to finalising the details of the successful bids, the availability of resources, and the satisfactory agreement and implementation of partnerships' Delivery Plans, we intend to make available over £1 billion of funding for 163 successful bids, which include proposals to address key priorities such as social exclusion, education, employment and training, community safety and prevention of drug misuse.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions how many Single Regeneration Budget funded projects are underway in each of the Government office regions of England. [91510]

Mr. Meale: There are 517 SRB schemes currently operating in England. Information on the number of projects involved in each scheme is not held centrally. The following is the number of schemes by Government office region:

Government office region	*Number*
Eastern	25
East Midlands	39
London	121
North East	53
North West	94
South East	43
South West	45
West Midlands	48
Yorkshire and the Humber	49
Total	517

In addition, my right hon. Friend the Deputy Prime Minister announced today a further 163 winning schemes under SRB Round 5.

Landfill Sites (Mink Carcasses)

Angela Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the landfill sites that have received mink carcasses in 1999 from *(a)* Windmill Farm, Blandford Forum, *(b)* Childe Okeford, *(c)* Crow Hill, Ringwood, *(d)* Buntshill Farm, Prochfield, *(e)* Cornyhaugh, Ponteland, *(f)* Sprotborough, *(g)* Kelbain, Onneley, *(h)* Swalesmoor, Boothtown, *(i)* Daisy Barn Farm, Longridge and *(j)* Woodview Farm, Bradworthy, indicating the farm from which the carcass originated in each case. [90073]

Mr. Meale: The Environment Agency, which licenses and monitors landfill sites, does not collect data showing which sites have received mink carcasses.

Oxford Transport Strategy

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received regarding the Oxford Transport Strategy. [91426]

Ms Glenda Jackson: Excluding petitions and representations about the removal of the old LMS railway building, in the last year DETR has received some 22 pieces of correspondence regarding the Oxford Transport Strategy. Of these 18 have been from members of the public (including a petition letter signed by 12 people), and 4 from Members of Parliament.

Regional Chambers

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions how many voluntary regional chambers he has recognised as regional chambers for the purposes of the Regional Development Agencies Act 1998. [91515]

Mr. Meale: We have designated four regional chambers under the Regional Development Agencies Act 1998, they are:

the East Midlands Regional Assembly

the North East Regional Chamber

the North West Regional Assembly

the West Midlands Regional Chamber.

London Underground

Mr. Pound: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the funding of London Underground. [91867]

Mr. Prescott: I promised that we would modernise London's Underground for passengers and deliver the funding it needs. I am keeping that promise.

Two years age we inherited an investment backlog of £1.2 billion, a massive cutback in grant, and a badly-planned Jubilee Line Extension draining away funds from the rest of the network.

Last year we announced plans for a Public/Private Partnership to secure the long-term future of the Underground, put in place new management arrangements for the Jubilee Line, and put in an extra £365 million of grant, fully restoring the cuts made by the previous Government.

We are today allocating £517 million of additional resources for investment in London Transport over two years. With the grant already allocated, and with LT's own revenues and investment through PFI deals, this means that we are investing over £1.6 billion on the Underground this year and next. More than £500 million a year will be spent on the core Underground system.

This core investment programme cannot deliver a transformation overnight—years of neglect cannot be quickly overturned. But it does ensure that there will be real improvements for passengers over the next two years. It will deliver the stability of funding the Underground needs until the completion of the PPP contracts, which will give long-term security of investment.

To deliver improved service to customers, the Underground needs investment and effective management. I have made it a condition of providing this additional funding that London Transport improves its performance and uses its resources effectively. We appointed a new Chairman, Sir Malcolm Bates, earlier this year, and we are further strengthening the Board. I shall be monitoring London Transport's performance closely to ensure that they deliver.

HOUSE OF COMMONS

Ministerial Meetings (Irish Government)

Mr. Matthew Taylor: To ask the President of the Council how many times she has held meetings with Ministers and officials of the Irish Government since 1 January 1998, indicating the dates and locations of each meeting and the names of the Irish Ministers and officials at each meeting. [90832]

Mrs. Beckett: None.

SOCIAL SECURITY

Pensioner Incomes

Dr. Lynne Jones: To ask the Secretary of State for Social Security, pursuant to his oral answer to the hon. Member for Northavon (Mr. Webb) of 5 July 1999, *Official Report*, column 624, by what year he plans to ensure that all those who have worked and contributed throughout their lives will receive on retirement an income above the means-tested threshold; and what is his definition of lifetime in this context. [90820]

Mr. Timms: By 2038, everyone who has worked and contributed throughout their working life will receive on retirement a state pension above the level of the Minimum Income Guarantee.

A full working life for SERPS and State Second Pension purposes is 49 years.

Notes:

1. Earnings are assumed to grow 1.5 per cent. faster than prices.

2. The State Second Pension is assumed to be introduced in 2002.

Mr. Field: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Gosport (Mr. Viggers), of 6 May 1999, *Official Report*, column *457*, on pensioner incomes, what would be the difference in income between a single man of 65 years with no savings or resources and the income of a single man of 65 years who has resources of at least £16,000, assuming that both men have the median income from SERPS for all newly retired pensioners; and what amount of money would be required to purchase an annuity to fund this difference, if the housing benefit and council tax benefit received as the average amount paid to those aged 60 years or over receiving income support and housing benefit, and if the annuity were inflation-linked; and if he will give the same figures for two women at 60 years. [90515]

Mr. Timms *[holding answer 12 July 1999]:* The information is not available in the format requested. Such information as is available is in the table.

£

	Men aged 65
Difference in income per week in circumstances specified	20
Lump sum required to purchase equivalent annuity	14,000

Notes:

1. Information on SERPS awards by marital status is not available. For men, the median award for all men aged 65 has been taken as a proxy for single men aged 65. For women, it would not be appropriate to take the median award for all women aged 60 as a proxy for single women aged 60 as many recently retired married women had opted out of SERPS by paying the married women's reduced rate of NI contributions.

2. All figures are rounded to the nearest pound.

3. Totals may not sum due to rounding.

4. The annuity rates used are for 5 per cent. Limited Price Indexation. This is an annuity where the payments are uprated each year in line with inflation up to maximum of 5 per cent.

5. Figures for average eligible rent/Housing Benefit and Council Tax Benefit relating to May 1997 were taken from Social Security Statistics 1998. These averages are for all benefit recipients, including single pensioners and pensioner couples.

6. Figures for median SERPS were taken from a 5 per cent. sample of Department of Social Security records as at 31 March 1999.

Data Series

Jackie Ballard: To ask the Secretary of State for Social Security what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90828]

Mr. Timms: Since 1997, the Department and its agencies have commissioned two staff attitude surveys separated by gender, race, disability and age. Additionally, two specific surveys, one on disability and one on ethnicity, have also been carried out.

Incapacity Benefit

Mr. Chisholm: To ask the Secretary of State for Social Security what estimate he has made of the expenditure implications of the changes in the contributions conditions of Incapacity Benefit proposed in the Welfare Reform and Pensions Bill. [90767]

Mr. Bayley: The proposed reform of the Incapacity Benefit contribution conditions, which will ensure that the benefit goes primarily to people who have recently been in work and paying national insurance contributions, is estimated to reduce benefit expenditure by £25 million in the first year, £60 million in the third year and £150 million after 10 years.

Mr. Chisholm: To ask the Secretary of State for Social Security what estimate he has made of the proportion of current recipients of Incapacity Benefit who would not have met the contributions conditions proposed in the Welfare Reform and Pensions Bill. [90768]

Mr. Bayley: Since existing Incapacity Benefit recipients will not be affected by the proposed new contribution conditions, no estimate has been made of the proportion of all current recipients who would have failed to meet those conditions. However, available data suggest that around 10 per cent. of recent awards of Incapacity Benefit would not have been made under the proposed contribution conditions.

Mrs. Ewing: To ask the Secretary of State for Social Security which Benefits Agency office would handle *(a)* provision of advice and information, *(b)* assessment of eligibility of the claim, *(c)* review of the claim, *(d)* appeal relating to the claim, *(e)* payment of the benefit and *(f)* recovery of overpaid benefit for a person living in Elgin and claiming Incapacity Benefit. [90865]

Mr. Bayley: The administration of Incapacity Benefit is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mrs. Margaret Ewing, dated 14 July 1999:

The Secretary of State has asked me to reply to your recent question asking which Benefits Agency (BA) office would handle (a) provision of advice and information, (b) assessment of eligibility of the claim, (c) review of the claim, (d) appeal relating to the claim, (e) payment of the benefit and (f) recovery of over-paid benefit for a person living in Elgin and claiming incapacity benefit (IB).

The provision of advice, information, assessment and review of claims and the payment of benefit for persons claiming IB and living in Elgin is handled by the Benefits Office, Trinity Road, Elgin.

Appeals relating to IB are dealt with at Glasgow City Benefits Office, Pitt Street, Glasgow, whilst overpayment recovery work is handled by the Benefits Office, Castle St, Stornoway.

I hope this is helpful.

Housing Benefit

Mr. Cousins: To ask the Secretary of State for Social Security if he will list the average weekly payment of housing benefit in each region and nation to tenants of *(a)* local authorities, *(b)* registered social landlords and *(c)* private sector landlords in each of the last three financial years. [90934]

Angela Eagle: The information is in the tables.

Average weekly housing benefit: by region and tenure, August 1998

£

	Rent rebate	Rent allowance	
	Local authority tenants	Housing association tenants (inc. RSL)	Private tenants (exc. housing association)
Great Britain	37.10	51.20	58.90
North East	31.10	45.30	48.90
North West	35.40	47.30	54.20
Merseyside	38.10	46.50	49.80
Yorks and Humberside	30.00	52.70	48.10
East Midlands	33.20	49.90	45.50
West Midlands	35.40	47.80	53.00
Eastern	38.40	51.00	57.70
London	51.40	65.00	82.90
South East	41.80	53.70	64.60
South West	37.60	49.10	54.40
England	38.00	53.10	60.10
Wales	35.20	43.30	48.80
Scotland	33.00	36.50	51.70

Source:
Quarterly 100 per cent. counts taken on the last day of August 1998

Average weekly housing benefit: by region and tenure, August 1997

£

	Rent rebate	Rent allowance	
	Local authority tenants	Housing association tenants (inc. RSL)	Private tenants (exc. housing association)
Great Britain	36.20	49.00	58.30
North East	30.60	43.30	47.90
North West	34.30	45.20	53.90
Merseyside	37.70	41.90	49.60
Yorks and Humberside	29.20	49.90	46.50
East Midlands	31.90	48.20	44.70
West Midlands	34.60	45.80	51.10
Eastern	37.20	48.30	57.30
London	50.20	63.00	80.80
South East	41.00	51.10	63.60
South West	36.90	48.10	53.40
England	37.10	50.70	59.40
Wales	34.40	42.00	47.50
Scotland	31.70	34.40	50.90

Source:
Quarterly 100 per cent. counts taken on the last day of August 1997

Average weekly housing benefit: by region and tenure, August 1996

£

	Rent rebate	Rent allowance	
	Local authority tenants	Housing association tenants (inc. RSL)	Private tenants (exc. housing association)
Great Britain	35.20	46.80	56.70
North East	30.00	41.40	46.50
North West	33.40	42.30	52.00
Merseyside	36.70	38.70	47.80
Yorks and Humberside	28.00	47.40	45.30
East Midlands	31.60	46.10	43.90
West Midlands	33.40	45.20	49.00
Eastern	36.40	45.80	55.60
London	49.30	59.70	77.70
South East	40.50	49.00	61.40
South West	36.50	45.90	52.10
England	36.30	48.30	57.80
Wales	34.50	41.90	46.30
Scotland	29.30	32.50	49.50

Notes:

1. Figures given are for weekly housing benefit.
2. Figures have been rounded to the nearest ten pence.
3. The data will contain estimations for non-responding authorities.
4. For this analysis private tenants exclude housing association tenants, who are shown separately.

Source:
Quarterly 100 per cent. counts taken on the last day of August 1996

Benefits Agency

Mr. Alasdair Morgan: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Perth (Ms Cunningham) of 2 July 1999, *Official Report*, columns *305–07*, if he will indicate the *(a)* number of staff employed, *(b)* wage costs and *(c)* running costs of each of the branch network offices of the Benefits Agency in the South of Scotland Region. [90790]

Mr. Timms: The administration of Benefits Agency offices is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Alasdair Morgan, dated 14 July 1999:

The Secretary of State has asked me to reply to your recent question asking, pursuant to his answer to the honourable Member for Perth of 2 July, to indicate the (a) number of staff employed, (b) wage costs and (c) running costs of the branch network offices of the Benefits Agency (BA) in the South of Scotland Region.

The number of staff employed by the BA within the South of Scotland is attached at appendix A.

Data on wage and running costs cannot be provided by individual office. Costs are calculated on a District basis. That information is therefore provided for the Districts within Area Directorates 12 and 13 which cover Scotland. Please see the attached tables covering the 1998–99 financial year.

I hope this information is helpful.

Appendix A

Office	BA district	Staff
Ayr	South West Scotland	185
Cumnock	South West Scotland	5
Dumfries	South West Scotland	96
Irvine	South West Scotland	155
Kilmarnock	South West Scotland	89
Stranraer	South West Scotland	39

Appendix B: AD12

£

	Expenditure					
	Salaries	*Goods/services*	*Estate costs*	*Sub-total*	*CSUS*	*District spend*
GLW North	8,403,000	649,000	2,757,000	3,406,000	—	11,809,000
GLW South	9,990,000	787,000	2,470,000	3,257,000	—	13,247,000
GLW East	5,399,000	444,000	1,609,000	2,053,000	—	7,452,000
Argyll and West	6,181,000	610,000	1,866,000	2,476,000	—	8,657,000
Highlands and Islands	4,966,000	587,000	1,428,000	2,015,000	—	6,981,000
SW Scotland	8,071,000	895,000	2,023,000	2,918,000	—	10,989,000
Clyde Coast and Renfrew	7,121,000	563,000	1,918,000	2,481,000	—	9,602,000
Other	6,718,000	5,835,000	375,000	6,210,000	—	12,928,000
Total	56,849,000	10,370,000	14,446,000	24,816,000	35,703,000	117,368,000

Notes:
Other—This covers all expenditure on Centralised Area Teams, Accommodation and Office Services and Central Support Unit Scotland Central Services—This covers all Operational Support Directorate and centrally funded projects costs

Appendix B: AD13

£

	Expenditure					
	Salaries	*Goods/services*	*Estate costs*	*Sub-total*	*CSUS*	*District spend*
East Edinburgh and Borders	7,090,000	659,000	730,000	1,389,000	—	8,479,000
Lothian West and North Edinburgh	5,709,000	546,000	1,606,000	2,152,000	—	7,861,000
Fife	5,072,000	539,000	1,506,000	2,045,000	—	7,117,000
Tayside	6,077,000	599,000	1,738,000	2,337,000	—	8,414,000
Grampian and Shetland	4,616,000	577,000	1,336,000	1,913,000	—	6,529,000
Lanarkshire	8,870,000	822,000	2,793,000	3,615,000	—	12,485,000
Forth Valley	4,260,000	525,000	1,205,000	1,730,000	—	5,990,000
Other	1,585,000	904,000	2,458,000	3,362,000	—	4,947,000
Total	43,279,000	5,171,000	13,372,000	18,543,000	—	61,822,000

Note:
Other—This covers all expenditure on Area Personnel Unit, Area Director's Support Team and secondment and voluntary early retirement

Mr. Swinney: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Perth (Ms Cunningham) of 2 July 1999, *Official Report*, columns *305–07*, if he will list the *(a)* number of staff employed, *(b)* wage costs and *(c)* running costs of each of the branch network offices of the Benefits Agency in the Mid Scotland and Fife Region. [90791]

Mr. Timms: The administration of Benefits Agency offices is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. John Swinney, dated 14 July 1999:

The Secretary of State has asked me to reply to your recent question asking, pursuant to his answer to the honourable Member for Perth of 2 July, if he will list the (a) number of staff employed, (b) wage costs and (c) running costs of each of the branch network offices of the Benefits Agency (BA) in the Mid Scotland and Fife Region.

The number of staff employed in each BA office within Mid-Scotland and Fife is contained in a table attached at appendix A.

Data on wage and running costs cannot be provided by individual office. Costs are calculated on a district basis. That information is provided for the districts within Area Directorates 12 and 13 which cover Scotland. Please see the attached tables covering the 1998/99 financial year (appendix B).

I hope this information is helpful.

Appendix A

Office	*BA district*	*Staff*
Springburn	Glasgow North	193
Maryhill	Glasgow North	89
City	Glasgow North	135
Cumbernauld	Glasgow North	88
Cranstonhill	Glasgow North	48
Paisley	Clyde Coast and Renfrew	284
Johnstone	Clyde Coast and Renfrew	7
Greenock	Clyde Coast and Renfrew	189
Port Glasgow	Clyde Coast and Renfrew	35
Largs	Clyde Coast and Renfrew	5
Rothesay	Clyde Coast and Renfrew	4
Dunoon	Clyde Coast and Renfrew	6
Renfrew	Clyde Coast and Renfrew	3
Anniesland	Argyll and West	132
Partick	Argyll and West	78
Clydebank	Argyll and West	168
Dumbarton	Argyll and West	12
Alexandria	Argyll and West	1
Campbeltown	Argyll and West	18
Oban	Argyll and West	23
Laurieston	Glasgow South	229
Newlands	Glasgow South	214
East Kilbride	Glasgow South	110
Pollok	Glasgow South	18
Craigton	Glasgow South	23
Rutherglen	Glasgow South	18
Shettleston	Glasgow East	145
Provan	Glasgow East	90
Bridgeton	Glasgow East	124
Dundee	Tayside	234
Perth	Tayside	93
Arbroath	Tayside	83

Appendix A

Office	*BA district*	*Staff*
Dunbermline	Fife	84
Kirkcaldy	Fife	131
Cowdenbeath	Fife	61
Leven	Fife	58
Falkirk	Forth Valley	138
Stirling	Forth Valley	148
Bellshill	Lanarkshire	97

Appendix A

Office	*BA district*	*Staff*
Coatbridge	Lanarkshire	144
Hamilton	Lanarkshire	158
Motherwell	Lanarkshire	157
Airdrie	Lanarkshire	17
Shotts	Lanarkshire	4
Edinburgh	Edinburgh and Borders	236

Appendix B: AD12

£

	Expenditure					
	Salaries	*Goods/services*	*Estate costs*	*Sub-total*	*CSUS*	*District spend*
GLW North	8,403,000	649,000	2,757,000	3,406,000	—	11,809,000
GLW South	9,990,000	787,000	2,470,000	3,257,000	—	13,247,000
GLW East	5,399,000	444,000	1,609,000	2,053,000	—	7,452,000
Argyll and West	6,181,000	610,000	1,866,000	2,476,000	—	8,657,000
Highlands and Islands	4,966,000	587,000	1,428,000	2,015,000	—	6,981,000
SW Scotland	8,071,000	895,000	2,023,000	2,918,000	—	10,989,000
Clyde Coast and Renfrew	7,121,000	563,000	1,918,000	2,481,000	—	9,602,000
Other	6,718,000	5,835,000	375,000	6,210,000	—	12,928,000
Total	56,849,000	10,370,000	14,446,000	24,816,000	35,703,000	117,368,000

Notes:
Other—This covers all expenditure on Centralised Area Teams, Accommodation and Office Services and Central Support Unit Scotland
Central Services—This covers all Operational Support Directorate and centrally funded projects costs

Appendix B: AD13

£

	Expenditure					
	Salaries	*Goods/services*	*Estate costs*	*Sub-total*	*CSUS*	*District spend*
East Edinburgh and Borders	7,090,000	659,000	730,000	1,389,000	—	8,479,000
Lothian West and North Edinburgh	5,709,000	546,000	1,606,000	2,152,000	—	7,861,000
Fife	5,072,000	539,000	1,506,000	2,045,000	—	7,117,000
Tayside	6,077,000	599,000	1,738,000	2,337,000	—	8,414,000
Grampian and Shetland	4,616,000	577,000	1,336,000	1,913,000	—	6,529,000
Lanarkshire	8,870,000	822,000	2,793,000	3,615,000	—	12,485,000
Forth Valley	4,260,000	525,000	1,205,000	1,730,000	—	5,990,000
Other	1,585,000	904,000	2,458,000	3,362,000	—	4,947,000
Total	43,279,000	5,171,000	13,372,000	18,543,000	—	61,822,000

Note:
Other—This covers all expenditure on Area Personnel Unit, Area Director's Support Team and secondment and voluntary early retirement

Mrs. Ewing: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Perth (Ms Cunningham) of 2 July 1999, *Official Report*, columns *305–07*, if he will list the *(a)* number of staff employed, *(b)* wage costs and *(c)* running costs of each of the branch network offices of the Benefits Agency in the Highland Region and the Western and Northern Isles. [90927]

Mr. Timms: The administration of Benefits Agency offices is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mrs. Margaret Ewing, dated 14 July 1999:

The Secretary of State has asked me to reply to your recent question, pursuant to his answer of 2 July to the honourable Member for Perth, if he will list the (a) number of staff employed, (b) wage costs and (c) running costs of each of the branch network offices of the Benefits Agency (BA) in the Highland Region and the Western and Northern Isles.

The number of staff employed by the BA within the Highlands

Data on wage and running costs cannot be provided by individual site. Costs are calculated on a district basis. That information is provided for the districts within Area Directorates 12 and 13 which cover Scotland. Please see the attached tables covering the 1998/99 financial year (see appendix B).

I hope this information is helpful.

Appendix A

Office	*BA district*	*Staff*
Benbecula	Highlands and Islands	1
Buckie	Highlands and Islands	5
Dingwall	Highlands and Islands	1
Elgin	Highlands and Islands	79
Fort William	Highlands and Islands	26
Invergordon	Highlands and Islands	3
Inverness	Highlands and Islands	155
Kirkwall	Highlands and Islands	11
Nairn	Highlands and Islands	1
Portree	Highlands and Islands	1
Stornoway	Highlands and Islands	41
Thurso	Highlands and Islands	1
Wick	Highlands and Islands	41
Lerwick	Grampian and Shetland	20

Appendix B: AD12

£

	Expenditure					
	Salaries	*Goods/services*	*Estate costs*	*Sub-total*	*CSUS*	*District spend*
GLW North	8,403,000	649,000	2,757,000	3,406,000	—	11,809,000
GLW South	9,990,000	787,000	2,470,000	3,257,000	—	13,247,000
GLW East	5,399,000	444,000	1,609,000	2,053,000	—	7,452,000
Argyll and West	6,181,000	610,000	1,866,000	2,476,000	—	8,657,000
Highlands and Islands	4,966,000	587,000	1,428,000	2,015,000	—	6,981,000
South West Scotland	8,071,000	895,000	2,023,000	2,918,000	—	10,989,000
Clyde Coast and Renfrew	7,121,000	563,000	1,918,000	2,481,000	—	9,602,000
Other	6,718,000	5,835,000	375,000	6,210,000	—	12,928,000
Total	56,849,000	10,370,000	14,446,000	24,816,000	35,703,000	117,368,000

Notes:
Other—This covers all expenditure on Centralised Area Teams, Accommodation and Office Services and Central Support Unit Scotland
Central Services—This covers all Operational Support Directorate and centrally funded projects costs

Appendix B: AD13

£

	Expenditure					
	Salaries	*Goods/services*	*Estate costs*	*Sub-total*	*CSUS*	*District spend*
East Edinburgh and Borders	7,090,000	659,000	730,000	1,389,000	—	8,479,000
Lothian West and North Edinburgh	5,709,000	546,000	1,606,000	2,152,000	—	7,861,000
Fife	5,072,000	539,000	1,506,000	2,045,000	—	7,117,000
Tayside	6,077,000	599,000	1,738,000	2,337,000	—	8,414,000
Grampian and Shetland	4,616,000	577,000	1,336,000	1,913,000	—	6,529,000
Lanarkshire	8,870,000	822,000	2,793,000	3,615,000	—	12,485,000
Forth Valley	4,260,000	525,000	1,205,000	1,730,000	—	5,990,000
Other	1,585,000	904,000	2,458,000	3,362,000	—	4,947,000
Total	43,279,000	5,171,000	13,372,000	18,543,000	—	61,822,000

Note:
Other—This covers all expenditure on Area Personnel Unit, Area Director's Support Team and secondment and voluntary early retirement

Disability Benefits

Mr. Steen: To ask the Secretary of State for Social Security if he will review the current situation in respect of the award of disability benefit to Penn Wooding of Brixham, Devon; and what plans he has to clarify the instruction on form DLA 434 sections 2 and 2A with reference to the rubric relating to changes in circumstance. [90833]

Mr. Bayley: The administration of Disability Living Allowance is a matter for Mr. Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Anthony Steen, dated 14 July 1999:

The Secretary of State has asked me to reply to your recent Parliamentary Question if he will review the current situation in respect of the award of disability benefit to Penn Wooding of Brixham, Devon; and what plans he has to clarify the instruction on form DLA 434 sections 2 and 2A with reference to the rubric relating to changes in circumstance.

I can confirm that the review of Mr. Wooding's entitlement to the care component has been completed. The existing entitlement ends on 31 July 1999, and entitlement at the higher rate has been awarded from 1 August 1999 for an indefinite period. The decision was notified to Mr. Wooding on 8 July. Mr. Wooding's existing entitlement to the mobility component at the higher rate remains unchanged.

The instruction on Sections 2 and 2A of claim form DLA 434 is included so that customers who apply for a renewal of entitlement, and whose needs remain unchanged, do not need to complete a [illegible] sections. However, adjudication officers are responsible for deciding what evidence is necessary to determine entitlement and have the authority to ask for further information if there is some doubt about the available evidence.

Our procedures and forms are kept under review. In addition, the Disability Living Allowance Modernisation Programme aims to improve and modernise delivery of the benefit, including redesigning procedures and claim forms. The matters raised by your question will be taken into account in developing an improved service.

In view of the nature of Mr. Wooding's condition, he should not have been asked to provide any further information. I regret that this occurred and I apologise to Mr. Wooding for this error.

Remote Access Terminals

Mrs. Ewing: To ask the Secretary of State for Social Security if he will list the location and number of Remote Access Terminals for local authorities in Scotland; if it is possible to restrict local authorities' access to information relating only to claimants in their own local authority area; and if he will make a statement. [91200]

Angela Eagle: The local authorities in Scotland who have Remote AccessTerminals (RATs) are listed. In total, 29 RATs are installed in 26 authorities and a further two authorities have now applied for installation. RATs provide relevant data from Income Support or Jobseeker's Allowance claims that are, or have been, made from addresses within the relevant local authority area. Local authorities have no access to details of claims unless an address within their boundary is recorded on the claim.

Aberdeen City Council
Aberdeenshire Council
Arygyll and Bute Council
Clackmannanshire Council
Dumfries and Galloway Council
City of Dundee Council (2 RATs)
East Ayrshire Council
East Dunbartonshire Council
East Lothian Council
East Renfrewshire Council
Edinburgh Council
Falkirk Council
Fife Council (2 RATs installed)
Glasgow City Council (2 RATs, one operated by BA staff)
Highland Council
The Inverclyde Council
Midlothian Council
North Ayrshire Council
North Lanarkshire Council
Perth and Kinross Council
Shetland Islands Council
South Ayrshire Council
Stirling Council
West Dunbartonshire Council
West Lothian Council
South Lanarkshire Council (RAT operated by BA staff)
Scottish Borders Council (not yet installed but have now applied)
Western Isles Council (not yet installed but have now applied).

Jobseeker's Allowance

Mr. Laurence Robertson: To ask the Secretary of State for Social Security how long an employee made redundant has to wait before becoming entitled to claim Jobseeker's Allowance; what other benefits are available during this period; if the same time limit applies if the employee has to make a claim to the Redundancy Board; what plans he has to review this system; and if he will make a statement. [91427]

Angela Eagle: The length of time a redundant employee has to wait before he becomes entitled to Jobseeker's Allowance depends on what payments he is due from his ex-employer. Any holiday pay payable within four weeks of the termination of employment or pay-in-lieu of notice will remove entitlement for an equivalent period to that in respect of which the payment was made. Lump sum statutory redundancy payments do not affect contribution-based JSA but may affect income-based JSA. The rules which apply if the redundant employee is due, but does not receive, these payments from his ex-employer and has to claim compensation from the Redundancy Payments Service have the same effect.

The availability of other benefits during this period will depend on the individual's circumstances. For those who have not received the monies due from their ex-employer, there are safeguards to protect those most in need: payments of JSA can be made if hardship would otherwise result.

We have no immediate plans to review the rules for those who receive payments from their ex-employers. We are, however, aware of the effect of the JSA rules on those who do not receive the monies due from their ex-employers and are considering the matter in conjunction with the Department of Trade and Industry to see whether any changes can be made. There are, however, complex issues to be resolved.

Scottish Parliament

Mrs. Ewing: To ask the Secretary of State for Social Security if statements he made during the Scottish Parliament elections relating to the costs of a separate Scottish social security administration were made in his official capacity as Secretary of State for Social Security; and if he will make a statement. [90945]

Mr. Darling: All my contributions to the Scottish Parliamentary election campaign were made in my capacity as a member of the Labour Party, but informed by my experience as a Government Minister.

HOME DEPARTMENT

Passport Agency

Mr. Beith: To ask the Secretary of State for the Home Department if he will publish the summary of the Passport Agency business review undertaken in 1997; and if he will make a statement. [90682]

Mr. Mike O'Brien: Yes. I have placed a summary of the business case for Private Sector Involvement in the Issue of the British Passport, produced by the United Kingdom Passport Agency in July 1997, in the Library.

Mr. Beith: To ask the Secretary of State for the Home Department if he will list the options considered by his Department and the Passport Agency for dealing with the current problems at the Agency; and if he will make a statement. [90687]

Mr. Mike O'Brien: It would not be appropriate to list all of the options considered for dealing with the current problems at the Passport Agency. This is a matter of internal discussion between myself and Agency officials. The options that have been implemented are the prioritisation of applications based on travel dates; 400 additional staff have been recruited; the Agency is working extended hours; examination processes have been streamlined and straightforward renewal applications are being exceptionally extended by passport offices and main post offices; adverts have been placed in the national and regional media advising the general public awaiting or applying for a passport what to do; and a special telephone helpline for inquiries has been set up.

Mr. Beith: To ask the Secretary of State for the Home Department if he will publish the results obtained from the pilot tests on the new information technology systems introduced by the Passport Agency at the Liverpool and Newport offices; and if he will make a statement. [90685]

Mr. Mike O'Brien: The new Passport Application Support System (PASS) is owned, managed and controlled by Siemens Business Services (SBS) under a public–private partnership agreement. The tests carried out at the time of the pilot implementations in Liverpool and Newport were designed and documented by SBS. Agency staff reviewed, agreed and took part in test programmes, but ownership of test documentation rests

with SBS, who are free to publish the documentation at their own commercial discretion. The Passport Agency is satisfied with the design and resilience of the PASS Information Technology system, although it will continue with SBS to seek improvement. The Agency will also seek to develop better working arrangements with SBS in passport offices to ensure SBS can deliver an effective operational service.

Mr. Beith: To ask the Secretary of State for the Home Department on what date his Department made the decision to permit the recruitment of 300 extra staff for the Passport Agency; on what date recruitment of new staff began; and how many of those staff have been fully trained; how many of the additional 100 new staff have been recruited and trained; and if he will make a statement. [90589]

Mr. Mike O'Brien: The decision to recruit 300 more staff was taken in late March. Waiting lists from previous campaigns were used to appoint new staff quickly and further recruitment began on 12 April. The 300 staff have been trained to undertake the required duties. Of the further 100 staff, 90 are now in place and have received full training in the required duties. The remainder are due to start by 12 July.

Mr. Beith: To ask the Secretary of State for the Home Department if he will publish the results of the consultation with the Passport Agency user group about the introduction of separate child passports; and if he will make a statement. [90683]

Mr. Mike O'Brien: Yes. I have placed copies of the individual responses to the Passport Agency's consultation exercise on separate passports for children in the Library. Members of the Consultative Panel of Passport Users, who comprise of national representatives of the travel trade, consumer groups and other relevant organisations including Re-unite—the National Council for Abducted Children—were consulted on the question of separate passports for children. The broad conclusion of the Panel was that overall security would be improved by the introduction of the requirement for separate passports, and the change would be a positive one.

Mr. Beith: To ask the Secretary of State for the Home Department what are the contractual arrangements for the imposition of penalties on the contractors responsible for the introduction of new information technology systems at the Passport Agency; and if he will make a statement. [90590]

Mr. Mike O'Brien: Under the Passport Agency's contracts with Siemens Business Services (SBS) and Security Printing and Systems (SP&S) formerly The Stationery Office Ltd., service credits are available in relation to timeliness of delivery of data to the United Kingdom Passport Agency (UKPA); accuracy of data when delivered to the UKPA; transmission of data to printers; timeliness in printing the passport; system availability; and accuracy of the manufactured product.

Service Credits of £66,951 have so far been levied on SBS for system availability (£47,232) and accuracy of data passed to the Agency (£19,696). Service credits of £4,489 have been levied on SP&S for accuracy of the manufactured product.

Mr. Beith: To ask the Secretary of State for the Home Department if he will publish his Department's papers relating to the decision to require a separate children's passport from October 1998; and if he will make a statement. [90684]

Mr. Mike O'Brien: It would not be appropriate to publish the policy advice that officials have provided to Ministers. The reasons for introducing the requirement for separate passports for children were announced to the House in my reply to my hon. Friend, the Member for Nuneaton (Mr. Olner), 7 April 1998, *Official Report*, column *173*, and there has also been widespread publicity including press releases, information to travel agents, libraries and Citizen Advice Bureaus, and via electronic media, to provide the public with the background to the change. Copies of the individual responses to the Passport Agency's consultation exercise on separate passports for children have been placed in the Library.

Mr. Beith: To ask the Secretary of State for the Home Department what estimate the Passport Agency and the Home Office have made of the cost of meeting compensation claims resulting from the problems at the Passport Agency; what assessment they have made of the amount which will have to be found from increases in charges made by the Passport Agency; and if he will make a statement. [90688]

Mr. Mike O'Brien: It is not possible at this stage in the year for the Agency to make a reliable estimate of the complete cost of compensation payments. In the 1998–99 financial year the Agency paid around £80,000 in compensation. In the first four months of this financial year the Agency has paid around £37,000. In terms of the impact on the passport fee, if the Agency's total compensation bill in 1999–2000 is £100,000, this would represent 2p of the £21 passport fee. There is, therefore, no reason why any increase in passport fee should result from the level of compensation.

Asylum Seekers

Mr. Coleman: To ask the Secretary of State for the Home Department how many outstanding asylum applications remained unprocessed from (i) the Federal Republic of Yugoslavia, (ii) Iraq, (iii) Somalia and (iv) Afghanistan on 30 June; and if he will make a statement. [90576]

Mr. Mike O'Brien: It is estimated that as at the end of March 1999, the latest date for which figures are available, the number of asylum applications awaiting an initial decision for nationals of the Federal Republic of Yugoslavia was 9,540; Iraq 1,920; Somalia 4,900; and Afghanistan 2,325.

Mr. Coleman: To ask the Secretary of State for the Home Department how many asylum applications were processed in *(a)* May and *(b)* June, from (i) the Federal Republic of Yugoslavia, (ii) Iraq and (iii) Somalia; how many of these were (1) agreed and (2) refused; and if he will make a statement. [90575]

Mr. Mike O'Brien: The available information is given in the table. I regret that information for June is not available until the statistics are published on the Home Office website on the 26 July.

Initial decisions made on applications received for asylum in the United Kingdom [1,2] by type, nationals of the Federal Republic of Yugoslavia, Iraq and Somalia, May 1999

	Number
Federal Republic of Yugoslavia	
Total decisions	1,675
of which:	
Grants of asylum	1,340
Grants of ELR	—
Refusals	10
Grants of ELR under the backlog criteria[3,4]	325
Non compliance refusals under backlog criteria[1]	—
Iraq	
Total decisions	45
of which:	
Grants of asylum	15
Grants of ELR	25
Refusals	5
Grants of ELR under the backlog criteria[3,4]	—
Non compliance refusals under backlog criteria[1]	—
Somalia	
Total decisions	15
of which:	
Grants of asylum	5
Grants of ELR	*
Refusals	5
Grants of ELR under the backlog criteria[3,4]	5
Non compliance refusals under backlog criteria[1]	—

[1] Figures rounded to nearest 5, with '*' = 1 or 2
[2] Excluding dependants
[3] Cases decided under pragmatic measures aimed at reducing the pre 1996 asylum backlog
[4] May include a small number of cases where asylum has been granted

Mr. Coleman: To ask the Secretary of State for the Home Department how many asylum applications from Afghanistan were processed in each calendar month since January; how many of these were *(a)* agreed and *(b)* refused; and if he will make a statement. [90598]

Mr. Mike O'Brien: The requested information is given in the table.

Initial decisions made on applications received for asylum in the United Kingdom [1,2] by type January to May 1999, nationals of Afghanistan

	January 1999	February 1999	March 1999	April 1999	May 1999
Total decisions	130	100	125	320	140
of which:					
Grants of asylum	—	—	—	*	5
Grants of ELR	130	100	115	315	125
Refusals	5	*	10	5	10
Grants of ELR under the backlog criteria[3,4]	—	—	—	—	—
Non compliance refusals under backlog criteria[1]	—	—	—	—	—

[1] Figures rounded to nearest 5, with * = 1 or 2
[2] Excluding dependants
[3] Cases decided under pragmatic measures aimed at reducing the pre 1996 asylum backlog
[4] May include a small number of cases where asylum has been granted

Youth Justice

Dr. Cable: To ask the Secretary of State for the Home Department what is the planned optimum ratio of staff to young offenders in all juvenile secure accommodation as envisaged by the Youth Justice Board in its planned reform of juvenile secure accommodation. [91011]

Mr. Boateng: The Youth Justice Board for England and Wales has provided initial advice on the reform of juvenile secure accommodation referred to in my right hon. Friend the Home Secretary's reply to my hon. Friend the Member for Shipley (Mr. Leslie), 8 March 1999, *Official Report*, columns 28–29. A copy is in the Library. The advice does not set out an optimum ratio of staff to young offenders, but it does reflect the Board's view that secure facilities should have sufficient experienced and qualified staff on duty at any time to provide regimes geared towards preventing offending by children and young people.

Dr. Cable: To ask the Secretary of State for the Home Department if he will list the designated areas which *(a)* did not have a youth justice team in place and *(b)* had not appointed a youth offending team manager as at 30 June. [91080]

Mr. Boateng: Section 39 of the Crime and Disorder Act 1998 required local authorities with social services and education responsibilities to establish youth offending teams in partnership with the police, probation service and health authorities. They will replace existing youth justice teams. The Government expect to implement the provisions nationwide in April 2000.

The Youth Justice Board for England and Wales understands that, so far, youth offending team managers have been appointed for 125 of the 171 relevant local authority areas. In each case the manager has already established a team or is in the process of doing so. Individual authorities are given in the table. Further details of the teams are available on the Youth Justice Board's website at www.youth-justice-board.gov.uk.

YOT managers appointed in England and Wales by Government region

London	Manager appointed Yes/No
Barking and Dagenham	Yes
Barnet	Yes
Bexley	Yes
Brent	Yes
Bromley	Yes

YOT managers appointed in England and Wales by Government region

London	*Manager appointed Yes/No*
Camden	Yes
City of London	Yes (jointly with Tower Hamlets)
Croydon	Yes
Ealing	Yes
Enfield	Yes
Greenwich	Yes
Hackney	No
Hammersmith and Fulham	Yes
Haringey	Yes
Harrow	Yes
Havering	No
Hillingdon	Yes
Hounslow	Yes
Islington	Yes
Kensington and Chelsea	Yes
Kingston-upon-Thames	Yes
Lambeth	Yes
Lewisham	Yes
Merton	Yes
Newham	No
Redbridge	No
Richmond-upon-Thames	No
Southwark	Yes
Sutton	No
Tower Hamlets	Yes (jointly with the City of London)
Waltham Forest	Yes
Wandsworth	Yes
Westminster	Yes
South East	
Bracknell Forest	No
Brighton and Hove	Yes
Buckinghamshire	Yes
East Sussex	Yes
Hampshire	Yes (jointly with Southampton, Portsmouth and the Isle of Wight)
Isle of Wight	Yes (jointly with Hampshire, Southampton and Portsmouth)
Kent	Yes
Medway	Yes
Milton Keynes	Yes
Oxfordshire	Yes
Portsmouth	Yes (jointly with Hampshire, Southampton and the Isle of Wight)
Reading	Yes (jointly with Wokingham)
Slough	Yes
Southampton	Yes (jointly with Hampshire, Portsmouth and the Isle of Wight)
Surrey	Yes
West Berkshire	No
West Sussex	Yes
Windsor and Maidenhead	No
Wokingham	Yes (jointly with Reading)
Eastern	
Bedfordshire	Yes
Cambridgeshire	Yes
Essex	Yes
Hertfordshire	Yes
Luton	Yes
Norfolk	Yes
Peterborough	No
Southend	No
Suffolk	Yes
Thurrock	No
South West	
Bath and North East Somerset	Yes
Bournemouth	Yes (jointly with Poole)
Bristol	Yes
Cornwall and Isles of Scilly	Yes
Devon	Yes
Dorset	No
Gloucestershire	Yes
North Somerset	No

YOT managers appointed in England and Wales by Government region

London	*Manager appointed Yes/No*
Plymouth	No
Poole	Yes (jointly with Bournemouth)
Somerset	Yes
Swindon	Yes
South Gloucestershire	Yes
Torbay	No
Wiltshire	Yes
West Midlands	
Birmingham	Yes
Coventry	Yes
Dudley	No
Herefordshire	Yes (jointly with Worcestershire)
Sandwell	Yes
Solihull	No
Staffordshire	Yes
Stoke-on-Trent	Yes
Shropshire	Yes (jointly with The Wrekin)
Walsall	Yes
Warwickshire	Yes
Wolverhampton	Yes
Worcestershire	Yes (jointly with Herefordshire)
The Wrekin	Yes (jointly with Shropshire)
East Midlands	
Derby	Yes
Derbyshire	Yes
Leicester	Yes
Leicestershire	Yes
Lincolnshire	Yes (jointly with North Lincolnshire)
Northamptonshire	Yes
Nottingham	Yes
Nottinghamshire	Yes
Rutland	No
Yorkshire and The Humber	
Barnsley	No
Bradford	Yes
Calderdale	Yes
Doncaster	No
East Riding of Yorkshire	Yes
Kingston-upon-Hull	Yes
Kirklees	No
Leeds	No
North Lincolnshire	Yes (jointly with Lincolnshire)
North East Lincolnshire	Yes
North Yorkshire	Yes
Rotherham	Yes
Sheffield	Yes
Wakefield	Yes
York	Yes
North West	
Blackburn with Darwen	Yes
Blackpool	Yes
Bolton	Yes
Bury	Yes
Cheshire	Yes
Cumbria	Yes
Halton	Yes (jointly with Warrington)
Knowsley	Yes
Lancashire	Yes
Liverpool	No
Manchester	Yes
Oldham	No
Rochdale	No
Salford	Yes
Sefton	Yes
St. Helens	Yes
Stockport	Yes
Tameside	Yes
Trafford	Yes
Warrington	Yes (jointly with Halton)
Wigan	Yes
Wirral	Yes

YOT managers appointed in England and Wales by Government region

London	*Manager appointed Yes/No*
North East	
Darlington	No
Durham	Yes
Gateshead	No
Hartlepool	Yes
Middlesborough	Yes (jointly with Redcar and Cleveland)
Newcastle-upon-Tyne	Yes
North Tyneside	No
Northumberland	No
Redcar and Cleveland	Yes (jointly with Middlesborough)
South Tyneside	Yes
Stockton-on-Tees	Yes
Sunderland	Yes
Wales	
Blaenau Gwent	No
Bridgend	Yes
Caerphilly	No
Cardiff	No
Carmarthenshire	No
Ceredigion	No
Conwy	No
Denbighshire	No
Flintshire	Yes (jointly with Wrexham)
Gwynedd	No
Merthyr Tydfil	No
Monmouthshire	No
Neath Port Talbot	Yes
Newport	No
Pembrokeshire	Yes
Powys	No
Rhondda Cynon Taff	No
Swansea	Yes
Torfaen	No
Vale of Glamorgan	No
Wrexham	Yes (jointly with Flintshire)
Ynys Mon	No

Racial Harassment (Merseyside)

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many complaints of racial harassment have been received by Merseyside Police Authority since May 1997; and how many complaints have been upheld. [90771]

Mr. Boateng: Information is not available in precisely the form requested. Data are collected centrally on a financial year basis for racial discrimination. In the 12 months from April 1997 to March 1998, 23 complaints of racial discrimination against Merseyside Police were completed. Seven complaints required formal investigation, but none were upheld. Of the remaining 16 completed complaints, three were withdrawn, five informally resolved and eight granted dispensations by the Police Complaints Authority.

Criminal Cases Review Commission

Mr. Flynn: To ask the Secretary of State for the Home Department what proposals he has to improve the efficiency and increase the output of the Criminal Cases Review Commission. [90848]

Kate Hoey: The Commission is responsible for making efficient use of the financial provision my right hon. Friend the Home Secretary makes for it, and for performing its functions effectively. In the Business Plan for 1999–2000 that it has submitted to him for agreement, the Commission sets out its plans to meet two key challenges: to minimise the delay in reviewing applications from persons in custody, and to increase the number of cases completed per year. Earlier this year, we allocated substantial additional funding to the Commission to enable it to increase its output, and have agreed to a further review of the Commission's resource requirements at the end of this year.

Mr. Flynn: To ask the Secretary of State for the Home Department what performance targets are being proposed by his Department for the Criminal Cases Review Commission. [90849]

Kate Hoey: In the Business Plan for 1999–2000 that it has submitted to my right hon. Friend the Home Secretary for agreement, the Commission has proposed the goals of completing 1,000 cases this year, having 500 under detailed review, and ensuring that the average time an applicant in custody waits for detailed review of their case to begin is not more than 12 months. My right hon. Friend the Home Secretary is currently considering the Business Plan.

Electoral Procedures

Mr. Hesford: To ask the Secretary of State for the Home Department when the report of his Department's ministerial working party on electoral procedures will be published; and if he will make a statement. [90990]

Mr. George Howarth: On 13 July, my right hon. Friend the Home Secretary placed a summary of the Working Party's final recommendations in the Library. He will publish the full report later this summer.

Cleveland Police

Dr. Kumar: To ask the Secretary of State for the Home Department, pursuant to his answer of 26 April 1999, *Official Report*, column 77, on Cleveland Police, when he expects the total legal costs to be available; if he will publish them; and if he will make a statement. [91170]

Mr. Boateng: The total legal costs for this case are still not available.

Negotiations are on-going and the final costs are not expected to be determined until the end of July.

Wormwood Scrubs

Fiona Mactaggart: To ask the Secretary of State for the Home Department how many people have been detained under Immigration Act powers in Wormwood Scrubs Prison since March 1997. [90867]

Mr. George Howarth: On 31 May 1999, a total of 10 persons were held under the Immigration Act 1971 at Wormwood Scrubs prison. Information on the number of initial receptions of such detainees into Wormwood Scrubs prison during each month since March 1997 is given in the table.

Initial receptions into HMP Wormwood Scrubs under the Immigration Act 1971, March 1997-May 1999

Month of initial reception	[1] *Number*
1997	
March	4
April	6
May	3
June	6
July	5
August	3
September	5
October	8
November	4
December	5
1998	
January	8
February	4
March	2
April	3
May	7
June	6
July	3
August	4
September	4
October	8
November	4
December	1
1999	
January	4
February	4
March	7
April	3
May	2

[1] Provisional figures

Jill Dando

Mr. Paul Marsden: To ask the Secretary of State for the Home Department how many *(a)* full-time and *(b)* part-time police officers are involved in investigating the murder of Jill Dando; and if he will make a statement. [90743]

Kate Hoey: The investigation of crime within the Metropolitan Police District is an operational matter for the Commissioner. He tells me that as at 13 July, there were 46 police officers and seven civilian support staff employed full-time on the investigation, with none part-time. These figures exclude work by scientific, investigative and logistical support staff on the investigation of the murder.

Firearms

Mr. Reed: To ask the Secretary of State for the Home Department what is the total number of cases of compensation for hand guns in Leicestershire; and what is the total cost. [91209]

Mr. Boateng: 3,094 handguns were surrendered in Leicestershire and 691 compensation claims have been received in respect of these handguns and associated ancillary equipment. A total of £1,912,175.68 has been paid.

Prisoners

Mr. Reed: To ask the Secretary of State for the Home Department what estimate he has made of the number of those serving a prison sentence who have spent time as children in local authority care. [91208]

Mr. George Howarth: The National Prison Survey 1991 (Office of Population Censuses and Surveys, HMSO, 1992) contained the estimate that 26 per cent. of prisoners currently in the prison population had been taken into care before the age of 16.

Public Safety Radio Communications Project

Mr. Sayeed: To ask the Secretary of State for the Home Department what representations he has received to date from police authorities in relation to the cost of the Public Safety Radio Communications Project. [91138]

Mr. Boateng: I have received a letter from the Association of Police Authorities supporting the Public Safety Radio Communications Project, while expressing concerns about affordability. Individual Police Authorities have also written to local Members of Parliament and, to date, I have received letters from Bedfordshire, Derbyshire, Essex, Kent, Norfolk, North Yorkshire, South Yorkshire, West Yorkshire and Wiltshire.

Police Manpower

Mr. Derek Twigg: To ask the Secretary of State for the Home Department, pursuant to his answers of 30 June 1999, *Official Report*, columns *183–85*, concerning provisional police manpower figures for March, if he will publish for each police authority in England and Wales *(a)* validated figures showing the number of officers in each force as at 31 March, *(b)* the changes since March 1998, *(c)* the percentage changes in their budget and in the numbers of officers between 1 April 1998 and 31 March 1999 and *(d)* the overall number of police officers and civilian support staff at the latest available date; and if he will make a statement. [91904]

Mr. Straw: The information requested is set out in the tables.

The total number of police officers in England and Wales at 31 March, taking account of officers seconded outside of their forces, was 126,096. This represents a reduction of 677 officers (0.5 per cent.) since March 1998.

Between March 1992 and March 1999, the number of civilian support staff increased by 5,695 to 53,031.

Police numbers—change between March 1998 and March 1999

Force	*Strength as at 31 March 1999*	*Change since 31 March 1998*
Avon and Somerset	2,999.3	+23.4
Bedfordshire	1,041.3	−37.2
Cambridgeshire	1,274.4	−17
Cheshire	2,070.6	+28.7
City of London	778.1	−46.8
Cleveland	1,415.6	−67.8
Cumbria	1,126	−37.5
Derbyshire	1,758.6	−13.6
Devon and Cornwall	2,887	−74.5
Dorset	1,279.1	−30.9
Durham	1,567.9	+53.1
Dyfed-Powys	1,026.3	+24
Essex	2,890.5	−38
Gloucestershire	1,104	—
Greater Manchester	6,809.9	−138.8
Gwent	1,247.1	+14.3
Hampshire	3,473.4	−16.1
Hertfordshire	1,723.7	−16.2
Humberside	1,974.4	−46.8
Kent	3,200.8	−50

Police numbers—change between March 1998 and March 1999

Force	Strength as at 31 March 1999	Change since 31 March 1998
Lancashire	3,244.8	−12.3
Leicestershire	1,993.2	+10.1
Lincolnshire	1,139.6	−51.5
Merseyside	4,211	−5.4
Metropolitan Police	26,073.1	−20.7
Norfolk	1,381.4	−48.2
Northamptonshire	1,137.5	−31.2
Northumbria	3,840.2	+71.5
North Wales	1,391	−5
North Yorkshire	1,336.5	−30.7
Nottinghamshire	2,224.6	−98
South Wales	2,981.4	−4.8
South Yorkshire	3,168	−14
Staffordshire	2,237.6	−54.5
Suffolk	1,190.2	+4.4
Surrey	1,661.9	+53.5
Sussex	2,846.8	−107.9
Thames Valley	3,748.1	−27.4
Warwickshire	907.7	−16.4
West Mercia	2,024.7	+15.1
West Midlands	7,320.8	+165.3
West Yorkshire	4,982	−172.7
Wiltshire	1,151	−5.3
Force total strength	123,841	−873.8

Police numbers—comparison between percentage change in numbers and changes in budgets for 1998–99

Force	Percentage change in police numbers March 1998 to March 1999	Percentage change in budget 1997–98 to 1998–99
5–5.9 per cent. reduction in strength		
City of London	−5.7 (-46.8)	−7.3
4–4.9 per cent. reduction in strength		
Cleveland	−4.6 (-67.8)	+5.1
Lincolnshire	−4.3 (-51.5)	+1.1
Nottinghamshire	−4.2 (-98)	+3.8
3–3.9 per cent. reduction in strength		
Bedfordshire	−3.4 (-37.2)	+3.8
Cumbria	−3.2 (-37.5)	+3.7
Norfolk	−3.4 (-48.2)	+3.8
Sussex	−3.7 (-107.9)	+3.8
West Yorkshire	−3.4 (-172.7)	+3.8
2–2.9 per cent. reduction in strength		
Devon and Cornwall	−2.5 (-74.5)	+4.5
Dorset	−2.4 (-30.9)	+3.7
Greater Manchester	−2 (-138.8)	+3.8
Humberside	−2.3 (-46.8)	+3.8
Northamptonshire	−2.7 (-31.2)	+3.7
North Yorkshire	−2.2 (-30.7)	+4.0
Staffordshire	−2.4 (-54.5)	+3.7
0–1.9 per cent. reduction in strength		
Cambridgeshire	−1.3 (-17)	+3.8
Derbyshire	−0.8 (-13.6)	+3.8
Essex	−1.3 (-38)	+3.7
Hampshire	−0.5 (-16.1)	+3.8
Hertfordshire	−0.9 (-16.2)	+3.8
Kent	−1.5 (-50)	+4.4
Lancashire	−0.4 (-12.3)	+3.8
Metropolitan Police	−0.08 (-20.7)	+3.7
Merseyside	−0.13 (-5.4)	+3.8
North Wales	−0.4 (-5)	+3.8
South Wales	−0.2 (-4.8)	+3.8

Police numbers—comparison between percentage change in numbers and changes in budgets for 1998–99

Force	Percentage change in police numbers March 1998 to March 1999	Percentage change in budget 1997–98 to 1998–99
South Yorkshire	−0.4 (-14)	+3.8
Thames Valley	−0.7 (-27.4)	+3.8
Warwickshire	−1.8 (-16.4)	+3.7
Wiltshire	−0.5 (-5.3)	+3.7
Forces with increases in police numbers		
Gloucestershire	+0.02 (+0.2)	+3.8
Avon and Somerset	+0.8 (+23.4)	+3.8
Cheshire	+1.4 (+28.7)	+3.8
Durham	+3.5 (+53.1)	+4.9
Dyfed-Powys	+2.4 (+24)	+3.8
Gwent	+1.2 (+14.3)	+3.8
Leicestershire	+0.5 (+10.1)	+3.8
Northumbria	+1.9 (+71.5)	+4.7
Suffolk	+0.4 (+4.4)	+3.8
Surrey	+3.3 (+53.5)	−1.0
West Mercia	+0.75 (+15.1)	+3.8
West Midlands	+2.3 (+165.3)	+3.8
Overall totals	−0.7 (-873.8)	+3.7

Freedom of Information Draft Bill

Mr. Beith: To ask the Secretary of State for the Home Department, pursuant to his statement to the House on 24 May 1999, *Official Report*, columns 21–34, when he intends to publish the background papers leading to the publication of the Freedom of Information Draft Bill; and if he will make a statement. [91422]

Mr. Straw: I have placed copies of the background papers in the Library today. I have also made arrangements for the papers to be available on the Home Office website as soon as possible.

LORD CHANCELLOR'S DEPARTMENT

Parliamentary Questions

Mr. Brady: To ask the Parliamentary Secretary, Lord Chancellor's Department how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91056]

Mr. Vaz: According to departmental records, 465 parliamentary questions for written answer on a named day were tabled to the Lord Chancellor's Department between May 1997 and 14 April 1998; of these, 420, or over 90 per cent., received a substantial reply on that day.

Single Currency

Mr. Garnier: To ask the Parliamentary Secretary, Lord Chancellor's Department how much expenditure his Department *(a)* has incurred to date and *(b)* forecasts that it will incur in the future on preparations for possible United Kingdom entry into the European single currency; and if he will make a statement. [91167]

Mr. Vaz: Following the publication of the Government's Outline National Changeover Plan, my Department is considering what preparations may be necessary.

Loughborough County Court

Mr. Reed: To ask the Parliamentary Secretary, Lord Chancellor's Department when he plans to review the impact of the closure of Loughborough County Court on Leicester and Nottingham County Courts. [91174]

Mr. Vaz: The performance of all courts on the Nottingham Group is monitored monthly. Nottingham County Court has felt no impact following the closure of Loughborough County Court. The majority of work and all resources moved to Leicester County Court. However, the overall volume of work at Leicester has not risen significantly.

Legal Aid

Lorna Fitzsimons: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the differences in the level of provision in each United Kingdom region from the not-for-profit sector contractors in community legal services; and what account has taken of this in the allocation of moneys to each region from the Legal Aid Board for provision of not-for-profit contracts. [90979]

Mr. Vaz: The Lord Chancellor has agreed that £20 million should be set aside for contracts to support the development of the not-for-profit sector as providers within the Community Legal Service, and that this sum should be viewed as a floor and not a ceiling. As an initial guide, the Legal Aid Board divided the £20 million between its 13 administrative areas on the basis of the number of income support claimants in each area. However, legal aid areas are not constrained by their initial allocations, and the total amount allocated to not-for-profit organisations nationally may exceed the £20 million set aside for contracts with the not-for-profit sector.

It was the responsibility of each Regional Legal Services Committee (RLSC) to assess the need for legal services in its own region. To determine the need for contracts, each RLSC then considered what services were already being supplied by the not-for-profit sector as a whole within its region, other than work being undertaken under the legal aid scheme, including under pilot contracts with the Legal Aid Board. Some RLSCs decided that, because insufficient information was available on the quality and amount of work done by non-contracted not-for-profit organisations in their region, some of these services should not be taken into account when determining the need for contracts.

Lorna Fitzsimons: To ask the Parliamentary Secretary, Lord Chancellor's Department what criteria the Regional Legal Services Committee uses to identify the level of need for legal services in respect of housing, immigration and employment matters in Rochdale; what formula they used to assess the level of resources to meet this need in per capita terms; and what steps his Department has taken to monitor the application of *(a)* those criteria and *(b)* that formula. [90978]

Mr. Vaz: The criteria used by the Legal Aid Board's Regional Legal Services Committees (RLSCs) to assess need for legal services in all categories of law are set out in their Strategic Plans, which were published in April 1999.

As a starting point for more detailed discussion, the North Western Legal Services Committee (NWLSC) carried out a preliminary assessment of need before taking into account local information. The following national data sets were used:

Census 1991 information on housing tenure and breakdown of ethnic minority populations;

DSS 1996 Income Support Claimants data; and

the Department of Environment 1996 English House Condition Survey.

Although this information was used directly for the three categories, other information on unemployed claimants (NOMIS 1997) and County Court Debt Judgements (Equifax 1996) were also available to the Committee. In addition, indicators of general deprivation, the Index of Local Conditions (Robson Index) and the Underprivileged Areas Score (Jarman Index), were taken into account.

The draft strategy was widely consulted on through a series of focused meetings on specific subject areas, and conferences organised on a county basis. Written responses, which were also considered in finalising the strategies, were received from other organisations and agencies on the NWLSC network database, including Rochdale CAB, Rochdale Law Centre and Rochdale MBC Advice Services. Rochdale has been assessed as a high priority area for legal services in housing, immigration and employment matters, and subject-specific contracts will definitely be issued in these high priority areas.

The Legal Aid Board reported to the Lord Chancellor on all the RLSC strategic plans, which included an explanation of the criteria used to assess need. The Lord Chancellor considered the plans and approved them in April 1999. The Legal Services Commission will prepare an Annual Plan setting out how it intends to fund services to meet the needs identified by the RLSCs, and its Annual Report to the Lord Chancellor will report on how it has performed against its Plan. There is no formula used to assess the level of resources to meet identified need on a per capita basis, so there is nothing to monitor in that respect. However, officials are considering how best to monitor the performance of the Board and its successor, the Legal Services Commission, in identifying levels of need and addressing them through the granting of contracts.

Lorna Fitzsimons: To ask the Parliamentary Secretary, Lord Chancellor's Department how much money has been allocated to the not-for-profit agencies in *(a)* the North West Area and *(b)* the bidding area which includes Rochdale from the Legal Aid Board; what percentage has been allocated to date; and by what means additional moneys may be allocated during the financial year. [90977]

Mr. Vaz: The initial guide allocation of funds for contracts with not-for-profit organisations in the Legal Aid Board's North Western administrative area for 2000-01 is £1,508,000. However, legal aid areas are not constrained by their initial allocations, and the total amount allocated to

not-for-profit organisations nationally may exceed the £20 million set aside for contracts with the not-for-profit sector. Funds for contracts with the not-for-profit sector are held at Legal Air Board area level and are not allocated to specific bid zones.

The deadline for applications for not-for-profit contracts was 1 June 1999. However, the Legal Aid Board will be unable to determine how much money will be allocated to not-for-profit contracts until applications have been received from solicitors in August 1999 and there has been the opportunity to consider the contracted provision across the whole region. Final contract decisions (and therefore the division of the overall controlled budget for civil advice and assistance between solicitors and the not-for-profit sector) will be made by October 1999, and will be subject to organisations meeting the relevant franchise and contract requirements. The Board is currently considering the development of a mechanism for allocating additional moneys, within the overall controlled budget, to not-for-profit organisations during the financial year.

Lorna Fitzsimons: To ask the Parliamentary Secretary, Lord Chancellor's Department under what circumstances sums additional to the £20 million which the Chair of the Legal Aid Board has allocated to the not-for-profit sector may be provided to the sector. [90976]

Mr. Vaz: Provided it remains within the overall allocation for civil advice and assistance, the Legal Aid Board may award contracts to those firms and organisations which are best able to deliver services to meet the priorities outlined in each area's Regional Legal Services Committee strategy. This includes not-for-profit sector organisations. A minimum of £20 million has been allocated for use in contracting with the not-for-profit sector. However, this sum could be exceeded if not-for-profit sector. However, this sum could be exceeded if not-for-profit organisations prove best able to meet identified priority needs, provided total expenditure remains within the total controlled budget for civil advice and assistance.

TREASURY

Savings Products

Mr. Loughton: To ask the Chancellor of the Exchequer (1) how many savings products have been issued with a CAT standard mark; [R] [89331]

(2) how many different types of ISA are currently being marketed by ISA providers. [R] [89705]

Ms Hewitt *[holding answers 1 and 5 July 1999]:* The Inland Revenue has approved a total of 395 ISA managers to provide one or more components of ISAs. 284 have been approved to offer the stock and shares component, 239 to offer the cash component and 68 to offer the life insurance component.

Individual ISA products, including products which meet the CAT standards, are not approved by the Inland Revenue or the Treasury and the information requested is not held centrally.

National Insurance Numbers

Mr. Rendel: To ask the Chancellor of the Exchequer what current length of time is taken to process and issue juvenile national insurance numbers. [89875]

Dawn Primarolo *[holding answer 5 July 1999]:* Juveniles are registered for national insurance numbers by an automated process involving transfer of information from the Child Benefit computer to the National Insurance Recording System computer on magnetic tape. This is normally done at about the time a juvenile reaches the age of 15 years and 9 months and results in the automatic issue of a plastic national insurance number card.

The process to register juveniles for national insurance numbers is operating normally and there is no delay to customers. The process takes place over several days for each individual.

Mr. Rendel: To ask the Chancellor of the Exchequer what guidance he has issued to *(a)* Benefits Agency staff handling juvenile Jobseeker's Allowance claims and *(b)* employers concerning the issuing of juvenile NI numbers. [89877]

Dawn Primarolo *[holding answer 5 July 1999]:* Information has been sent to Benefits Agency staff to make them aware that some school leavers will not have details of their national insurance numbers. Benefits Agency staff will have taken action to obtain the national insurance number for the young person. As a consequence, it has been possible for the Benefits Agency to process claims to Jobseeker's Allowance received from juveniles.

A national insurance number allows employers, who have young persons starting work, to send contribution information to the National Insurance Contributions Office for the correct record. A letter explaining the delay in issuing national insurance number plastic cards was sent to some employers in the week commencing 10 May 1999.

Employers requiring advice on how to obtain a national insurance number for an employee were asked in the letter to contact the existing employers Helpline. The Helpline provided details of how a written notification of the national insurance number could be obtained.

Mr. Rendel: To ask the Chancellor of the Exchequer how many *(a)* adult registrations and *(b)* juvenile registrations for national insurance numbers are currently outstanding; and how long it will take to clear the outstanding juvenile registrations. [89876]

Mr. Willetts: To ask the Chancellor of the Exchequer how many applications for a national insurance number have been delayed as a result of problems with NIRS2 computers. [91186]

Dawn Primarolo *[holding answers 5 and 13 July 1999]:* There is no delay in the processing of applications for adult registrations for national insurance numbers and there is no outstanding backlog.

The process to register and issue national insurance number cards for juveniles is now operating normally. However, a backlog of 300,000 juvenile registrations did accumulate in the period June 1998 to January 1999, when problems were experienced in implementing the appropriate NIRS2 software. This backlog was cleared by

30 June 1999, with the exception of 17,000 cases where further essential identity inquiries are being made. It is expected that this backlog will be cleared by 30 August 1999.

Self-administered Pension Schemes

Mr. Nicholls: To ask the Chancellor of the Exchequer how many small self-administered pension schemes there are in existence; how many such schemes have ceased to be approved within the last five years; what he estimates to be the loss to the Revenue when the scheme assets of schemes which have ceased to be approved are transferred offshore; what he estimates the gain to the Revenue will be from his proposals in the Budget to address that abuse; if he will list all the consultees to his proposals to address this abuse; and if he will make a statement. [90731]

Ms Hewitt: Tax-approved pension schemes enjoy very generous tax treatment to encourage the provision of pensions throughout retirement. Arrangements which abuse these tax reliefs are wholly unacceptable and we will take whatever steps are necessary to ensure that approved schemes are used only for a genuine pensions purpose.

There are 46,400 tax-approved small self-administered pension schemes (SSAPS) in existence and 447 have ceased to be tax approved within the last five years. SSAPS can lose approval for a wide variety of reasons not necessarily connected to tax avoidance.

Measures to clamp down on abuses of the pensions tax reliefs through arrangements involving the transfer of scheme assets offshore have been in place since 1994 and were further strengthened in the 1998 Budget. The measures are intended to deter this activity rather than to raise tax.

As the 1998 changes were to counter emerging tax avoidance schemes there was no advance consultation. The Inland Revenue are currently discussing with the Association of Pensioner Trustees arrangements for enhancing the role of independent trustees of SSAPS as part of the 1998 package of measures.

AA

Mr. Cousins: To ask the Chancellor of the Exchequer if windfall benefits to AA members arising from the sale of the AA will be taxed at the highest marginal rate of the taxpayer. [90929]

Dawn Primarolo *[holding answer 12 July 1999]:* The Inland Revenue are considering with the AA how tax law will apply to any windfall benefits to AA members.

Gold Reserves

Mr. Jack: To ask the Chancellor of the Exchequer if he will make a statement listing *(a)* when each element that constituted the gold reserves as at 30 June was acquired and *(b)* its value at the point of acquisition. [90783]

Ms Hewitt: The UK's official gold holdings were accumulated many years ago and it is not now possible to state when each element was acquired or at what price.

Budget Measures

Yvette Cooper: To ask the Chancellor of the Exchequer if he will make a statement on the impact on women compared to men of *(a)* the 1999 Budget measures and *(b)* the combined effect of the 1997, 1998 and 1999 Budget measures. [90818]

Ms Hewitt: Women make up a disproportionate number of the poorest groups in society. They are also more likely to be the primary care-giver to young children in families across the UK. The Government is committed to ensuring that women get a fair deal out of the tax and benefits system. To this end, the measures announced in the latest and previous Budgets boost the incomes of low-paid women and women who work part-time, as well as giving increased financial support to people caring for children.

Information on the average increase in weekly income, by gender, is given in the following table.

£ per week

	Women	*Men*	*All individuals*
Budget 1999	2.90	2.00	2.50
Budgets 1997, 1998 and 1999 combined	5.30	2.30	3.90

All the figures are relative to indexation and are in 1999–2000 prices. They reflect the impact on disposable income of the major direct tax, National Insurance, and benefit measures included in the 1999, 1998 and July 1997 Budgets and taking effect over the four years from 1998–99, plus the impact of the National Minimum Wage. They are based on data from the ONS Family Expenditure Survey.

Insurance Companies (Regulation)

Mr. Flight: To ask the Chancellor of the Exchequer if, prior to the regulation of insurance companies being taken over by the Financial Services Authority, he will review the capital adequacy of insurance companies; and if he will make a statement. [90035]

Ms Hewitt: I have no plans to do so.

VAT (Small Companies)

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer what is the procedure for small companies registered for VAT in the United Kingdom to claim back VAT paid in Italy. [91430]

Dawn Primarolo: To claim back VAT paid in Italy, a UK business must make a claim on a special form, obtainable from the Italian authorities, within six months of the end of the calendar year in which the VAT was incurred. Original invoices or receipts which prove that Italian VAT was paid must accompany the claim, together with a Form VAT 66 certificate from Customs and Excise showing that the business is VAT registered in the UK.

AGRICULTURE, FISHERIES AND FOOD

Fisheries Council

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food for what reason the United Kingdom abstained on quotas reached at the Fisheries Council of 10 June. [90949]

Mr. Morley: The Council adopted a proposal introducing in 1999 two new Total Allowable Catches (TACs) and national quota allocations for North Sea spurdog and Northern prawn; and allocating in 1999 two existing TACs for blue whiting in Western waters and the Bay of Biscay. While the UK's shares of the spurdog and Northern prawn TACs were acceptable, one final share of the Western blue whiting TAC, although a significant improvement on the Commission's proposal, did not adequately reflect the substantial UK interest in this fishery. That being so, I decided that a UK abstention was appropriate.

EC Surplus Food Scheme

Mr. Bercow: To ask the Minister of Agriculture, Fisheries and Food for what reason the UK Government have elected not to operate the EU Surplus Food Scheme in the United Kingdom. [90701]

Mr. Rooker: Uptake for the scheme was disappointing and we were unable to utilise fully the quantities of beef set aside by the Commission for the UK. The Government therefore considered that the scheme did not provide good value for money, nor achieve its primary objective of making a serious contribution to the disposal of UK stocks of intervention beef.

Departmental Buildings

Mrs. Ewing: To ask the Minister of Agriculture, Fisheries and Food if he will list the *(a)* location, *(b)* purpose, *(c)* number of staff accommodated and their wage costs and *(d)* running costs of the buildings owned, rented and occupied by his Department or its agencies in Scotland. [90860]

Mr. Morley *[holding answer 14 July 1999]:* The Department directly employs veterinary and technical staff of the State Veterinary Service (SVS) which are stationed in Scotland at the following locations:

Pentland House, Edinburgh
Greyfield House, Edinburgh
Inverness
Thurso
Inverurie
Kirkwall
Elgin
Perth
Forfar
Oban
Ayr
Dumfries
Stranraer
Galashiels
Hamilton.

The SVS operates throughout Great Britain and implements the animal health, animal welfare and public protection policies of the Department, the Scottish Executive Rural Affairs Department (SERAD) and the National Assembly for Wales. The estimated salary cost of the 78.5 veterinary and technical staff stationed in Scotland is £3.06 million. All accommodation costs for these staff and their administrative support costs are met by SERAD.

The Meat Hygiene Service (MHS), operates a Regional Office from Saughton House in Edinburgh. This Office co-ordinates the daily operations of meat inspectors and Official Veterinary Surgeons who work within licensed fresh meat premises throughout the MHS Scotland Region. Nine staff work directly from the Office, whose wage costs for this financial year are estimated at £182,000. The building is not owned by the MHS but it will pay an estimated £10,000 towards it s running costs this financial year.

The Department and its agencies also occupies three other sites in Scotland. The first is the Veterinary Laboratories Agency Lasswade, where a building is rented on the Pentland Science Park on the outskirts of Edinburgh. It carries out research and diagnostic services of farmed livestock and wildlife. There are 32 staff on the site and wage costs for this financial year are estimated at £655,000. The annual rent is £73,000. For this financial year fuel and utilities are estimated at £11,000, facilities management will be £35,000 and other running costs such as training, consumables and travel are budgeted at £157,000. The contribution in lieu of rates has still to be assessed.

The Department owns a redundant laboratory and an adjacent storage building at Torry in Aberdeen. These are in the process of being sold for redevelopment. No staff are employed on the site. This year the Department will pay a capital charge of £60,000 for the property, a contribution in lieu of rates of £64,000 and maintenance and security costs of £10,000.

The Department also owns two redundant stores near Perth, known as Almondbank 4 and 5. These are in the process of being sold. No staff are employed on the site. Over the next year we have budgeted to pay £54,000 in capital charges and £5,000 for maintenance and security. A contribution in lieu of rates is not payable on empty storage buildings.

Flood and Coastal Defences

Mr. Gareth R. Thomas: To ask the Minister of Agriculture, Fisheries and Food if he has undertaken an environmental appraisal of the Flood and Coastal Defence Project Appraisal Guidance Note 3: Economic Appraisal; and if he will make a statement. [91140]

Mr. Morley: An environmental appraisal of the Flood and Coastal Defence Project Appraisal Guidance: Economic Appraisal is not appropriate. The guide, which is one of a planned series on the appraisal of flood and coastal defence projects, will set out the economic principles that should be followed in undertaking project appraisal. Specifically, it will indicate how the requirements set out in the Treasury's "Green Book" can be achieved and outline good practice. It will be an update of the 1993 Project Appraisal Guidance Note with

clarification of areas where there has been uncertainty in its use by operating authorities. It will support current policy and assist operation of the grant aid system. Another document in the series will provide guidance on environmental appraisal.

EU Food and Veterinary Office

Mr. Paterson: To ask the Minister of Agriculture, Fisheries and Food how many inspections of UK food premises were made by officials of the European Union Food and Veterinary Office in (i) 1997–98 and (ii) 1998–99; and what was the purpose of those inspections. [88288]

Mr. Rooker: During 1997–98, five missions to the UK were carried out by the European Union Food and Veterinary Office (FVO) involving inspections of food premises. In 1998–99, seven such missions were undertaken. All were to assess compliance by the UK with the requirements of Community legislation in the food and veterinary area, as part of the FVO's ongoing programme of visits to all member states.

Mouse Breeding Facilities

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer to the hon. Member for Pendle (Mr. Prentice) of 29 June 1999, *Official Report*, column *150*, on mouse-breeding facilities, how many mice were bred in the last year for which figures are available; and how many of those were subsequently destroyed without being used for the purpose for which they were bred. [90514]

Mr. Rooker *[holding answer 12 July 1999]:* In 1998, a total of 16,180 mice were bred by my Department. Of these, 16 per cent. were surplus to requirement and subsequently culled.

HEALTH

Nurse Recruitment

Mr. Hammond: To ask the Secretary of State for Health how many nurses *(a)* have been recruited to the NHS since the launch of his recruitment campaign on 1 February and *(b)* were recruited to the NHS during the periods (i) 1 February 1998 to 30 March 1998 and (ii) 1 February 1997 to 30 March 1997. [80286]

Mr. Denham *[holding answer 13 April 1999]:* Since the recruitment campaign began on 1 February 1999, 1,233 nurses have returned to employment in the National Health Service.

Information about the number of nurses joining the National Health Service is available from the annual survey conducted by the Office of Manpower Economics on behalf of the Review Body for Nursing Staff, Midwives, Health Visitors and Professions Allied to Medicine. The results from the March 1998 survey are in the Sixteenth Review Body Report, which is available in the Library.

Medium Secure Units

Mrs. Betty Williams: To ask the Secretary of State for Health on how many occasions patients have absconded from medium secure units in the last three years, and from which units; and on how many of those occasions *(a)* it was assessed that there was a risk to the public and *(b)* members of the public were assaulted or threatened. [87044]

Mr. Hutton *[holding answer 15 June 1999]:* The Department does not collect data centrally on the number of patients who either escape from National Health Service trust medium secure units or abscond while on leave.

Information on escapes and absconding is routinely collected by each health authority as part of its contract monitoring. Only the most serious incidents are reported to the NHS regional office and would not, for example, include those where a patient goes missing for a minute or two on escorted leave or where a patient returned late by a few minutes from home leave.

The present arrangements require the most serious incidents to be reported by health authorities to regional offices.

The Department is currently reviewing the collection of data relating to escapes and absconds from medium secure units.

Cancer Information Strategy

Mr. Paul Marsden: To ask the Secretary of State for Health if he will assess the benefits of the Macmillan Cancer Relief campaign, "A Voice for Life", prior to formulating the Government's Cancer Information Strategy. [89086]

Mr. Hutton: We welcome the new Macmillan campaign, "A Voice for Life". We are pleased to be assisting Macmillan in the campaign by arranging for copies of the booklet, "The Cancer Guide", to be distributed to cancer units and cancer centres so that it can be made available to all those diagnosed with cancer.

We are working closely with the voluntary sector, including Macmillan Cancer Relief, to develop the Cancer Information Strategy.

NHS Site Sales

Mr. Fearn: To ask the Secretary of State for Health if he will list the sites owned by the National Health Service which have been sold for housing development in the past five years and for each site the company to which it was sold, and the current status of the development. [90741]

Mr. Denham: The information requested could be provided only at disproportionate cost.

Domestic Violence

Caroline Flint: To ask the Secretary of State for Health what measures his Department has taken to *(a)* inform patients who are victims of domestic violence of support services available and *(b)* provide guidelines to health employees, on dealing with patients who may be victims of domestic violence. [90746]

Mr. Hutton: As part of the Government's *Break the Chain* domestic violence awareness campaign launched earlier this year, the Department distributed leaflets and posters, giving advice to victims of domestic violence, to all general practitioners practices and directors of social services. Copies of the leaflet and poster are shortly to be sent to all NHS trust nurse directors in England to be placed in hospital patient information racks.

Additionally, a training and resource pack *Making an Impact* commissioned by the Department was launched in June of last year. Focusing particularly on children and domestic violence in families, the pack aims to equip frontline staff with the skills to identify victims of abuse and to provide support.

The Department has also commissioned work to synthesise existing guidelines for health professionals to help them recognise and deal with victims of domestic abuse. These guidelines will be ready later this year.

Bullying

Mr. Keetch: To ask the Secretary of State for Health what guidance he has issued to health authorities on the provision of specialist trauma reduction and support counselling for children suffering post-traumatic stress as a result of bullying at school; and if he will make a statement. [90759]

Mr. Hutton: None. Health authorities are responsible for the availability of services for children and adolescents suffering from a range of mental health problems, including provision of specialist services where appropriate.

The Government is making an additional £90 million available over the next three years to improve child and adolescent mental health services.

Prescription Medicines

Mr. Paul Marsden: To ask the Secretary of State for Health, pursuant to his answer of 5 July 1999, *Official Report*, column *393*, on prescription medicines, if he will list the profits made by each pharmaceutical company under the Pharmaceutical Price Regulation Scheme in the last year for which figures are available; and if he will make a statement. [90770]

Mr. Denham: Under the Pharmaceutical Price Regulation Scheme, pharmaceutical companies provide a range of financial information to the Department to enable the effective management and operation of the scheme. This information is provided in confidence.

Linear Accelerators

Mr. Paul Marsden: To ask the Secretary of State for Health if he will list for each health authority the number and cost of linear accelerators installed in NHS trusts for each year from 1992; and if he will make a statement. [90762]

Mr. Hutton: Information on the number of linear accelerators in cancer centres is not available centrally but will be contained in the review of radiotherapy provision which will be sent to my right hon. Friend the Secretary of State shortly for consideration.

Medicines Control Agency

Mr. Ben Chapman: To ask the Secretary of State for Health if he will publish the Annual report and Accounts of the Medicines Control Agency. [91905]

Ms Jowell: We have received the report and copies have today been laid before both Houses of Parliament in accordance with the requirements of Section 5(2) and 5(3) of the Exchequer and Audit Departments Act 1921. Copies have also been placed in the Library.

Medicines Commission

Mr. Ben Chapman: To ask the Secretary of State for Health when he expects to receive the Annual report of the Medicines Commission for 1998; and if this will be published. [91906]

Ms Jowell: We have received the report, and copies have been laid before both Houses of Parliament today in accordance with the requirements of section 5(2) of the Medicines Act 1968.

Bound and published volumes have been placed in the Library containing the 1998 reports of the Medicines Commission, the Committee on Safety of Medicines, the Advisory Board on the Registration of Homeopathic Products, the British Pharmacopoeia Commission and the Veterinary Products Committee.

We are pleased to acknowledge the valuable work undertaken by the distinguished members of the Medicines Act Advisory Boards and thank them for the time and considerable effort dedicated in the public interest to this important work.

Free Prescriptions

Mr. Laurence Robertson: To ask the Secretary of State for Health what plans he has to include asthma as an illness which qualifies the sufferer for free prescriptions; and if he will make a statement. [91428]

Mr. Denham: We reviewed exemptions from prescription charges in the Comprehensive Spending Review and concluded that the present arrangements should remain for the rest of this Parliament.

Spinal Cord Injury

Mr. Woodward: To ask the Secretary of State for Health what plans Her Majesty's Government have to make spinal cord injury a notifiable condition. [91425]

Mr. Hutton: There are no plans to make spinal cord injury a notifiable condition. Notifiable conditions are all communicable diseases which pose a threat to public health.

Medicinal Products (Classification)

Mr. McNulty: To ask the Secretary of State for Health what is the outcome of the Government's consideration of the public response to the MCA's proposals for classifying borderline products as published in its consultation letter MLX 249. [91861]

Ms Jowell: We have carefully considered all the areas of concern raised by respondents in what has been a very active consultation process. We will be announcing tomorrow our detailed response on specific issues and we will be responding positively to all the main concerns raised. There has never been any intention to, and there is no effect in these proposals that would, change the definition of a medicinal product. The Government's intention is to ensure that the legal obligation to protect public health is safeguarded while maintaining public access to a range of safe dietary supplements and natural products.

Written Answers to Questions

Friday 16 July 1999

HOUSE OF COMMONS

Television Licences

Mr. Peter Bradley: To ask the Chairman of the Administration Committee, pursuant to her answer of 12 July 1999, *Official Report*, column 22, what is the cost of the multiple licence held throughout the Parliamentary Estate for television sets used for leisure or recreational purposes. [91507]

Mrs. Roe: The cost of a multiple licence throughout the Parliamentary Estate for television sets used for leisure or recreational purposes for the last financial year was £1,462.50.

NORTHERN IRELAND

Prisoner Releases

Mr. Maclean: To ask the Secretary of State for Northern Ireland what were the total number of people *(a)* killed and *(b)* injured as a result of crimes committed by prisoners who were subsequently successful in their application for an accelerated release date. [91439]

Mr. Ingram *[holding answer 15 July 1999]:* This information is not readily available and could be provided only at disproportionate cost.

Mr. Maclean: To ask the Secretary of State for Northern Ireland how many prisoners who successfully applied to the Prison Sentences Review Commission for an accelerated release date have reoffended since their release; and what was the nature of their new offences. [91437]

Mr. Ingram *[holding answer 15 July 1999]:* Three of the 280 prisoners who successfully applied for accelerated release to the independent Sentences Review Commission, and who have now been released from prison, have since reoffended. The nature of the charges against two of the three includes assault against police officers and breach of the peace; Grievous Bodily Harm with intent; Assault Occasioning Actual Bodily Harm; and Affray. The third person was convicted of receiving stolen goods and of deception. None of the three has broken the terms of their licence conditions.

Mr. Maclean: To ask the Secretary of State for Northern Ireland if she will list, for each prisoner who successfully applied to the Prison Sentences Review Commission for an accelerated release date, the nature of their offence, the term of imprisonment to which they were sentenced, and the term of imprisonment that they served prior to their release. [91451]

Mr. Ingram *[holding answer 15 July 1999]:* The information requested is not readily available in the format in which it has been requested and could be provided only at disproportionate cost.

However of the 424 successful applications that have been made to the Sentences Review Commission for an accelerated release date, (282 determinate sentence prisoners and 142 indeterminate sentence prisoners), a total of 280 prisoners (190 determinate sentence prisoners and 90 determinate sentence prisoners) have been released.

As per section 4(1) of the Northern Ireland (Sentences) Act 1998, of the 190 determinate sentence prisoners who have been released all have served at least one third of their sentence, and in some cases in excess of one third had been served before they were released. Again, as per section 6(1) of the 1998 Act, of the 90 indeterminate sentence prisoners who have been released, all have served at least two thirds of the period they could otherwise have been expected to serve, and in some cases in excess of two thirds had been served before they were released.

Mr. Maclean: To ask the Secretary of State for Northern Ireland how many prisoners have to date applied to the Prison Sentences Review Commission for an accelerated release date; in how many cases the Commission made a determination; and, for unsuccessful applications, what reasons were given. [91440]

Mr. Ingram *[holding answer 15 July 1999]:* A total of 518 prisoners have to date applied to the Sentences Review Commission for an accelerated release date. The Commissioners have issued determinations in 440 cases. Of those applications that have been unsuccessful, the reasons given are that the Commissioners are not satisfied that the offences were committed in connection with terrorism and the affairs of Northern Ireland.

Mr. Maclean: To ask the Secretary of State for Northern Ireland what proportion of prisoners who successfully applied to the Prison Sentences Review Commission for an accelerated release date were released having served less than *(a)* a quarter and *(b)* one half of their sentence. [91438]

Mr. Ingram *[holding answer 15 July 1999]:* A total of 280 prisoners have to date been released in accordance with the terms of the Good Friday Agreement, of which 190 were serving fixed term sentences. No fixed term prisoners who successfully applied to the Sentences Review Commission were released early having served less than a quarter of their sentence. All 190 fixed term prisoners released early would have served less than one half of their sentence at the time of accelerated release.

A total of 90 indeterminate sentence prisoners have also been released under the terms of the Good Friday Agreement.

Victims' Remains

Mr. Maclean: To ask the Secretary of State for Northern Ireland what *(a)* policing costs and *(b)* other costs have been incurred through action taken to locate victims' remains under the Northern Ireland (Location of Victims' Remains) Act 1999; what progress has been made; and if she will make a statement. [91453]

Mr. Ingram *[holding answer 15 July 1999]:* Following implementation of the Northern Ireland (Location of Victims' Remains) Act 1999, the cost to the UK for the operation of the independent Commission amounts to £694.50 to date. Of this, £610.50 has been spent on transport and associated expenses for the UK Commissioner, Sir Kenneth Bloomfield. The other £84 has been spent on setting up a Post Office Box. There have been no policing costs to the United Kingdom arising from the operation of the Act.

The remains of one individual, believed to be Eamon Molloy, were recovered in Dundalk on the first day of the Commission's operation, Friday 28 May. On June 29, human remains were found by Gardai at Colgagh in County Monaghan. This was the site which had been indicated as the location of the remains of Brian McKinney and John McClory. The State Pathologist was called to the scene and the Commission later confirmed that the remains of two individuals had been located. Work is ongoing to confirm the identities of the two individuals.

In light of this encouraging development, I understand that the Commission has asked the Garda Siochana to reassess the plans for the continuation of excavations at any site where available information indicates a prospect of making further discoveries and to report the conclusions to the Commission. The Commission has undertaken to communicate further information as events evolve.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Asbestos Directive

Dr. Gibson: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to ensure the speedy passage of the Asbestos Directive through the European Commission. [89343]

Mr. Meacher: The Government are determined to apply further, necessary restrictions to the importation, marketing and use of white asbestos. I am hopeful that the European Commission will ratify, without undue delay, the vote of their technical committee to adapt to technical progress Council Directive 76/769/EEC. The UK continues to encourage the Commission to act swiftly on this vitally important measure. I have received advice from the Health and Safety Commission about domestic implementation of the Directive (when ratified) in the form of draft regulations. I will act on that advice as soon as the European Commission has ratified the vote of its technical committee.

M1 Link Road

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions in relation to the link road to Scratchwood Services M1, from Ellesmere Avenue NW7 *(a)* what vehicles are authorised to use the road, *(b)* who authorises use, *(c)* who polices unauthorised use, *(d)* for what purpose the link road was built, *(e)* whether rat running to gain access to the M1 by the link road is authorised use, *(f)* what consideration has been given to closing the link road and *(g)* what consideration has been given to measures to prevent rat running; and if he will make a statement. [89716]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. Andrew Dismore, dated 16 July 1999:

The Parliamentary Under Secretary of State, Glenda Jackson, has asked me to reply to your recent question about the link road to the Scratchwood Services on the M1 Motorway.

The link road was built to provide vehicular access to Scratchwood. Those authorised to use the road under a legal agreement between the Secretary of State and Welcome Break, who operate the services, are service area employees, delivery vans, maintenance depot employees and the emergency services. Guests at the Welcome Break Lodge are also allowed to use the access. Rat running to gain access to the M1 motorway is not an authorised use and Welcome Break are legally required to police the road by providing and maintaining a suitable barrier or gate across the link road to prevent such use. This means Welcome Break must keep the barrier shut except to admit authorised users.

It would not be possible to close the link road permanently as Welcome Break are required to maintain access at all times to authorised users. The Highways Agency is working with Welcome Break to provide a more efficient means of preventing unauthorised use of the link road.

Road Traffic

Mr. Efford: To ask the Secretary of State for the Environment, Transport and the Regions (1) by what percentage he estimates road traffic will increase in the London area over the next 30 years; and what assessment he has made of the impact of this on the speed of traffic; [90648]

(2) by what percentage his Department estimates that road traffic levels will increase over the next 30 years; what assessment it has made of the impact that will have on current rates of traffic movement; and if he will make a statement; [90649]

(3) if he will estimate *(a)* the cost of building roads to accommodate the projected increase in road vehicles over the next 30 years to maintain current rates of traffic movement and *(b)* the number of miles of road this would require. [90650]

Ms Glenda Jackson *[holding answer 12 July 1999]:* The National Road Traffic Forecasts published in 1997 predicted that on the basis of the capacity of the road network as it then stood, and in the absence of the new policies set out in the Integrated Transport White Paper, road traffic in Great Britain could increase by nearly 50 per cent. over the next 30 years. This growth was forecast to result in a reduction in average speeds of 10 per cent., although the reduction during the peak on the busiest roads would be substantially greater. The Department is currently working on a new set of traffic forecasts which will reflect the potential of the New Deal for Transport to tackle congestion and pollution.

The 1997 National Road Traffic Forecasts were not designed to provide forecasts at a local level. However, it is possible to use the 1997 forecasts to produce crude estimates of what they imply for traffic growth and speeds in different area types and regions. These estimates suggest

that the national figures quoted would imply traffic growth in London of about 30 per cent. over the next 30 years and a decline in average speeds of 14 per cent.

No estimate has been made of the additional road capacity that would be required to accommodate the rates of traffic growth in the 1997 forecasts at unchanged speeds, nor has the Department attempted to quantify the enormous environmental, economic, and social costs that would be involved. Adding road capacity in congested conditions generates additional traffic, thereby adding to the road traffic growth to be accommodated. This link highlights one of the fundamental flaws in the predict and provide philosophy and is a key reason why simply building more roads is not the answer to traffic growth.

Traffic Calming

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what is the average cost of traffic calming schemes approved in the last financial year for which figures are available. [90855]

Ms Glenda Jackson *[holding answer 12 July 1999]:* This information is not held centrally. Local highway authorities are responsible for the decision to introduce a traffic calming scheme, and do not need the Secretary of State's approval unless, exceptionally, they wish to use a traffic calming feature which is not covered by regulations under the Traffic Calming Act 1992.

Stansted Airport

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions how many meetings the Minister for Transport in London had with officials and others regarding the draft Stansted Airport Aircraft Movement Limit (Amendment) Order 1999. [91049]

Ms Glenda Jackson *[holding answer 14 July 1999]:* By convention, Government do not comment on internal discussions between Ministers and officials.

My right hon. Friend the Member for Hamilton, North and Bellshill (Dr. Reid) met a delegation of local MPs led by the right hon. Member for Saffron Walden (Sir A. Haselhurst) on 14 April.

Buses

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions how he intends to improve the enforcement of bus priority schemes. [91496]

Ms Glenda Jackson: Bus priority measures are important for helping to make bus services quicker and more reliable. Their implementation is the responsibility of the local highway authority which should liaise with the local police on their enforcement.

Trials of enforcement cameras for bus lanes have been carried out successfully in London. This involves prosecuting offenders using camera evidence. Cameras will be installed across London over the next few years. Further trials using existing CCTV cameras are also being undertaken.

Outside London we are encouraging local authorities to take up decriminalised parking enforcement powers. This would enable them to target parking offences that affect the operation of bus priority schemes.

We hope to see a wider use of these approaches to improve enforcement.

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what discussions his Department is holding with bus and coach manufacturers on developing vehicles to cater for the needs of elderly and disabled people. [91774]

Ms Glenda Jackson: Bus and coach manufacturers have been closely involved in discussions with my Department over the past two years on the development of standards for accessibility that will form the basis of the regulations we will be bringing forward under the Disability Discrimination Act 1995.

In addition to a large number of one to one meetings with manufacturers, there has been an extensive round of informal consultation on the proposals. There will shortly be a further round of consultation on the final proposals and the draft regulations which will come into effect from next year.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions how many bus journeys were made on local stage bus journeys in English shire counties in the year 1998–99; and if he will make a statement. [91728]

Ms Glenda Jackson: Estimates of bus passenger journeys in 1998–99 will be published later this year. The latest available estimate shows that 1.25 billion passenger journeys were made on local, or stage, bus services in English shire counties in 1997–98. Our bus policy proposals, together with additional funding for rural transport, are aimed at better bus provision and increased bus use.

Greater London Authority

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions how much the Greater London Authority will pay to his Department for leasing Romney House until the London Bridge City building is ready for occupation. [91511]

Mr. Raynsford *[holding answer 15 July 1999]:* It is anticipated that staff from the GLA and some associated bodies will occupy around 60 per cent. of the available space in Romney House from next year. This is expected to cost around £2 million per annum to provide and will be taken into account when the budget for the GLA is set later this year.

Housing

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of Single Regeneration Budget funds for schemes currently in operation has been spent on capital projects for *(a)* housing improvement and *(b)* new dwellings. [91701]

Mr. Meale: The Single Regeneration Budget (SRB) currently funds over 500 (Rounds 1–4) regeneration schemes managed by local partnerships. A large number

of these are likely to have multiple objectives, and cover a wide range of activities depending on local regeneration needs and priorities. It is not possible to break down expenditure to say how much has benefited one objective, therefore no information is available on the amount spent on capital projects for housing improvement or new dwellings.

Green Ministers Committee

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions when the Green Ministers Committee last met; and what was discussed. [92119]

Mr. Meacher: The Green Ministers Committee met on 6 July. The main item on the agenda was finalising our plans for publishing our first annual report later this month. Publication of the report will be another important step in the greening Government process, making our work more open and transparent. It will set out our future programme of work as well as what we have achieved so far.

The Committee also discussed the recent report from the Environmental Audit Committee on the greening Government initiative, how Departments can raise awareness of sustainable development and the role that Departments have in promoting biodiversity. Each Department will prepare a strategy statement on raising awareness of sustainable development and action plans on biodiversity.

Seven of the 15 English Departments were represented by Ministers (and a further five by officials) and Lord Dubs attended for the Northern Ireland Office.

LORD CHANCELLOR'S DEPARTMENT

Counsel (Remuneration)

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to ensure that leading counsel are remunerated on the basis of the work they have carried out on a case and its complexity. [91582]

Mr. Vaz: The Rules of Court provide sufficient powers to ensure that lawyers are paid for the weight and complexity of the work they have undertaken and not simply because of their status. The new Civil Procedure Rules specifically require the Court awarding costs to have regard to what is proportionate to the issues at stake and the complexity of the particular case. This is in addition to the existing tests that it must have been reasonable to incur the expense at all and that the sum being claimed is itself reasonable in amount. If these tests are applied robustly, they ought to be sufficient. However, if there is any evidence that these tests are insufficient, I am happy to consider what more may be needed.

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the rules of court governing the levels of fees charged by leading counsel. [91583]

Mr. Vaz: The Civil Procedure Rules do not govern the levels of fees charged by leading counsel, other than in the specific case of fast track trial costs. However, the new Rules do require the court, when deciding the amount of costs, to have regard to what is proportionate for the particular case. This is in addition to the existing tests that it must have been reasonable to incur the expense at all and that the sum being claimed is itself reasonable in amount. Where the court believes costs incurred are not proportionate, it has the discretion to amend the costs allowed accordingly.

In criminal matters, graduated fees apply in the vast majority of cases of up to 10 days' duration. In the remaining cases, the level of fees allowed is currently at the discretion of the Crown Court Determining Officer, based on the weight and complexity of the case. For the future we are considering what steps we shall take by way of contracting, or other means, to achieve better control over the costs of all criminal cases.

Counsel (Instruction)

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to ensure that the instruction of two counsel in the same case by litigants is permitted only in cases of sufficient complexity to merit two counsel. [91585]

Mr. Vaz: All litigants have the right to choose their own counsel in civil cases, including the number of counsel. The Civil Procedure Rules, while retaining this principle, set out an overriding objective of proportionality. If a party uses counsel in a way which is disproportionate to the nature, complexity or value of the claim, or to the financial position of the other party, the court could, for example, refuse to award the payment of the excessive costs.

Equality of Arms

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to ensure equality of arms in the instruction of counsel by litigants. [91584]

Mr. Vaz: The Government believe that litigants should be free to choose their advocate—whether barrister, solicitor or other authorised advocate. The professional bodies ensure that all advocates have attained a specified standard of advocacy sufficient to enable them to present their client's case effectively.

Court Dress

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will conduct a consultation on the rules relating to court dress. [91651]

Mr. Vaz: The Lord Chancellor is aware of the opinions of my hon. Friend and others about the rules relating to court dress. The Lord Chancellor is considering how best to take this issue forward.

HOME DEPARTMENT

British Citizenship (Applications)

Mr. McNulty: To ask the Secretary of State for the Home Department how many applications were made for British Citizenship by non-British nationals under the age

of 18 years in *(a)* 1995, *(b)* 1996, *(c)* 1997 and *(d)* 1998; and how many such applications have been (i) granted and (ii) refused in each of these years. [91289]

Mr. Mike O'Brien: Information is not available in the form requested.

Applications are not always completed in the year of receipt. The table shows the number of grants and refusals for the years in question.

Year	*Grants*	*Refusals*
1995	8,765	1,285
1996	9,106	1,383
1997	9,364	1,240
1998	11,857	1,169

The refusal figures include many children who were formally recorded as Refused because they were British Citizens already.

Matthews *v.* UK

Mr. Mitchell: To ask the Secretary of State for the Home Department what assessment he has made of the effects of the decision by the European Court of Human Rights in the case of Matthews *v.* the United Kingdom on *(a)* Jersey, *(b)* Guernsey, *(c)* the Isle of Man and *(d)* Gibraltar. [91250]

Mr. Mike O'Brien: The judgment in the Matthews case applies to Gibraltar and the Government have already announced their intention to seek to give effect to it by extending the franchise in European parliamentary elections to Gibraltar.

The judgment does not affect the Channel Islands and the Isle of Man since they are not, except for a few limited purposes, part of the European Union.

Data Series

Jackie Ballard: To ask the Secretary of State for the Home Department what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90532]

Mr. Mike O'Brien: Since June 1997, my Department has commissioned the following internal staff surveys or monitoring information:

(i) A survey of central Home Office staff was carried out in early 1997. This included details by gender, race and age and also included a question on disability. The results of the survey were published in the September 1998 issue of "Personnel News", the Home Office staff magazine. A second staff survey is planned for September 1999.

(ii) For each recruitment campaign, applicants' information is collected on gender, ethnicity and disability to augment the data already held. This included recent recruitment campaigns for Administrative Assistants, Assistant Immigration Officers and Immigration and Prison Officers. Similar information was collected for recent promotion boards.

(iii) A staff disability survey, to update and collect new information, is currently being prepared.

SOCIAL SECURITY

Compensation

Mr. Willetts: To ask the Secretary of State for Social Security, pursuant to his answer of 12 July 1999, *Official Report*, column *61*, on compensation payments, if he will provide similar information on compensation payments for each of the last five years; and if he will list for each of the categories of compensation the total amount paid in each of those years and in 1998–99. [91650]

Mr. Timms: The information is not available in the format requested. Detailed central records are kept of the date that payments are authorised, as opposed to when payment was made. This information is summarised in the tables.

Benefits Agency

	Extra-statutory[1]		*Actual financial loss*		*Loss of statutory entitlement*[1]	
Financial year	*Number of payments*	*Amount paid*	*Number of payments*	*Amount paid*	*Number of payments*	*Amount paid*
1993–94	—	—	1,477	945,000	983	655,000
1994–95	—	—	1,779	849,000	632	955,000
1995–96	—	—	2,867	1,257,000	1,307	1,497,000
1996–97	—	—	4,574	1,334,000	2,111	3,770,000
1997–98	565	92,000	3,579	662,000	2,957	2,044,000
1998–99	1,333	259,000	3,836	701,000	1,879	1,809,000

	Compensation for Delay		*Consolatory*[2]			
Financial year	*Number of payments*	*Amount paid*	*Number of payments*	*Amount paid*	*Total payments*	*Total amounts paid*
1993–94	7,683	3,151,000	n/a	n/a	10,143	4,751,000
1994–95	4,856	2,574,000	n/a	n/a	7,267	4,378,000
1995–96	22,414	8,152,000	n/a	n/a	25,588	10,905,000
1996–97	8,583	3,801,000	22	9,000	15,290	8,914,000
1997–98	4,435	1,577,000	122	29,000	11,658	4,405,000
1998–99	2,496	1,032,000	300	80,000	9,844	3,882,000

Child Support Agency

	Extra-statutory[1]		*Actual financial loss*		*Loss of statutory entitlement*[1]	
Financial year	*Number of payments*	*Amount paid*	*Number of payments*	*Amount paid*	*Number of payments*	*Amount paid*
1993–94	0	0	0	0	n/a	n/a
1994–95	0	0	35	4,000	n/a	n/a

Child Support Agency

Financial year	Extra-statutory[1]		Actual financial loss		Loss of statutory entitlement[1]	
	Number of payments	Amount paid	Number of payments	Amount paid	Number of payments	Amount paid
1995–96	0	0	664	174,000	n/a	n/a
1996–97	394	278,000	551	363,000	n/a	n/a
1997–98	194	136,000	750	678,000	n/a	n/a
1998–99	170	218,000	4,264	3,261,000	n/a	n/a

Financial year	Compensation for Delay		Consolatory[2]			
	Number of payments	Amount paid	Number of payments	Amount paid	Total payments	Total amounts paid[3]
1993–94	0	0	n/a	n/a	0	0
1994–95	0	0	n/a	n/a	35	4,000
1995–96	0	0	n/a	n/a	664	174,000
1996–97	34	4,000	21	2,000	1,000	647,000
1997–98	302	45,000	350	72,000	1,596	931,000
1998–99	1,144	343,000	4,235	565,000	9,813	4,387,000

Contributions Agency

Financial year	Extra-statutory[1]		Actual financial loss		Loss of statutory entitlement[1]	
	Number of payments	Amount paid	Number of payments	Amount paid	Number of payments	Amount paid
1993–94	—	—	91	4,000	13	9,000
1994–95	—	—	126	5,000	15	10,000
1995–96	—	—	154	13,000	13	105,000
1996–97	—	—	271	40,000	6	2,000
1997–98	0	0	406	58,000	0	0
1998–99	1	1,000	653	223,000	1	under 1K

Financial year	Compensation for Delay		Consolatory[2]			
	Number of payments	Amount paid	Number of payments	Amount paid	Total payments	Total amounts paid
1993–94	7	6,000	n/a	n/a	111	18,000
1994–95	397	226,000	n/a	n/a	538	241,000
1995–96	474	921,000	n/a	n/a	641	1,040,000
1996–97	733	461,000	1	under 1K	1,011	503,000
1997–98	560	302,000	21	7,000	987	367,000
1998–99	2,635	111,000	95	16,000	3,385	351,000

War Pensions Agency[4]

Financial year	Extra-statutory[1]		Actual financial loss		Loss of statutory entitlement[1]	
	Number of payments	Amount paid	Number of payments	Amount paid	Number of payments	Amount paid
1993–94	n/a	n/a	n/a	n/a	n/a	n/a
1994–95	—	—	1	under 1K	1	2,000
1995–96	—	—	8	5,000	0	0
1996–97	—	—	19	1,000	731	87,000
1997–98	1,477	99,000	5	1,000	2	3,000
1998–99	1,210	69,000	8	19,000	2	4,000

Financial year	Compensation for Delay		Consolatory[2]			
	Number of payments	Amount paid	Number of payments	Amount paid	Total payments	Total amounts paid
1993–94	n/a	n/a	n/a	n/a	n/a	n/a
1994–95	12	82,000	n/a	n/a	14	84,000
1995–96	6	15,000	n/a	n/a	14	20,000
1996–97	11	20,000	0	0	761	108,000
1997–98	74	14,000	1	under 1K	1,559	117,000
1998–99	191	55,000	3	under 1K	1,414	147,000

Independent Tribunal Service

Financial year	Extra-statutory		Actual financial loss		Loss of statutory entitlement	
	Number of payments	Amount paid	Number of payments	Amount paid	Number of payments	Amount paid
1993–94	n/a	n/a	0	0	n/a	n/a
1994–95	n/a	n/a	0	0	n/a	n/a

Independent Tribunal Service

Financial year	Extra-statutory		Actual financial loss		Loss of statutory entitlement	
	Number of payments	Amount paid	Number of payments	Amount paid	Number of payments	Amount paid
1995–96	n/a	n/a	0	0	n/a	n/a
1996–97	n/a	n/a	0	0	n/a	n/a
1997–98	n/a	n/a	1	1,000	n/a	n/a
1998–99	n/a	n/a	21	10,000	n/a	n/a

Financial year	Compensation for Delay		Consolatory[2]		Total payments	Total amounts paid
	Number of payments	Amount paid	Number of payments	Amount paid		
1993–94	0	0	n/a	n/a	0	0
1994–95	0	0	n/a	n/a	0	0
1995–96	0	0	n/a	n/a	0	0
1996–97	0	0	0	0	0	0
1997–98	0	0	3	1,000	4	2,000
1998–99	2	under 1K	12	2,000	35	13,000

[1] Prior to 1997–98 figures for extra-statutory payments and payments for loss of statutory entitlement were not kept separately.
[2] New categories of consolatory payments were introduced in January 1997.
[3] In 1993–94 there were 182 payments to war pensioners totalling £21,140 where the reason for the payment is not available.
[4] In 1997–98 there were 121 other payments totalling £76,729 where the reason for the payment is not available.
[5] The War Pensions agency was launched in April 1994

Note:
Payments are rounded to the nearest thousand

Housing Benefit

Mr. Cousins: To ask the Secretary of State for Social Security if he will list expenditure on housing benefit per 1,000 resident adults in each region and nation in each of the last three financial years. [90933]

Angela Eagle: The information is in the table.

Housing benefit expenditure per 1,000 resident adults by region

£000 (cash)

Regions	1995–96	1996–97	1997–98
North East	250	265	260
North West	245	265	260
Yorkshire and Humberside	200	210	210
East Midlands	165	175	170
West Midlands	210	220	215
Eastern	185	190	185
London	475	485	465
South East	195	205	195
South West	195	200	195
England	245	255	250
Wales	205	210	210
Scotland	215	225	240
Great Britain	240	250	245

Sources:
1. 1995–96 to 1997–98 Housing Benefit Subsidy claim forms from Local Authorities and the Department of the Environment, Transport and the Regions and Wales Office Housing Revenue Account figures. The 1997–98 figures vary slightly from those in the Departmental Report because more recent Local Authorities' data has been incorporated in these figures.
2. Population Trends, Summer 1998 edition.

Pensions

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the combined value of a full basic state pension and the maximum possible second state pension as a proportion of the value of the minimum income guarantee in *(a)* 2040, *(b)* 2050 and *(c)* 2060 based on current assumptions about the indexation of each of these benefits. [91137]

Mr. Timms: The information is in the table.

The combined value of a full basic state pension and the maximum possible state second pension (i.e. a person who has earned at or above the upper earnings limit throughout their working life), as a proportion of the minimum income guarantee (MIG) for a person retiring in the years indicated

Year of retirement	State retirement pension as a percentage of the MIG
2040	132
2050	117
2060	110

Notes:
1. The individual concerned is assumed to work for 49 years from age 16 and retire at age 65 in the years indicated, earning at or above the Upper Earnings Limit for National Insurance contributions throughout their working life.
2. Earnings are assumed to grow 1.5 per cent. faster than prices.
3. It is assumed that State Second Pension is introduced in 2002.
4. It is assumed that the individual concerned remains contracted-in to the State Second Pension when the second stage is introduced (assumed to be in 2006) although, on the assumptions stated, it would be in the individual's interests to contract out.

Pensioners

Mr. Jim Cunningham: To ask the Secretary of State for Social Security how many pensioners claiming income support in the Coventry, South parliamentary constituency will benefit from *(a)* winter fuel payments and *(b)* the guaranteed minimum pensioner income. [89456]

Angela Eagle: The administration of Income Support and Winter Fuel Payments is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend shortly.

Letter from Peter Mathison to Mr. Jim Cunningham, dated 15 July 1999:

The Secretary of State for Social Security has asked me to reply to your recent parliamentary question asking how may pensioners in receipt of Income Support (IS) in the Coventry South constituency will benefit from *(a)* a winter fuel payment and *(b)* the guaranteed minimum pensioner income.

As at February 1999, the latest date for which administration data is available, it is estimated that there were approximately 2,800 pensioners in receipt of IS in Coventry South parliamentary constituency. "Pensioner" in this context means either a single person aged over 60 or a couple where one or both partners are over 60. We would expect a similar number to be receiving the minimum income guarantee for pensioners from April, and these pensioners will also benefit from the £100 winter fuel payment this winter.

The minimum income guarantee for pensioners, delivered through IS, was introduced in April to provide a single pensioner with a weekly income of a least £75 a week, and a couple £116.60 a week. The threefold increase in the normal price uprating of the IS rates for pensioners will mean that this year, a single pensioners could be £160 a year better off in real terms. In addition to those pensioners already in receipt of IS in April, nationally it is estimated that a further 65,000 will become entitled due to the increase in benefit rates.

It is also estimated that within your constituency there are a further 13,790 pensioners who will also receive a Winter Fuel Payment next winter on the grounds that they are in receipt of a different qualifying benefit, for example Retirement Pension. Some of these pensioners may have a possible entitlement to minimum pensioner income.

I hope you find this reply helpful.

Benefits Agency (North-East Scotland)

Mr. Welsh: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Perth (Ms Cunningham) of 2 July 1999, *Official Report*, columns *305–07*, if he will indicate the (i) number of staff employed, (ii) wage costs and (iii) running costs of each of the branch network offices of the Benefits Agency in the North East of Scotland Region. [91201]

Mr. Timms: The administration of the Benefits Agency is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Andrew Welsh, dated 15 July 1999:

The Secretary of State has asked me to reply to your recent question asking, pursuant to his answer of 2 July to the honourable Member for Perth, if he will indicate the (i) number of staff employed, (ii) wage costs and (iii) running costs of each of the branch network offices of the Benefits Agency (BA) in the North East of Scotland Region.

The number of staff employed in each BA office within North East of Scotland, is as follows:

Office	*District*	*Staff*
Peterhead	Grampian and Shetland	64
Aberdeen	Grampian and Shetland	236

Data on wage and running costs cannot be provided by individual office. Costs are calculated on a District basis. That information is provided for the District within Area Directorates 12 and 13 which cover Scotland. Please see the attached tables covering the 1998–99 financial year.

I hope this information is helpful.

AD12

£

	Expenditure					
	Salaries	*Goods/services*	*Estate costs*	*Sub-total*	*CSUS*	*District spend*
GLW North	8,403,000	649,000	2,757,000	3,406,000	—	11,809,000
GLW South	9,990,000	787,000	2,470,000	3,257,000	—	13,247,000
GLW East	5,399,000	444,000	1,609,000	2,053,000	—	7,452,000
Argyll and West	6,181,000	610,000	1,866,000	2,476,000	—	8,657,000
Highlands and Islands	4,966,000	587,000	1,428,000	2,015,000	—	6,981,000
SW Scotland	8,071,000	895,000	2,023,000	2,918,000	—	10,989,000
Clyde Coast and Renfrew	7,121,000	563,000	1,918,000	2,481,000	—	9,602,000
Other	6,718,000	5,835,000	375,000	6,210,000	—	12,928,000
Total	56,849,000	10,370,000	14,446,000	24,816,000	35,703,000	117,368,000

Notes:

Other: This covers all expenditure on Centralised Area Teams, Accommodation and Office Services and Central Support Unit Scotland

Central Services: This covers all Operational Support Directorate and centrally funded projects costs

AD13

£

	Expenditure					
	Salaries	*Goods/services*	*Estate costs*	*Sub-total*	*CSUS*	*District spend*
East Edinburgh and Borders	7,090,000	659,000	730,000	1,389,000	—	8,479,000
Lothian West and North Edinburgh	5,709,000	546,000	1,606,000	2,152,000	—	7,861,000
Fife	5,072,000	539,000	1,506,000	2,045,000	—	7,117,000
Tayside	6,077,000	599,000	1,738,000	2,337,000	—	8,414,000
Grampian and Shetland	4,616,000	577,000	1,336,000	1,913,000	—	6,529,000
Lanarkshire	8,870,000	822,000	2,793,000	3,615,000	—	12,485,000
Forth Valley	4,260,000	525,000	1,205,000	1,730,000	—	5,990,000
Other	1,585,000	904,000	2,458,000	3,362,000	—	4,947,000
Total	43,279,000	5,171,000	13,372,000	18,543,000	—	61,822,000

Note:

Other: This covers all expenditure on Area Personnel Unit, Area Director's Support Team and secondment and voluntary early retirement

DEFENCE

Departmental Staff

Ms Roseanna Cunningham: To ask the Secretary of State for Defence how many staff are employed in Scotland *(a)* by his Department and *(b)* by executive agencies responsible to his Department; where these staff are located; and how many staff are employed in (i) England, (ii) London and the South East, (iii) Wales, (iv) Northern Ireland and (v) United Kingdom in total. [90564]

Mr. Spellar *[holding answer 13 July 1999]:* The MOD employed 23,220 civilian and military staff in Scotland as at 1 April 1998, of which 8,527 staff were employed by executive agencies at that date. These staffs were employed in the following numbers at the locations listed:

Location	*Number*
Aberdeen	43
Aberdeenshire	495
Angus	1,107
Argyll and Bute	6,709
Dumfries and Galloway	67
Edinburgh	1,490
Falkirk	4
Fife	2,639
Glasgow	2,666
Highland	767
Inverclyde	32
Midlothian	212
Moray	4,458
North Ayrshire	641
North Lanarkshire	8
Perthshire and Kinross	544
Renfrewshire	108
Shetland Islands	194
South Ayrshire	461
South Lanarkshire	7
Stirling	386
Western Isles	182
Total	23,220

The information in relation to the other locations as at 1 April 1998 is as follows:

Location	*Number*
England	219,023
London and the South East	97,336
Wales	9,636
Northern Ireland	17,670
United Kingdom	269,549

Married Quarters

Mr. Key: To ask the Secretary of State for Defence if he will list *(a)* the number of married quarters, *(b)* the number empty and *(c)* the vacancy rate as a percentage in each year since 1992. [90629]

Mr. Spellar *[pursuant to his reply, 14 July 1999, c. 226–27]:* I regret to inform the hon. Gentleman that there was an error in the information given. The inception date for the Defence Housing Executive should read 1995 not 1985.

Low Flying Aircraft

Mr. Alan W. Williams: To ask the Secretary of State for Defence how many sorties were conducted by service low flying aircraft *(a)* over Wales and *(b)* over mainland Britain in each of the years 1990 to the present. [91476]

Mr. Spellar: The information is not held in the precise form requested. Military low flying activity is recorded by Low Flying Areas (LFA) and number of movements. LFA 7 covers all of Wales apart from a small area in the north-east of Powys. The annual number of day movements within LFA 7 since 1990 is shown in the table, along with the number of movements booked in the UK Low Flying System as a whole.

Year in UKLFS[2]	*Day movements*[1] *in LFA 7*	*Day movements*
1990	265,155	30,218
1991	215,391	23,795
1992	240,477	26,668
1993	207,808	22,348
1994	184,515	18,801
1995	182,516	18,020
1996	162,903	16,953
1997	156,781	15,649
1998	140,153	14,390

[1] A movement is recorded each time an aircraft crosses an LFA boundary and a low flying sortie will often be made up of a number of movements

[2] The UK Low Flying System covers the whole of the country, including both mainland Britain and the various islands

Environmental Programmes

Mr. Sheerman: To ask the Secretary of State for Defence what percentage of neon light tubing is currently recycled by his Department. [88443]

Mr. Spellar: My Department does not have any significant uses of neon light tubing, but the MOD Disposal Sales Agency (DSA) has set up a recycling scheme across government Departments for fluorescent light tubing in conjunction with the waste companies Biffa Ltd. and Mercury Recycling Ltd. DSA take every opportunity to encourage tube recycling and are planning to widen the scheme to include different designs of tubing. Within MOD, existing disposal contracts are considered for the recycling scheme as and when they come up for renewal.

Aircraft Carriers

Mr. Ottaway: To ask the Secretary of State for Defence what shipyards in the United Kingdom have the capacity to construct the proposed new aircraft carriers. [90938]

Mr. Spellar: The size of the new aircraft carriers is currently estimated to be up to 40,000 tonnes. On this basis the UK shipyards with sufficient capacity to construct the vessels are: Harland and Wolff; Kvaerner Govan: Marconi Marine (VSEL) Ltd, Cammell Laird and Swan Hunter. Depending on the design selected there may be a need for these facilities to be enhanced.

CULTURE, MEDIA AND SPORT

World Class Performance Programme

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport how many athletes and in which sports have benefited from the World Class Performance Programme. [90608]

Mr. Banks: The World Class Performance Programme at England and UK level is administered by Sport England and UK Sport whose records indicate that the number of England and UK athletes who have benefited from the World Class Programme is as follows:

England and UK athletes who have benefited from the World Class Performance Programme

Sport	*Number of athletes*
Athletics	418
Badminton	85
Bobsleigh	6
Boxing	13
Canoeing	107
Cricket	18
Cycling	106
Equestrian	50
Golf	16
Gymnastics	165
Hockey	103
Ice Skating	64
Judo	61
Karate	34
Modern Pentathlon	25
Netball	97
Orienteering	32
Rowing	192
Rugby Union	49
Sailing	87
Shooting	20
Skiing	3
Squash	106
Swimming	206
Table Tennis	45
Ten Pin Bowling	4
Triathlon	18
Water Skiing	22
Weightlifting	10
Wheelchair Basketball	20
Total	2,182

TRADE AND INDUSTRY

Power Stations

Mr. Wyatt: To ask the Secretary of State for Trade and Industry when he will announce his decision on Baglan Cogeneration Ltd.'s application to build a new combined cycle gas turbine power station at Baglan Bay, South Wales. [92027]

Mr. Battle: I have today granted consent under Section 36 of the Electricity Act 1989 to Baglan Cogeneration for the construction of a 500 MW combined cycle gas turbine power station at the BP Chemicals site at Baglan Bay, Port Talbot in South Wales. I have also deemed planning permission to be granted subject to 44 planning conditions agreed with the Neath Port Talbot County Borough Council. The reasons why there were no energy policy objections to the proposal were given in the decision letter of 7 April 1999.

Copies of the Press Notice and the Section 36 decision letter are being placed in the Library.

Mr. White: To ask the Secretary of State for Trade and Industry if he is yet in a position to make his decision on Eastern Generation Ltd.'s application for the Drakelow C coal-fired power station to be dual-fired by gas. [92026]

Mr. Battle: I have today granted consent under Section 36 of the Electricity Act 1989 to Eastern Generation Ltd. for the conversion of Drakelow C coal-fired power station to allow it to be dual fired by gas.

I have taken into account the arguments for and against the conversion. I concluded that as long as strict conditions were attached to the consent, then the benefits of the conversion, such as extending the life of the power station and thereby protecting jobs, outweighed the disadvantages. I also consider planning permission to be granted, subject to five planning conditions agreed with South Derbyshire District Council.

This decision has been taken in line with the policy set out in the White Paper entitled "Conclusions of the Review of Energy Sources for Power Generation and Government Response to Fourth and Fifth Reports of the Trade and Industry Committee" (Cm 4071).

Copies of the Press Notice and decision letter are being placed in the Library.

Mr. Key: To ask the Secretary of State for Trade and Industry following his announcement of a stricter power station consents policy for a limited period while other reforms of the electricity market are put in place, what criteria must be met before he will relax the policy; and when he will carry this out. [91573]

Mr. Battle: It is the expectation that the stricter power station consents policy will be relaxed as soon as the Government conclude that their programme of reform of the electricity market is substantially complete and the distortions identified in the White Paper (cm 4071) have been removed.

Single Currency

Mrs. Browning: To ask the Secretary of State for Trade and Industry how much expenditure his Department *(a)* has incurred to date and *(b)* expects to incur in the future on preparations for possible United Kingdom entry into the European single currency; and if he will make a statement. [91421]

Mr. Byers *[holding answer 15 July 1999]:* Following the publication of the Government's Outline National Changeover Plan, my Department is considering what preparations may be necessary.

MOX Fuel

Mr. Chaytor: To ask the Secretary of State for Trade and Industry if he will place in the Library the unclassified material produced by the Safeguards Department on the subject of MOX fuel. [91077]

Dr. Howells: I refer my hon. Friend to the answer given by the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Ashfield (Mr. Hoon), to my hon. Friend the Member for Blaenau Gwent (Mr. Smith) on 7 July 1999, *Official Report*, column *578*.

Sports Shoe Manufacturers

Mr. Corbyn: To ask the Secretary of State for Trade and Industry what discussions have been held by his Department with the manufacturers of sports shoes on the employment practices of their suppliers in non-European countries. [90348]

Mr. Wilson *[holding answer 12 July 1999]:* The Government have made clear in the House and elsewhere that we are firmly opposed to the use of abusive labour practices around the world, particularly those which exploit child labour. We have strongly supported initiatives in the International Labour Organisation aimed at improving countries' compliance with internationally recognised labour standards. We have also supported initiatives such as the Ethical Trading Initiative to encourage importers to develop effective and verifiable codes of conduct with their overseas suppliers.

EU Structural Funds

Mr. Ron Davies: To ask the Secretary of State for Trade and Industry what principles will determine the allocation of EU Structural Funds to each of the UK's Objective 1 areas. [91455]

Mr. Wills *[holding answer 15 July 1999]:* On 1 July the Commission announced financial allocations of European Structural Funds for all member states.

The Commission used a methodology to calculate each member state's financial allocation for Objective 1 which was based on eligible population, regional and national prosperity, and the relative severity of the structural problems, especially the level of unemployment. The allocations for each UK Objective 1 area have been calculated on the same basis.

Mr. Ron Davies: To ask the Secretary of State for Trade and Industry what allocation the United Kingdom has received of European Structural Funds; and what percentage take-up he estimates there will be for each year in the programme. [91454]

Mr. Wills *[holding answer 15 July 1999]:* From 2000 to 2006, the total allocation for the UK from EU Structural Funds will be over £10 billion (over fifteen and a half billion euros).

I see no reason why there should not be 100 per cent. take-up.

Trade Mission (Turkey)

Mr. Reed: To ask the Secretary of State for Trade and Industry which companies will be represented on his Department's outward mission to Turkey between 28 September and 2 October organised in conjunction with the Defence Manufacturers' Association. [91176]

Mr. Wilson: A number of companies have requested further information about the exhibition. A number of applications are expected before the cut-off date at the end of July.

EDUCATION AND EMPLOYMENT

Disability Discrimination Act 1995

Helen Jones: To ask the Secretary of State for Education and Employment if he will publish a Code of Practice, under the Disability Discrimination Act 1995, explaining the duties of trade organisations. [92081]

Ms Hodge: A Code of Practice is being published for trade organisations today. These are organisations of workers or of employers, or any other organisation whose members carry on a particular profession or trade. They include bodies such as trade unions, employers' associations and chartered professional institutions.

The Code provides guidance to trade organisations about new responsibilities that they will have under the Disability Discrimination Act 1995 from 1 October this year towards their disabled members or applicants for membership. From this date, they may have to make reasonable adjustments to prevent any arrangements they make placing a disabled member or applicant at a substantial disadvantage in comparison to those who are not disabled.

Class Sizes

Mr. Kemp: To ask the Secretary of State for Education and Employment what the average class sizes were for five to seven-year-olds within the city of Sunderland in *(a)* May 1999 and *(b)* May 1997. [90278]

Ms Estelle Morris: The available information is shown in the following table.

Average size of key stage 1 classes taught by one teacher in maintained primary schools in Sunderland Local Education Authority area, January each year

Year	*Average size*
1999 (provisional)	24.7
1997	25.6

Career Development Loans

Ms Kelly: To ask the Secretary of State for Education and Employment if he will list *(a)* the number of successful applicants for career development loans for the years (i) 1995, (ii) 1996, (iii) 1997, (iv) 1998 and (v) 1999, broken down by (1) sex, (2) age, (3) previous employment sector and (4) loan issued and repayment period and *(b)* the number of recipients of career development loans who defaulted on repayment of their loans, broken down by (A) sex, (B) age, (C) previous employment sector and (D) loan amount and repayment period. [91164]

Mr. Mudie: The information is provided in the tables.

Career development loans taken out

	1994–95	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Total loans	15,169	13,287	12,189	12,656	12,747
Male (percentage)	63	61	58	59	65.5
Female (percentage)	37	39	42	41	37.5
Under age 20 (percentage)	2	2	2	3	5
Age 20–24 (percentage)	33	33	34	31	25
Age 25–29 (percentage)	25	25	24	25	25
Age 30–39 (percentage)	25	25	26	27	29
Age 40–49 (percentage)	12	12	11	11	12
Age 50 and over (percentage)	3	3	3	3	4
Employment status at application					
Full-time (percentage)	31	32	32	35	39
Part-time (percentage)	8	9	11	13	13
Self-employed (percentage)	5	4	4	5	4
Unemployed (percentage)	33	32	31	26	21
Students (percentage)	20	18	16	16	17
Others (percentage)	3	4	4	5	6
Average loan (£)	3,468	3,555	3,635	3,860	3,921
Loans					
Under £1,000 (percentage)	[1]	[1]	[1]	[1]	6
£1,001–2,500 (percentage)	[1]	[1]	[1]	[1]	34
£2,501–5,000 (percentage)	[1]	[1]	[1]	[1]	31
£5,000–8,000 (percentage)	[1]	[1]	[1]	[1]	29

[1] Breakdown of loan amount for years prior to 1998–99 is not readily available and could be obtained only at disproportionate cost

Note:

Information about loan repayment periods is not held as loans are with the banks rather than DfEE. The maximum repayment period is 5 years.

Career development loans defaulted

Year	*Total number defaulted*
1994–95	2,174
1995–96	2,322
1996–97	2,166
1997–98	1,647
1998–99	1,654

Breakdown of defaulted loans in 1998–99

	Percentage
Male	68
Female	32
Under age 20	1
Age 20–24	14
Age 25–29	31
Age 30–39	34
Age 40–49	15
Age 50 and over	5
Employment status at application	
Full-time	26
Part-time	9.5
Self-employed	4
Unemployed	40
Student	17
Other	3.5
Original loan amount	
Under £1,000	8
£1,001–2,500	27
£2,501–5,000	30
£5,001–8,000	35

Notes:

1. Years relate to year in which loan defaulted, not year in which loan was taken out.
2. Breakdown of defaults for years prior to 1998–99 is not readily available and could be obtained only at disproportionate cost.
3. Information about loan repayment periods is not held as loans are with the banks rather than DfEE

Student Numbers

Mr. Alan W. Williams: To ask the Secretary of State for Education and Employment how many students aged 18 to 21 were in full-time education in *(a)* 1997–98 and *(b)* 1998–99; and what percentage this represented of that age group in each case. [91147]

Mr. Mudie: The information is given in the table.

Full-time home domiciled students aged 18–21 in England

	Academic year	
	1997–98	*1998–99*
Students in full-time education[1]		
Numbers	707,662	730,539
As percentage of age group	31.1	31.1

[1] In higher education, further education and schools.

Overseas Students

Lorna Fitzsimons: To ask the Secretary of State for Education and Employment if he will list the joint working groups between the Department for International Development, the Department of Trade and Industry, the Foreign and Commonwealth Office and his Department

on matters relating to *(a)* overseas students in the United Kingdom and *(b)* the provision by the United Kingdom of educational services abroad. [90975]

Mr. Mudie: The Departments for Education and Employment, for International Development and for Trade and Industry and the Foreign and Commonwealth Office work together formally and informally on a wide range of issues relating to overseas students in the UK, and UK education abroad. They are joined by the Home Office and other partners, including the British Council and British Trade International on an inter-departmental working group on the strategy to attract more overseas students to the UK. In addition, the Education and Training Export Group is an advisory group of business people and experts which reports to the Departments of Education and Employment and Trade and Industry on the promotion of UK education and training abroad.

Sixth Form Colleges

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment for what reasons there is no separate section for sixth form colleges on his Department's website; and if he will make a statement. [90868]

Mr. Mudie: The Department's website is navigated through a search engine, which allows searches via a key word. Information on a wide range of topics, including sixth form colleges, can be accessed in this way. The site also contains an alphabetical site index and a "what's new" section.

Key Stage 1 Class Sizes

Dan Norris: To ask the Secretary of State for Education and Employment how much Government money was invested in initiatives to reduce Key Stage 1 class sizes in *(a)* Bath and North East Somerset and *(b)* South Gloucestershire in each year from 1997 to date. [91156]

Ms Estelle Morris: We have pledged that, by September 2001, no five, six or seven year old will be taught in an infant class of more than 30 children. We have already reduced the number of children taught in such classes by some 130,000 between January 1998 and January 1999. The allocations to date of revenue and capital funding to Bath and North East Somerset and South Gloucestershire are set out in the following table.

£

	Revenue	*Capital*
1998–99		
(a) Bath and North East Somerset	—	140,476
(b) South Gloucestershire	500,000	873,414
1999–2000		
(a) Bath and North East Somerset	336,000	344,190
(b) South Gloucestershire	1,008,000	814,000

Laboratory Teaching

Dr. Gibson: To ask the Secretary of State for Education and Employment what estimate he has made of the cost of science laboratory teaching per pupil in England and Wales in *(a)* primary schools and *(b)* secondary schools in each of the last three years. [91288]

Ms Estelle Morris: Information on the cost of science laboratory teaching per pupil is not held centrally.

LEAs (Administration Expenditure)

Mr. Jack: To ask the Secretary of State for Education and Employment what his definition is of those items which at the level of the local education authority constitute spending on administration. [91073]

Ms Estelle Morris: The core administrative expenditure of a local education authority is identified on line 1.2.1.1 of the budget statement that all local education authorities are required to publish under section 52 of the School Standards and Framework Act 1998. When deciding what to include on this line, a local education authority may deduct from its local schools budget the planned expenditure in relation to the matters described in paragraphs 25(a) to (j) and (l) to (u), 27, 32 and 37 of Schedule 1 to the Financing of Maintained Schools Regulations 1999 (SI 1999 No 101) which were laid before Parliament on 24 January 1999.

HEALTH

Skin Cancer

Mr. Kemp: To ask the Secretary of State for Health what plans the Government have to promote awareness of the risk of skin cancer associated with exposure to the sun. [90275]

Ms Jowell: Skin cancers are largely preventable and we continue to work closely with a wide range of public bodies in raising public awareness of the sun's harmful effects and the ways in which the risks from those effects can be reduced. The Health Education Authority's annual "Sun Know How" campaign financed through the Department provides a range of information, fact sheets, posters and guidance for health professionals, for local health promotion initiatives and direct to the general public. This includes both general and targeted advice on the measures a person can take to lessen risks of sunburn. The new Ultra Violet Solar Index developed with the Meteorological Office and now provided through weather broadcasts is a further example of the work the Department is supporting to provide people with information to assess their own risk, giving forecasts on the day to day strength of the sun's rays and its capacity to burn.

For those who do develop skin cancer, even the most dangerous type, malignant melanoma, prompt recognition and diagnosis provide the best chance of successful treatment. Information for the public on how and what to recognise as the early signs of skin cancer and on when to consult their general practitioner, together with more detailed advice for health professionals plays an important role through the health promotion messages on skin cancer.

This work will continue and build on people's increasing level of awareness of the risks of skin cancer from excessive sun exposure further promoting the simple preventative measures that can be taken—cover up, seek shade particularly around mid-day, protect children and when in the sun use sunscreen.

Human Embryos

Mr. Amess: To ask the Secretary of State for Health how many human embryos are currently in storage; when the licensing authority last met; and if he will list the applications made to the authority in the past year, indicating which were *(a)* granted and *(b)* refused. [90646]

Ms Jowell: Embryos may only be stored in accordance with a licence issued by the Human Fertilisation and Embryology Authority (HFEA). Clinics are required to notify the HFEA of the number of embryos placed in storage. There are some embryos which were stored before the Human Fertilisation and Embryology Act 1990 came into force. Clinics were not required to notify the HFEA of these.

According to the most recent verified information held by the HFEA, between 1 August 1991 and 31 March 1997 the number of embryos put into storage during the course of IVF treatment cycles was 144,297.

The Human Fertilisation and Embryology Authority last met on 24 June 1999. All licensing decisions are made by Licence Committees which comprise at least three to five HFEA members. The Licensing Committee last met on 8 July 1999.

Over the period July 1998 to June 1999 the HFEA received a total of 126 applications for licences. No applications were rejected. The applications granted were as follows:

Treatment Service Centres—licence renewals: 105
Treatment Service Centres—new applications: 6
Research licences—licence renewals: 10
Research licences—new applications: 5

In total, 92 of the 126 licences granted included provision for storage of embryos. Out of these, 77 were issued to treatment service centres and 15 of these licences were issued exclusively for research purposes.

Water Fluoridation

Mr. Swayne: To ask the Secretary of State for Health (1) pursuant to paragraph 9.11 of the White Paper: "Reducing Health Inequalities: An Action Report", how strong local support is to be defined in respect of the fluoridation of water supplies; and by what mechanisms this support will be measured; [90512]

(2) if he will indemnify water companies which are obliged to add fluoride to water supplies under his proposals against legal claims made by their customers in respect of perceived side-effects; [90513]

(3) what assessment he has made of the extent to which water company operational responsibilities and local authority boundaries coincide; [90511]

Ms Jowell: As the White Paper indicates, we have commissioned a review of fluoride and health. If it is confirmed that there are benefits to health from fluoridation and no significant risks we would consult the water industry about indemnities and any constraints imposed by the water distribution network. We would then submit to Parliament proposals for amendment to Sections 87 to 91 of the Water Industries Act 1991, which would show how we consider public opinion should be measured and the extent of the public support necessary before a water company would be required to fluoridate.

Correspondence

Mr. Hammond: To ask the Secretary of State for Health when he plans to provide a substantive answer to the question from the hon. Member for Runnymede and Weybridge tabled on 13 April (ref 80286). [91726]

Mr. Denham: I replied to the hon. Member on 15 July.

Primary Care Groups (Management Allowances)

Mr. Hammond: To ask the Secretary of State for Health what are *(a)* the maximum and *(b)* the minimum per capita management allowances for 1999–2000 paid to primary care groups in England. [91727]

Mr. Denham: The information requested is not yet available centrally.

FOREIGN AND COMMONWEALTH AFFAIRS

EU Codes of Conduct

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the right hon. Member for Penrith and The Border (Mr. Maclean) of 20 January 1999, *Official Report*, column *506*, on the European Commission, if he will make a statement on progress made on drawing up the three Codes of Conduct. [90744]

Ms Quin: Two of the three Codes of Conduct (those governing the conduct of Commissioners and relations between Commissioners and their Departments) were adopted in March. They are available on the internet at:
http//europa.eu.int/comm/codesofconduct/index—en.htm.

The third Code, on the conduct of Commission staff, is still being negotiated.

Intergovernmental Conferences

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the procedures through which access is permitted to tape recordings of intergovernmental conferences. [90702]

Ms Quin: The Presidency and Council Secretariat are the only bodies which are allowed access to the tape recordings of intergovernmental conferences.

Gibraltar

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to invoke Article 227 against Spain in respect of delays at the border with Gibraltar. [91245]

Ms Quin: We continue to press the Commission to take action to ensure that Spain fulfils its EU obligations in respect of traffic crossing the Gibraltar/Spain border. We take every opportunity to make clear to Spain that the current delays are unacceptable. My right hon. Friend the Foreign Secretary will be raising the issue with members of the Commission.

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the European Commission concerning the obstruction of movement between Spain and Gibraltar. [90143]

Ms Quin: Our Permanent Representative to the EU, Sir S. Wall, wrote to the President of the European Commission on this subject on 11 February, and again on 22 June. Our Permanent Representative was in regular contact with the Commission in the intervening period.

Yugoslavia

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what data he has collated on the expulsion of non-Serbian inhabitants from the Sanjak region; and if he will make a statement. [91232]

Mr. Tony Lloyd: Although we do not keep extensive data, our Embassy in Sarajevo noted reports that by May of this year, almost 16,000 refugees from the Sanjak had arrived in Sarajevo. Other reports suggest that the FRY authorities used emergency powers to intimidate non-Serbs into leaving the region for Bosnia, and have made the possibility of their return very difficult.

We support the right of return for all displaced persons in the region regardless of their ethnic background.

Alexander Nikitin

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has made to the Russian authorities concerning the case of Alexander Nikitin. [91721]

Ms Quin: The Foreign Secretary raised Nikitin's case when he visited Murmansk on 3 March. I raised the subject with the Russian ambassador in October. As EU Presidency, we led representations to the Russian Ministry of Foreign Affairs about his case on 24 February last year. We are following his case, and are ready to raise the issue again should this be necessary.

Mr. Michael Ashcroft

Mr. Ruffley: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will conduct an inquiry into the disclosure of Foreign and Commonwealth Office documents referred to in press reports on 13 July, relating to Mr. Michael Ashcroft; [91544]

(2) if Special Advisers in his Department had access to the Foreign and Commonwealth Office documents referred to in press reports on 13 July relating to Mr. Michael Ashcroft. [91547]

Mr. Tony Lloyd: An inquiry was instituted on 13 July into the circumstances of the leak. We need to await the result of that inquiry. The rules applying to Ministers as regards access to papers of a previous Administration also apply to Special Advisers.

Mr. Ruffley: To ask the Secretary of State for Foreign and Commonwealth Affairs if the disclosure of Foreign and Commonwealth Office documents referred to in press reports on 13 July, relating to Mr. Michael Ashcroft, was authorised by Ministers. [91545]

Mr. Tony Lloyd: Ministers did not authorise the disclosure of the documents referred to, nor were they aware in advance of the unauthorised release of official documents.

Mr. Ruffley: To ask the Secretary of State for Foreign and Commonwealth Affairs if Foreign and Commonwealth Office documents relating to Mr. Michael Ashcroft referred to in press reports of 13 July were disclosed by *(a)* Departmental Special Advisers, *(b)* another third party with the knowledge of Departmental Special Advisers and *(c)* other means. [91546]

Mr. Tony Lloyd: We are not aware who disclosed these documents. An inquiry is being conducted.

TREASURY

Gold

Mr. Gardiner: To ask the Chancellor of the Exchequer what proposals he has for the timing of further sales of British gold reserves; and if he will make a statement. [91771]

Ms Hewitt: I refer my hon. Friend to the answer given to my hon. Friend the Member for Hove (Mr. Caplin) on 7 May 1999, *Official Report*, column *485*.

ECOFIN Council

Mr. Caplin: To ask the Chancellor of the Exchequer what was the outcome of the ECOFIN Council held in Brussels on 12 July; and if he will make a statement. [91824]

Mr. Jim Marshall: To ask the Chancellor of the Exchequer what was the outcome of the ECOFIN Council held in Brussels on 14 July; and if he will make a statement. [91849]

Ms Hewitt: The programme for the Finnish Presidency was discussed in open debate and given a broad welcome.

There was discussion of economic and financial issues arising in the draft common strategy for Ukraine.

There was a discussion of the economic and financial aspects of the crises in Kosovo and the Western Balkans. A mandate for the Presidency for the 13 July High Level group was agreed.

There was general endorsement of the key elements of a Presidency proposal on the guarantee from the Community Budget for EIB loans to third countries.

A technical report on the provision of statistics in the euro area was agreed and published.

Two presidency reports on the implementation of OLAF (the European Anti-Fraud Office) and the appointment of a supervisory Committee were considered. Following slight amendment, the Reports were approved.

The Commission made a brief presentation of the draft decision on Own Resources, adopted by the Commission last week. The Presidency said it would proceed swiftly to a more detailed examination by the Council.

With regard to VAT on labour intensive services, Coreper was asked to reach agreement on a list of such services in time for agreement on the proposal at ECOFIN on 8 October.

Venture Capital Bank

Mr. Fallon: To ask the Chancellor of the Exchequer if he will make a statement on his plans for establishing a state-owned venture capital bank under the PFI, indicating the proposals for accountability to Parliament. [91689]

Mr. Milburn: There are no plans for a state investment bank. I will be announcing the Government's response to Sir Malcolm Bates's report on the PFI shortly.

AGRICULTURE, FISHERIES AND FOOD

Data Series

Jackie Ballard: To ask the Minister of Agriculture, Fisheries and Food what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90531]

Mr. Morley: MAFF has not commissioned any new internal surveys separated by gender, race, disability or age since June 1997. It is an area which is kept constantly under review.

MAFF established a database of information relating to the ethnic origin of staff in 1989. The information is collected voluntarily and is updated annually. The database currently holds information on 95 per cent. of staff.

MAFF undertook a Disability Survey of all staff in 1996. All new staff are issued with a Disability Questionnaire and staff can provide new or updated information at any time.

MAFF has records on gender, race, disability and age for each member of staff which are used to provide statistical data on the composition of the work force, performance and promotion, location etc.

Abattoirs

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the effect upon small abattoirs of imposing full-time veterinary supervision; and if he will make a statement. [R] [90389]

Mr. Rooker: I refer the hon. Member to the reply given to the right hon. Member for Caernarfon (Mr. Wigley) on 19 January 1999, *Official Report*, column *454*.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what are the cost implications to abattoirs of full-time veterinary supervision; and if he will make a statement. [R] [90385]

Mr. Rooker: Based on the current size and structure of the meat production and processing industry in Great Britain, it is estimated by the Meat Hygiene Service that it will be necessary to secure the services of an additional 300 Official Veterinary Surgeons in order to bring veterinary supervision levels in licensed fresh red meat and poultry meat plants (ie slaughterhouses, cutting plants and cold stores) up to the levels required by the EU meat hygiene Directives. In accordance with EU rules, the costs of this additional veterinary supervision, estimated at £21 million in a full year, will have to be recovered from plant operators in the normal way. However, given the shortage of veterinarians willing to undertake meat hygiene work in the UK, full compliance with EU requirements is not possible immediately and it may be some years before the required levels and frequency of veterinary supervision is achieved in all licensed plants.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the effectiveness of traceability in *(a)* craft abattoirs and *(b)* plant abattoirs. [R] [90388]

Mr. Rooker: The traceability and accurate identification of individual carcases throughout the slaughter process depends on the integrity of the commercial service offered by the slaughterhouse rather than its size.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the role which small abattoirs will play in the future of the British meat industry. [R] [90387]

Mr. Rooker: The Government recognise the valuable contribution which small abattoirs make to the rural economy and will do what it can to encourage such businesses, consistent with the need to protect public health and with EU legislation.

Set-aside

Mr. Reed: To ask the Minister of Agriculture, Fisheries and Food what percentage of agricultural land in Leicestershire is currently subject to set-aside; and what was the annual cost to public funds in the last year for which figures are available. [91175]

Mr. Rooker: The area of set-aside in Leicestershire on claims made in 1998 under the Arable Area Payments Scheme (AAPS) was 6,501 ha, or just over 6 per cent. of the total area claimed for. But because not all agricultural land is either eligible or claimed for under AAPS, the proportion of set-aside in relation to agricultural land in the country as a whole is estimated at around 3 per cent. Comparable figures for 1999 are not yet available.

At the 1998 payment rate, the payment from the European Agricultural Guidance and Guarantee Fund for this area of set-aside would have been £1,962,000.

Milk Marque

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on Milk Marque's application to expand into processing milk products. [91413]

Mr. Rooker: In his statement of 6 July, the Secretary of State for Trade and Industry stated that Milk Marque, while it remains a monopoly supplier of raw milk to the processing sector, should not be allowed to extend its milk processing activities in the way planned. He therefore asked the Director General of Fair Trading to seek undertakings from Milk Marque that it would not take any further steps towards making or carrying out any agreement to acquire or build processing plant without prior agreement by the Director General.

BSE

Mr. Alan W. Williams: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his reply to the hon. Member for Clwyd, South (Mr. Jones), of 21 January 1999, *Official Report*, column *574*, on BSE, if he will make a statement on the results to date of random sampling for BSE of cows slaughtered under the over thirty months scheme [91477]

Mr. Rooker: The first stage of the survey is now complete. Between January and March a total of 4,163 heads were collected from cattle slaughtered in the Over Thirty Month Scheme. In accordance with SEACs wishes, the sample was not random but cattle that were five years of age or older were targeted. This was to ensure that we were sampling cattle that were most likely to be close to clinical onset and would therefore be positive by examination of brain tissue, if infected.

Of the brains removed, a total of 3,951 were in a suitable condition for examination. So far we only have results of histopathological examinations. These examinations have identified a total of 18 positive and 3,933 negative brains. We are not yet in a position to interpret the data fully because we await the results of two other diagnostic tests and a statistical analysis of the age structure of animals slaughtered under the OTM Scheme.

Cloned Animals

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what criteria are used for determining the age of cloned animals; and if he will make a statement. [91732]

Mr. Rooker: The age of a cloned animal is determined from the date of its birth. There have been suggestions backed up by recently published results, albeit based on a very small sample, that animals cloned from adult cells may be genetically older than their birth age. Further research, and the passage of time, will be needed to determine whether cloned animals do have a shorter life span.

Mink

Angela Smith: To ask the Minister of Agriculture, Fisheries and Food if he will list the circumstances under which mink carcases may be disposed of at *(a)* landfill sites and *(b)* incinerators. [90074]

Mr. Rooker *[holding answer 15 July 1999]:* The Animal By-Products Order 1999 requires animal by-products, such as mink carcases, to be disposed of by one of a number of routes including incineration. Burial, including landfill, is permitted only where the animal by-product is in a place where access is difficult or where the quantity of by-product and the distance to premises in which disposal is otherwise permitted do not justify transporting it.

Written Answers to Questions

Monday 19 July 1999

ATTORNEY-GENERAL

Serious Fraud Office

Dr. Palmer: To ask the Attorney-General when the Director of the Serious Fraud Office intends to publish her Annual Report. [92060]

The Attorney-General: The Director Serious Fraud Office has today published her Annual Report and copies have been placed in the Libraries of both Houses.

PRESIDENT OF THE COUNCIL

Millennium Compliance

Ms Beverley Hughes: To ask the President of the Council, pursuant to her answer of 16 June 1999, *Official Report*, column *151*, when she will publish the results of the May market research, tracking public perception of the Millennium Bug. [92123]

Mrs. Beckett: I have placed copies of the Executive Summary of the May tracking research in the Libraries of the House.

The latest results are broadly consistent with those for previous months, showing that concern among the public on this issue remains low.

During the summer recess, copies of the monthly Executive Summary will continue to be placed in the Libraries of the House.

HOUSE OF COMMONS

Travel Office

Mr. Donohoe: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if the Commission has agreed which company should be offered the contract to operate the Travel Office following the expiry of the current contract with American Express; and if he will make a statement. [92196]

Mr. Kirkwood: The existing contract for travel agency services, currently provided by American Express, ends on 31 August 1999. Following a full open competition, the Commission has endorsed a recommendation by a tender board to award the new contract to American Express. The new contract will run from 1 September for a period of three years, although it is extendable for a further two years. Enhancements to the existing services provided have been insisted upon; for example, Eurostar tickets will be available on-site from this autumn, following the installation of a ticket machine. In addition, American Express travel consultants will, wherever possible, routinely give alternative quotations to ensure that best value for money is achieved. In the interest of the House, and therefore taxpayers, the Travel Office will also actively pursue options for further discounts and rebates from airlines and railway companies.

PRIME MINISTER

Minister without Portfolio (Overseas Visits)

Mr. Hawkins: To ask the Prime Minister if he will publish an account of the official overseas visits made by the former Minister without Portfolio during the time he held that office, listing the venue, the event, the number of officials accompanying him and the total cost of the visit to public funds. [89841]

The Prime Minister *[holding answer 5 July 1999]:* I have accounted fully for all overseas travel undertaken by Ministers, and any accompanying officials, in the answer I gave to my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) on 17 June 1999, *Official Report*, columns *196–97*. This global figure of course included overseas visits by the former Minister without Portfolio.

Listed in the table are the official overseas visits made by the former Minister without Portfolio during the period 2 May 1997 to 27 July 1998.

Date	*Destination*	*Purpose of Visit*
17–18 July 1997	Paris	Discussions on EU related matters/British Council Seminar
11 September 1997	Bonn/Munich	Bilaterals with German Ministers. Represented HM Government at meeting of the Club of Three.
10 October 1997	Rome	Address Institute of International Affairs/Bilaterals with Italian Ministers
27 November 1997	Paris	Visit to Futuroscope as Minister responsible for Millennium Dome
30 January 1998	Florence	Address European University Institute
2–3 February 1998	Brussels	Bilaterals with EU Commissioners
2–4 March 1998	Bonn	Address Seminar on Democracy and Legitimacy
8–9 May 1998	Amsterdam	Address Congress of Europe
8–9 June 1998	Paris	Address National Assembly
18–22 July 1998	Brazil	Visit on behalf of the Government to promote political and economic relations between two countries

The average cost of each visit was £1,365. All visits were fully in accordance with the rules set out in the Ministerial Code. On the November 1997 visit to Paris, the Minister was accompanied by an official. On other occasions he was supported by locally based diplomatic staff.

Overseas Visits

Mr. Hawkins: To ask the Prime Minister if he will list all the overseas visits since December 1998 by hon. Members funded by the Government. [89842]

The Prime Minister *[holding answer 5 July 1999]:* I have accounted fully for all overseas travel undertaken by Ministers, including members of the official party and I refer the hon. Member to the answer I gave to my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) on 17 June 1999, *Official Report*, columns *196–97*. There is, however, no systematic and central record kept of every visit made by hon. Members which has funding support from a Government source.

In exceptional circumstances, hon. Members can receive funding from Government. These can include official events where representation wider than just the Government is warranted, for example the handover ceremony of Hong Kong where the Government paid for the Leader of the Opposition and the leader of the Liberal Democrats to attend.

Members may also occasionally travel abroad as members of an official party observing elections in emerging democracies. The costs of such visits are usually met by the respective Government or by a national or international sponsoring organisation such as the European Union or United Nations. Again, no records are available centrally for such costs.

Since December 1998, my Office has not funded any overseas visits by hon. Members.

EC Legislation

Sir Richard Body: To ask the Prime Minister if he will list proposals which have become legislation at European Community level, following the joint Franco-German letter at the Cardiff EU summit; what was the UK's policy on each proposal; and if he will make a statement. [90846]

The Prime Minister: All Community legislation is published in the *Official Journal*, copies of which are placed in the Library of the House. It is the Government's policy to consider each proposal on its merits, taking into account all relevant factors including the principle of subsidiarity as mentioned in the Franco-German letter to the Cardiff European Council.

The Government attach importance to the proper application of subsidiarity, which is designed to ensure that decisions are taken at the most appropriate level, be that European, national, regional or local.

Portschach

Sir Richard Body: To ask the Prime Minister if he will list those developments in policy and operational practice which are consequential to the Portschach meeting. [90942]

The Prime Minister: Following informal discussion of European defence arrangements at Portschach, the United Kingdom and France agreed a joint declaration at St. Malo on 4 December 1998. Following this, the NATO Summit in Washington on 25 April 1999 agreed on ways to take forward the initiative in NATO. The European Council at Cologne issued a Declaration on 4 June 1999 committing the EU to strengthen its common European security and defence policy.

Millennium Compliance

Mr. David Atkinson: To ask the Prime Minister if progress in response to the threat of the millennium bug was discussed and an assessment of the millennium compliance of the global economy made at the recent Cologne Summit; and if he will make a statement. [91297]

The Prime Minister: The millennium bug was discussed at the G8 Summit in Cologne. It was noted that there had been real progress since the 1998 Birmingham Summit in tackling the millennium bug, but that some countries still had a lot of preparation to do. This was reflected in the strong language of the Communiqué. G8 countries agreed to maintain vigorous programmes of action and urged all other Governments to do the same. The Communiqué also highlighted the importance of contingency planning to cope with potential system failures. The G8 will maintain close co-operation among members and with others. A special G8 Conference on contingency planning will take place in the autumn.

International Legal Procedures

Mr. Cohen: To ask the Prime Minister what proposals Her Majesty's Government have evaluated on the *(a)* creation of new institutions and *(b)* enhancement of existing ones in respect of the application of international legal procedures to the determination of the justification for possible interventions for humanitarian reasons, with particular reference to the relationship between such authority and considerations of national sovereignty. [91729]

The Prime Minister: I consider it hugely important that we should have a world ruled by law and by international co-operation, with the United Nations as its central pillar. We are a leading supporter of the International Court of justice, which has the central role in determining the conformity of action with international law. We are committed to working with our partners to find new ways to make the United Nations system work more effectively.

Enterprise Fund

Mr. Ron Davies: To ask the Prime Minister, pursuant to his announcement of a new £50 million enterprise fund on 6 July, what provision is being made for Wales. [91420]

The Prime Minister *[holding answer 15 July 1999]:* On 6 July, I launched a consultation on proposals for support for the creation of Regional Venture Capital Funds in England. The proposed support will form one element of a package of measures to support small and medium enterprise finance. This package will be funded through the Department of Trade and Industry's Enterprise Fund, announced in the 1998 Competitiveness White Paper (Cm 4176).

The legal basis for the new support is Sections 7 and 8 of the Industrial Development Act 1982. The power to provide support is a concurrent power, that is, it is shared by the Secretary of State and the devolved

administrations. Each administration therefore has the power to make similar assistance available to that proposed for England. Mechanisms to support venture capital in Wales are a matter for the National Assembly for Wales.

Other elements of the Enterprise Fund package of measures (including the Small Firms Loan Guarantee Scheme) will be made available by the Secretary of State for Trade and Industry across the United Kingdom, in consultation with the devolved administrations.

TRADE AND INDUSTRY

Company Director Disqualification

Mrs. Browning: To ask the Secretary of State for Trade and Industry what changes he intends to make to *(a)* section 8 of the Company Directors Disqualification Act 1986 and *(b)* section 83 of the Companies Act 1989. [90328]

Mr. Byers *[holding answer 8 July 1999]:* I have no specific intentions to amend section 8 of the Company Directors Disqualification Act 1986 but subject to available parliamentary time it would be my intention to introduce legislation to provide for a consent order regime.

I have no intention at present to seek to amend section 83 of the Companies Act 1989.

Data Series

Jackie Ballard: To ask the Secretary of State for Trade and Industry what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90827]

Mr. Byers: In early 1999, DTI conducted a survey of the caring and child care responsibilities of its headquarters staff. This survey separated respondents by gender.

In addition, since June 1997 data have been collected and analysed by gender, race and disability on recruitment, the operation of the Department's staff appraisal system and special bonus scheme, its system for deploying staff within the Department and on participation rates on in-house training courses.

Information collected for the Department's Equal Opportunities Annual Report, which includes the composition of the Department and application and success rates for progression/promotion, is separated by gender, race, disability and age.

A travel to work survey was carried out in July 1997 for Victoria street area HQ staff and is currently being carried out for some dispersed HQ staff. The data are separated by gender, disability and age.

This excludes the Department's Executive Agencies.

Statutory Instruments

Mr. Gibb: To ask the Secretary of State for Trade and Industry if he will list the statutory instruments introduced into Parliament by his Department in *(a)* 1997, *(b)* 1998 and *(c)* 1999 which gave effect to European Union legislation. [90745]

Mr. Byers: This question cannot be answered without incurring disproportionate cost.

Research Councils (Environmental Performance)

Mr. Gareth R. Thomas: To ask the Secretary of State for Trade and Industry what environmental targets he has set for the Council for the Central Laboratory of the Research Councils. [91010]

Mr. Battle: The Secretary of State for Trade and Industry does not set environmental targets additional to those set by the Environment Agency. CCLRC conforms to limits for emissions set by the Environment Agency, and has reduced its annual spending on utilities.

Airlines

Mr. Chope: To ask the Secretary of State for Trade and Industry what discussions he has had this year with the European Commission about the proposed alliance between British Airways and American Airlines. [91218]

Mr. Byers *[holding answer 13 July 1999]:* Shortly after I took office I met Commissioner Van Miert and discussed a number of topics including the proposed alliance between British Airways and American Airlines. Since then I have not had any discussions with the European Commission about the proposed alliance.

Mr. Chope: To ask the Secretary of State for Trade and Industry if he will list each occasion since he took office when he has met *(a)* British Airways and *(b)* Virgin Atlantic to discuss the proposed British Airways alliance with American Airlines. [91221]

Mr. Byers *[holding answer 13 July 1999]:* Since I took office I have met neither British Airways nor Virgin Atlantic to discuss the proposed British Airways alliance with American Airlines.

Business Ambassadors

Mr. Bercow: To ask the Secretary of State for Trade and Industry what involvement his Department has had in the Ambassadors for British Business project. [91841]

Mr. Wilson: The Ambassadors for British Business scheme was launched by the Secretary of State for Foreign and Commonwealth Affairs in November 1997 and was administered by the Joint Export Promotion Directorate, a joint FCO/DTI directorate in the Export Command of the DTI. It is now administered by the new unified DTI/FCO operation, British Trade International.

MOX Fuel

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what plans his Department has to monitor the movements of the imminent shipment of MOX fuel to Japan. [90200]

Mr. Battle: As part of the security plan for the shipment of MOX to Japan, the UKAEAC control centre in the UK, which is manned 24 hours per day, will receive reports from the ships every hour, via secure communications, detailing the position of the ships.

Indonesia

Mr. Hepburn: To ask the Secretary of State for Trade and Industry if he will make a statement about the arrangements for the provision of additional ECGD support to facilitate the completion of the Ungaren Klaten transmission lines and sub-stations contract between VA Tech Reyrole Projects and PLN of Indonesia. [92224]

Mr. Byers: I have been advised by the Export Credits Guarantee Department's Accounting Officer that, in his view, the risks involved in giving medium and long-term export credit guarantees for exports to Indonesia under Section 1(1) of the Export and Investment Guarantees Act 1991 do not currently meet ECGD's normal underwriting criteria.

In view of the importance that we attach to our relations with Indonesia, I have instructed ECGD's Accounting Office to make arrangements to provide an additional US$1.1 million of support to enable VA Tech Reyrolle Projects to undertake the necessary additional work to allow previously supplied equipment to become fully operational.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Vehicle Inspectorate

Mr. Lock: To ask the Secretary of State for the Environment, Transport and the Regions how many inspectors were employed or engaged by the Vehicle Inspectorate in each of the last 10 years; and how many vehicles were inspected in each year. [90413]

Ms Glenda Jackson: Information in a consistent form is available only for the last five years. Prior to that date the data are not available, or could be obtained only at disproportionate costs. The information for the period since 1993–94 is presented in the table.

The Vehicle Inspectorate employs testers to carry out statutory annual tests on heavy goods vehicles (HGVs), passenger service vehicles (PSVs) and some light goods vehicles (LGVs). This is a demand-led activity. Vehicle examiners (VEs) carry out enforcement inspections on all types of vehicles to check their mechanical condition and traffic examiners (TEs) check compliance with traffic regulations including weighing and tachograph charts. The Inspectorate's performance measures have, during the period covered, increasingly encouraged examiners to target those vehicles which are considered most likely to be committing offences. This has increased the effectiveness of the checks in terms of road safety and environmental protection.

	1998–99	*1997–98*	*1996–97*	*1995–96*	*1994–95*
Number of testers employed	438	394	393	448	[1]273
Number of vehicles tested[2]	988,491	970,775	968,426	959,727	981,298
Number of voluntary tests[3]	38,016	36,902	29,965	[4]25,124	10,224
Number of vehicle examiners employed	252	248	235	235	229
Number of traffic examiners employed	169	166	162	159	163
Number of HGVs and trailers examined for roadworthiness[5]	132,826	158,289	171,203	162,607	166,099
Number of HGVs checked for traffic enforcement[6]	161,268	192,573	214,924	248,674	267,217
Number of HGVs checked at emission spot checks	12,149	12,812	13,887	11,406	n/a
Number of PSVs examined for roadworthiness[5]	26,394	34,484	35,921	30,787	32,338
Number of PSVs checked for traffic enforcement[6]	18,183	30,436	30,435	38,306	39,036
Number of PSVs checked at emission spot checks	7,940	10,867	11,001	10,140	n/a
Number of LGVs[7] examined for roadworthiness[5]	13,810	17,481	19,964	18,326	19,992
Number of LGVs checked for traffic enforcement[6]	9,671	10,879	14,108	21,830	n/a
Number of LGVs checked at emission spot checks	76,253	93,156	99,446	108,757	n/a

[1] Figure does not include all grades of staff carrying out testing work due to the way in which information was recorded at the time.

[2] Includes tests and retests of HGVs, PSVs and LGVs. A vehicle may be retested more than once.

[3] Test carried out in VI's test stations designed to aid test preparation or for routine maintenance. Checks available for brake tests, headlamp aim, smoke check or multi-check.

[4] From 1995–96, voluntary brake tests were based on number of axles tested. Figures include brake checks on axles, headlamp aim checks, smoke checks and multi-checks.

[5] Figure includes vehicles inspected at the roadside and at operator's premises for mechanical condition. A vehicle will be counted in the figure for roadworthiness inspections and traffic enforcement inspections if it has been checked by both a VE and a TE.

[6] Figure includes documentation checks and weighings. Figure does not include the number of individual tachograph charts checked. TEs checked 1,417,646 tachograph charts in 1998–99.

[7] Cars, vans, taxis and non-testable vehicles (eg mobile cranes, mechanical diggers)

n/a Figure not available.

A6 Bus Lane, Loughborough

Mr. Reed: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the effect the A6 bus lane at Loughborough has had on journey times for *(a)* buses and *(b)* other road traffic in its first three months. [90502]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. Andrew Reed, dated 19 July 1999:

The Parliamentary Under Secretary of State, Glenda Jackson, has asked me to reply to your recent question about the effect the A6 bus lane in Loughborough has had on journey times for buses and other road traffic in its first three months of operation.

The bus lane between Quorn and Loughborough opened on 1st March. It operates during peak hours between 7.30 and 9.30am and 3.30 and 6.00pm on Mondays to Saturdays. Before and after surveys have been undertaken to measure queue lengths, traffic flows and delays. A full analysis of the changes is still awaited from our managing agent for the A6, but general trends can already be identified.

Bus journey time reliability has increased by 50% on most journeys in the morning peak and the journey time between Quorn and Loughborough has been reduced by up to 7 minutes on a 15 minutes minimum journey.

The effects on journey times for other traffic are less clear and data is still being assessed but initial indications are that overall journey times have not increased. In addition, there appears to have been an improvement in general traffic flow into Loughborough during the morning peak; a 20% increase in vehicle throughout has been achieved between 8am and 9am. It is considered that this is due to the more ordered nature of the queue towards the A6/Shelthorpe Road traffic signals.

A full report on the A6 Quorn to Loughborough bus lane is being prepared and will be available shortly and I will ensure that you receive a copy. In the meantime, if you wish to discuss any aspect further, the Highways Agency's Route Manager for this A6 scheme is Peter Adams. He can be contacted at our office at Broadway, Broad Street, Birmingham, B15 1BL, or by telephone on 0121 678 8215.

Data Series

Jackie Ballard: To ask the Secretary of State for the Environment, Transport and the Regions what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90829]

Mr. Meale: In September 1998 the central core of the Department of the Environment, Transport and the Regions commissioned diversity consultants Pearn Kandola to conduct an independent evaluation of the Performance Management and Appraisal System. This work involved an analysis of performance and promotion markings of grades below the Senior Civil Service by gender; ethnic origin; disability, and part-time/full-time status. A copy of the report is available in the Library.

In the Department's Executive Agencies the following specific projects have been commissioned:

The Driver and Vehicle Licensing Agency (DVLA) commissioned Dr. Marie Stewart of Taylor Stewart Associates to review the application of their equal opportunities policies in two offices in the Agency's Local Office Network. This work commenced in early 1999 and included a review of statistical information by gender, race, disability and part-time working patterns.

The Driving Standards Agency (DSA) have undertaken two internal surveys of their staff during 1999 on ethnicity and disability.

During 1997, the Highways Agency audited its previous appraisal system to ensure that it was fair regardless of gender, ethnicity and disability. In 1998 the Institute of Employment Studies were commissioned to produce a report as a result of the review on the introduction of the new appraisal system. Analysis included distribution of performance markings by gender and ethnicity. In the same year, the pay and reward team conducted an audit of performance pay and bonuses which included data on gender, ethnicity and disability.

The Planning Inspectorate conducted a staff attitude survey which was categorized by gender and disability.

DETR(C) and the Department's Executive Agencies continue to use their own management information systems to produce statistics by gender, ethnicity, disability and part-time/full-time status on an annual basis.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91064]

Mr. Meale: I refer the hon. Member to the reply I gave to him on 15 April 1999, *Official Report*, column *301*.

Green Ministers Committee

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what matters were discussed, what decisions were made and which departments were represented by officials at the meeting of Green Ministers on 6 July; and if he will make a statement. [91249]

Mr. Meacher: I refer the hon. Member to the reply I gave my hon. Friend the Member for Elmet (Mr. Burgon) on 16 July 1999, *Official Report*, column *341*. The first annual report of the Green Ministers Committee, due to be published later this month, will set out the achievements and future plans of the Committee.

Leasehold Reform

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions how many officials in his Department are working on leasehold reform proposals. [91260]

Mr. Raynsford: Currently, two officials work purely on leasehold reform and a further seven devote a significant proportion of their time to this area of work. We plan to expand this team further.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of leasehold properties as a percentage of the total. [91261]

Mr. Raynsford: The most recent estimates from the Survey of English Housing are that there were approximately 1.78 million owner-occupiers in England in 1997–98 who were leaseholders, representing 12.8 per cent. of all owner-occupiers.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made on his leasehold reform proposals. [91259]

Mr. Raynsford: I refer my hon. Friend to the reply I gave to the hon. Member for Poole (Mr. Syms) on 13 July 1999, *Official Report*, column *139*.

Lead Shot

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the respondents to the recent consultation paper on the use of lead shot over wetlands. [91274]

Mr. Meale: My Department received 270 representations from members of the public in addition to those organisations that are listed in the table.

A and C Sporting Services
Amber Valley Shooting Club
Ancholme Internal Drainage Board
Anglian Wildfowlers Association
Ashman Brothers Pest Control
Association of Chief Police Officers in Scotland
Association of European Manufacturers of Sporting Ammunition
Audley Gun Club
Bantham Shoot
Baxter Farms Ltd.
Beccles Wildfowlers Club
Black Isle and Mid Ross Wildfowlers Club
Blairs Shooting Syndicate
Blakeney Parish Council
Bournemouth International Airport
British Association for Shooting and Conservation
Butterfly Conservation, Norfolk Branch
Caerlaverock and District Wildfowlers
Carmarthenshire Wildfowlers Association
Carter Jonas
Chichester Harbour Wildfowlers Association
Church Farm Shoot
Council of the Association of Chief Police Officers of England, Wales and Northern Ireland
Country Landowners Association
Countryside Alliance
Countryside Council for Wales
CSC Forest Products
Dacre, Son and Hartley
Defence Estates, Estates Directorate
Derwent Valley Shooting Club
Devon Wildfowlers Association
Didwells Property Consultants
Dorset Wildfowlers Association
East Grinstead Guns Ltd.
English Nature
Essex and Suffolk Water
Essex Joint Council of Wildfowling Clubs
Farmers Union of Wales
Farming News, Miller Freeman UK Ltd.
Fenland Wildfowlers Association
Finlayson Hughes Chartered Surveyors
Forest Enterprise
Forestry Commission
Furness Wildfowlers Association
Fylde Borough Council
Gamebore Cartridge Company Ltd.
Garnffoi Shooting and Conservation Club
Gillingham Estate and Farms
Gunners Pigeon Shooting Club
Hendry, Ramsat and Wilcox
Highbridge, Huntspill and Burnham District Wildfowlers' Club
Holderness and Humber Wildfowlers Association
Holland and Holland Ltd.
Humber Wildfowlers
Ilchester Estates
Isle of Anglesey Wildfowling Club
ITRI Ltd.
Joint Nature Conservation Council
Keadby Wildfowling and Conservation Society
Kent Wildfowling and Conservation Association
King's Lynn Consortium of Internal Drainage Boards
Little Oakley and District Wildfowlers Association
Lleweni Shoot Syndicate
Longfield Service Station
Lyddington Shoot
Lymington and Keyhaven Wildfowlers Association
Meltham Shooting Club
Merevale and Blyth Estates
Montrose and District Wildfowlers Association
Morston Wildfowlers
National Farmers' Union
National Farmers' Union of Scotland
Netley Shoot
Newark and District Wildfowlers Association
Newton-le-Willows Wildfowlers and Clay Pigeon Association
Norfolk Wildlife Trust
North Yorkshire County Council
Northumberland and Durham Wildfowlers
Nottinghamshire Wildlife Trust
Owlpen Estate Shoot
Pagham and West Sussex Wildfowling and Conservation Association
Paslow Hall Shoot
Payne's Boatyard
Pearce Waterscapes
Perth and Kinross Council
R. Tilney and Son
Rainford Shooting Association
Reaseheath (PAS) Sporting Shooting Club
Royal Society for the Prevention of Cruelty to Animals
Royal Society for the Protection of Birds
Scottish Association for Country Sports
Scottish Environment Protection Agency
Scottish Landowners' Federation
Scottish Natural Heritage
Shooting Sports Trust Ltd.
Shropshire and Border Rough Shooting Club
Shropshire County Council
Smiths Gore Chartered Surveyors
Somerset Wildlife Trust
Scottish Countryside Alliance
South Essex Wildfowlers' Club
South Hams District Council
South Hetton Wildfowl and Gun Club
South Lincs Nature Reserves Ltd.
Southport and District Wildfowlers Association
Spalding and District Wildfowlers Association
Stanford Training Area Shooting Association
Stoneham Wildfowlers
Strutt and Parker Chartered Surveyors
Tamar Valley Association for Shooting and Conservation
Tayport Wildfowling and Clay Pigeon Gun Club
Technical Marine Services
The British Shooting Sports Council

The Broads Authority
The Clay Pigeon Shooting Association Ltd.
The Cumbria Wildlife Trust
The Engie Hundred Wildfowling Club
The Durrington Shoot
The Game Conservancy Trust
The Grove Shooting Club
The Gun Trade Association
The Hartlepool and District Wildfowlers Association
The Moorland Association
The Moreton Shoot
The National Gamekeepers' Organisation
The National Trust for Scotland
The Roche Abbey Syndicate
The Royal Institution of Chartered Surveyors in Scotland
The Scottish Gamekeepers Association
The Weld Estate
The Welsh Assembly
Tillingham Wildfowlers Association
Tornashean Sporting Syndicate
Treloweth Shoot
UCW Aberystwyth SC, Mawddach and District
Union of Country Sports Workers
Welsh Local Government Associations
West Baldridge Shooting Syndicate
West Country Guns
Whitemoor Estate
Whittlesey Wildfowlers and Conservationists
Wildfowl and Wetlands Trust.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what evidence his Department has assessed linking mortality of wildfowl and the ingestion of lead shot. [91262]

Mr. Meale: The toxic effects of ingested lead on birds have been known for over a century, and reported from many sources around the world. It would not be possible to list all the published research, but a selection of key papers is listed.

The reference texts are:

Bellrose, F. C. 1959. Lead poisoning as a mortality factor in waterfowl populations. *Illinois Nat. Hist. Surv. Bull.* 27, 235–288

Fawcett D. & van Vessem J. 1995. Lead poisoning in waterfowl: international update report 1995: *JNCC Report No. 252.*, Joint Nature Conservation Committee, Peterborough.

Goode, D. A. 1981. Lead poisoning and swans. Report of the Nature Conservancy Council's Working Group. Nature Conservancy Council, Peterborough.

HMSO 1983. Lead in the environment. Royal Commission on Environmental Pollution: Ninth Report. HMSO, London.

Locke, L. N. & Friend, M. 1992. Lead poisoning of avian species other than waterfowl. *In:* Pain 1992.

Mudge, G. P. 1983. The incidence and significance of ingested lead pellet poisoning in British wildfowl. *Biological Conservation*, 27, 333–372.

Olney, P. J. S. 1968. The food and feeding habits of pochard. *Biological Conservation*, *1*, 71–76.

Olney, P. J. S. 1960. Lead poisoning in wildfowl. *Wildfowl Trust Annual Report*, *11*, 123–134, cited in Thomas 1975.

Pain, D. J. 1992a. Lead poisoning in waterfowl: a review. *In:* Pain 1992.

Pain, D. J. 1992b. Lead poisoning in waterfowl: summary of national reports: *In:* Pain 1992.

Pain, D. J.1992c (ed). Lead poisoning of waterfowl: Proc. of IWRB workshop 1991. *IWRB Special Publication No. 16*, International Waterfowl and Wetlands Research Bureau, Slimbridge.

Pain, D. J. 1991. Why are lead-poisoned wildfowl so rarely seen: the disappearance of waterfowl carcasses in the Carmargue, France? *Wildfowl*, 42, 118–122..Pain, D. J., Amaird-Triquet, C., Bavoux, C., Burneleau, G., Eon, L. & Nicolau-Guillaumet, P. 1993. Lead poisoning in wild populations of marsh harriers Circus aeruginosus in the Carmargue and Charente-Maritime, France. *Ibis*, *135*, *379–386.*

Sanderson, G. C. 1992. Lead poisoning mortality: In: Pain 1992. Thomas, G. J. 1975. Ingested lead pellets in waterfowl at the Ouse Washes, England *1968–1973. Wildfowl*, *26*, *43–48.* Sears, J & Hunt, A. 1991. Lead Poisoning in Mute Swans *Cygnus olor* in England. *Wildfowl, Supplement 1 (1991):* 383–388.

Local Authority Elections

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to encourage more people to stand for election to their local authorities. [91299]

Mr. Meale: Our proposals for new rewarding roles for councillors and for addressing some of the potential disincentives to serve on councils, as set out in our White Paper: "Modern Local Government—In Touch with the People" (Cm 4014), will we believe encourage more people to stand for election to their local authorities.

Home Building

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will estimate how many new homes will be built in the United Kingdom by the year 2006 *(a)* in total, *(b)* on green-field sites and *(c)* on brown-field sites; [91318]

(2) if he will estimate how many new homes will be built within Lancashire on *(a)* green-field and *(b)* brown-field sites over the next 10 years; [91317]

(3) if he will estimate how many new homes will be built on green-field sites over the next 10 years, broken down by region. [91316]

Mr. Raynsford: My Department does not estimate the number of new homes to be built. Estimates of housing requirements are derived in Regional Planning Guidance following public examination.

The Government's target is to provide 60 per cent. of new homes on previously developed land or by conversion of existing buildings. They have asked Regional Planning Bodies and local planning authorities to set their own recycling targets consistent with delivery of the national target. To assist in this process, my Department has established the first phase of the National Land Use Database to provide a comprehensive assessment of previously developed vacant and derelict land, and other developed land that may be available for recycling.

PPG3

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions when the new PPG3 will be fully operational. [91412]

Mr. Raynsford: Over 600 responses have been received to the consultation draft of Planning Policy Guidance note 3 on Housing, which are now being analysed. I expect to issue the final version after the recess. In the meantime, the draft PPG3 can be cited as a material consideration in determining planning applications although it will have full effect only when the final version has been published.

Post Bus Services

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for the development of Post Bus services under the proposals for the reform of the Post Office. [91506]

Ms Glenda Jackson: Post Bus services are principally an operational matter for the Post Office. We recognise, however, that such services can provide important transport links for people in rural areas, and the Countryside Agency provides grants from the Rural Transport Development Fund towards the costs of starting up new Post Bus services in rural areas of England.

Buses

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions (1) what representations he has received regarding extensions to the 42-day notice period for bus service variations; and if he will pay compensation to operators compelled to continue running uneconomic services; [91478]

(2) what studies he has commissioned into the commercial effects of repealing section 92(1) of the Transport Act 1985 or otherwise relaxing local authorities' duty not to inhibit competition in bus services; [91417]

(3) what representations he has received regarding compensation for bus operators excluded from routes or areas under a re-regulated Quality Contract. [91418]

Ms Glenda Jackson: These are among the matters on which we have consulted widely with the bus industry, local authorities and other interested parties in our publication "From Workhorse to Thoroughbred—A Better Role for Bus Travel". Several hundred responses have been received in total, and they will be carefully considered as we develop firm proposals.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to set national criteria for determining the social necessity of uncommercial passenger bus services. [91408]

Ms Glenda Jackson: None. We intend that decisions about subsidising local bus services should remain a matter for the judgment of individual local authorities in the context of their local transport plans.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of 1999 rural bus challenge funds were allocated to projects in the *(a)* North West, *(b)* North East, *(c)* Yorkshire and the Humber, *(d)* West Midlands, *(e)* East Midlands, *(f)* Eastern, *(g)* South West and *(h)* South East Government Office regions. [91411]

Ms Glenda Jackson: The invitation to local authorities to submit bids for the 1999 Rural Bus Challenge was issued on 2 July. The closing date is 1 October 1999 and we expect to announce decisions by early December.

The breakdown of awards under last year's Rural Bus Challenge, as announced on 16 December 1998 are:

Area	*£*	*Percentage*
(a) North West	1,154,510	10
(b) North East	1,863,850	16
(c) Yorkshire and the Humber	572,200	5
(d) West Midlands	361,490	3
(e) East Midlands	3,485,190	31
(f) Eastern	1,646,850	14
(g) South West	1,265,604	11
(h) South East	1,069,000	9
Total	11,418,694	99[1]

[1] Due to rounding

Urban and Rural White Paper

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to publish (1) the Urban White Paper; [91393]

(2) the Rural White Paper. [91392]

Mr. Meale: My right hon. Friend will publish the Urban and Rural White Paper when work has been completed. We expect this will be within the next twelve months.

Pensioner Concessionary Travel

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the total cost to local authorities of introducing half-fare bus travel for all pensioners. [91449]

Ms Glenda Jackson: Our estimate of the additional costs of introducing in England our proposed minimum standard for concessionary bus fares for pensioners is approximately £25 million a year.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions if the half-fare concessions scheme for pensioners will apply to forms of local passenger transport other than buses. [91410]

Ms Glenda Jackson: Our proposal for a national minimum half-fare scheme for pensioners applies only to bus travel. It will remain open to local authorities to provide concessionary travel on other forms of local transport if they judge it right to do so in the light of their local policies and circumstances.

Bus Drivers

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on driver recruitment for bus operators; and what plans he has to introduce new bus driver instruction regulations. [91489]

Ms Glenda Jackson: Ensuring that they have sufficient drivers to provide their services is primarily a matter for individual bus companies. We recognise however that there have been driver recruitment and retention difficulties in some areas and are discussing the issues involved with the industry and the relevant agencies.

As stated in our policy document "From Workhorse to Thoroughbred: A Better Role for Bus Travel", we recognise the importance of driving standards and training. We intend to improve driving standards by

specifying a training syllabus for drivers and by introducing a statutory register of bus and coach driving instructors. We are holding discussions with the industry and intend to publish detailed proposals later this year.

Quality Partnership

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions (1) what criteria he will use to evaluate the performance of Quality Partnership; [91322]

(2) if employer-provided bus services will be required to meet Quality Partnership standards before being permitted to use Quality Partnership facilities. [91505]

Ms Glenda Jackson: It will be for local authorities to decide whether to introduce Statutory Quality Partnerships, once the legislation is in place, and to evaluate their effectiveness. Our proposals relate only to local bus services as defined in the Transport Act 1985.

Quality Contracts

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions (1) how he will determine whether Quality Contracts are necessary in a local authority area; [91405]

(2) how many Quality Contract pilot schemes he intends to approve, and when. [91323]

Ms Glenda Jackson: Quality Contracts for buses require primary legislation. As we said in our consultation document "From Workhorse to Thoroughbred—A Better Role for Bus Travel", we expect to give a very limited number of approvals initially to allow the Quality Contract approach to be tested. The broad criteria were set out in that document.

Public Transport Timetables

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions when he expects the national public transport timetable information system to be available. [91324]

Ms Glenda Jackson: Good progress is being made with the relevant parties, building on existing local and national information sources, including the National Rail Enquiry Service. We expect to be able to introduce a national, multi-modal information system in the course of next year.

Household Waste

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions how many landfill sites *(a)* in Greater London and *(b)* outside Greater London receive household waste from Greater London. [91500]

Mr. Meale: This information is not available centrally. The Municipal Waste Survey collects data from waste disposal authorities about the amount of municipal waste sent to landfill, but does not collect information about the individual landfill sites used.

Transmission Masts

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what national planning guidelines there are on the siting of transmission masts on schools and colleges; and if he will make a statement. [91501]

Mr. Raynsford: Planning policy guidance on telecommunications development is set out in Planning Policy Guidance note 8 (revised December 1992), supplemented by DETR Circular 4/99 "Planning for Telecommunications". In addition, my Department has published in March 1996 a Code of Best Practice for local planning authorities and telecommunications code system operators on telecommunications prior approval procedures as applied to mast/tower development.

My Department has also issued for consultation the draft of a circular on land use planning and electro-magnetic fields (EMFs) prepared jointly with the Department of Health. The circular provides draft advice to local planning authorities in deciding applications for development giving rise to EMFs, such as telecommunications base stations. We are considering the responses received.

Laboratory Accidents

Dr. Gibson: To ask the Secretary of State for the Environment, Transport and the Regions how many accidents have been recorded in science laboratories in the last 10 years in *(a)* schools and *(b)* higher educational establishments. [91278]

Mr. Meale: The Health and Safety Executive's records for the years 1989–90 to 1998–99 show that there were 1,297 reportable accidents in school laboratories and 457 reportable accidents in laboratories in higher and further education establishments. These data include accidents to both students and employees.

Carbon Dioxide Emissions

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the annual volume of carbon dioxide emissions which would be eliminated by the use of a 100MW tidal electric power plant. [91646]

Mr. Meale: A 100MW tidal electricity generating plant would make an annual carbon dioxide saving of between 80,000 and 200,000 tonnes of carbon dioxide depending upon the type of fossil fuel fired electricity generating plant displaced.

Regional Development Agencies

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* English Partnerships and *(b)* Rural Development Commission offices (i) have closed and (ii) will close as a result of the creation of the regional development agencies. [91512]

Mr. Meale *[holding answer 15 July 1999]:* 14 offices were transferred from English Partnerships to the Regional Development Agencies on 1 April 1999 under

the Transfer Schemes made in accordance with the Regional Development Agencies Act 1998. None of these has yet closed, but three are expected to do so.

7 offices were transferred as assets from the Rural Development Commission to the Regional Development Agencies on 1 April 1999 under the Transfer Schemes. Three of these have closed and one other is expected to do so.

Ministerial Engagements

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the official engagements of each of his Ministers for the week beginning *(a)* Monday 12 July, *(b)* Monday 19 July and *(c)* Monday 26 July. [91527]

Mr. Meale *[holding answer 15 July 1999]:* It is not the normal practice of Governments to give details of forthcoming engagements.

Regional Offices (Brussels)

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* regional development agencies and *(b)* regional chambers have offices in Brussels. [91516]

Mr. Meale *[holding answer 15 July 1999]:* Decisions on the establishment of offices in Brussels are a matter for the Regional Development Agencies and regional chambers themselves. I understand that no Agencies or regional chambers have dedicated offices in Brussels. However, two Agencies and two regional chambers share or have access to an office there.

Regional Development Agencies (Relocation)

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* English Partnerships staff and *(b)* Rural Development Commission staff (i) have moved offices and (ii) will move offices as a result of the creation of the regional development agencies. [91513]

Mr. Meale *[holding answer 15 July 1999]:* Three hundred and seventy four staff transferred from English Partnerships to the Regional Development Agencies on 1 April 1999 under the Transfer Schemes made in accordance with the Regional Development Agencies Act 1998. Of these staff, 61 have moved offices, and 43 others are expected to do so.

One hundred and four staff transferred from the Rural Development Commission to the Regional Development Agencies on 1 April 1999 under the Transfer Schemes. Of these staff, 29 have moved offices, and 25 others are expected to do so.

New Homes (Lancashire)

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions how many new homes were built in Lancashire in 1998. [91586]

Mr. Raynsford *[holding answer 16 July 1999]:* It is estimated that a total of 4,465 dwellings were completed in Lancashire in 1998.

Planning

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to devolve powers to local authorities in relation to planning decisions. [91587]

Mr. Raynsford *[holding answer 16 July 1999]:* Most planning applications are determined by local authorities. My right hon. Friend has various powers in planning legislation. For example, he can make orders granting a general planning permission for specified categories of development and can make regulations setting fee levels for different types of application. Such powers are used primarily to ensure a consistent national approach to planning matters and we have no plans to devolve them to local authorities.

Public Bodies

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if he will indicate in *(c)*(ii) the relevant successor body; what new non-departmental public bodies have been established since 1 May 1997; and how many non-departmental public bodies his Department currently is responsible for. [90676]

Mr. Meale: The information requested is as follows:

(a) Eleven executive non-departmental public bodies (NDPBs) sponsored by this Department have been wound-up since 1 May 1997; nine Urban Development Corporations (UDCs)—Birmingham Heartlands, Black Country, London Docklands, Merseyside, Plymouth, Trafford Park, Teesside and Tyne & Wear, which were wound-up on 30 June 1998, and Sheffield which was wound-up on 30 June 1997; North Hull Housing Action Trust was wound-up on 28 February 1999; and the United Kingdom Ecolabelling Board was wound-up on 19 April 1999 and its functions were brought into DETR. In addition, the British Board of Agrement became an autonomous body, no longer classified as an NDPB, on 1 April 1999. Four advisory NDPBs have been wound up since 1 May 1997; the Assessment Panel for Construction Research wound up on 14 July 1997, the Advisory Committee on Plant and Machinery wound up on 14 May 1998, the Local Government Staff Commission (England) wound up on 12 May 1998, and the Export Action Group for Building Materials wound up on 31 May 1999.

(b) The Rural Development Commission (RDC), which is non-operational at present, is due to be wound up in the Autumn of 1999.

(c)(i) The RDC's programmes and most of its staff transferred to the Countryside Agency, which was formerly known as the Countryside Commission, and the Regional Development Agencies (RDAs) on 1 April 1999; some of the functions and staff of English Partnerships also transferred to the RDAs on 1 April 1999; and the Commission for the New Towns was merged with English Partnerships, although the two bodies remain legally separate, on 1 April 1999 for operational purposes. (ii) No bodies have had their functions transferred to a democratically elected body.

(d) Apart from the Countryside Agency, none have been renamed but continue to perform a similar function.

(e) Details of other NDPBs in existence on 1 May 1997 sponsored by this Department are listed in "Public Bodies 1998".

Eight executive and six advisory NDPBs have been established since 1 May 1997. The eight executive bodies are the Regional Development Agencies (RDAs); One NorthEast, North West Development Agency, Yorkshire Forward, Advantage West Midlands, East Midlands Development Agency, East of England Development Agency, South West of England Regional Development Agency and South East England Development Agency. The six advisory NDPBs are the Commission for Integrated Transport, the Committee on Chemicals and Materials on Construction for use in Public Water Supplies and Swimming Pools, the Expert Group on Airborne Particles, the Expert Group on Cryptosporidium in Water Supplies, the Expert Panel on Sustainable Development Education, and the Zoos Forum. In addition, Docklands Light Railway was reclassified as an executive NDPB on 1 April 1998 to enable it to receive grant-in-aid direct from the Department following the wind-up of London Docklands Development Corporation.

This Department currently sponsors 55 NDPBs—33 executive and 22 advisory bodies.

National Air Traffic Services

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to sell 51 per cent. of National Air Traffic Services Ltd. [91854]

Ms Glenda Jackson: The Government issued a consultation document in October 1998 seeking views on our proposal for a public private partnership for NATS. The period for responses to that consultation has now closed and we are considering those received. We will make a detailed announcement on the way forward in due course.

Aircraft Safety

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what safety checks are made to guarantee the integrity of wiring in commercial aircraft. [91309]

Ms Glenda Jackson: Wiring installations are subject to detailed inspection and testing at the time of aircraft manufacture.

Subsequently, the Civil Aviation Authority sets comprehensive maintenance requirements which ensure the continued airworthiness of all UK-registered commercial aircraft; this includes checks of the external physical appearance of wiring looms at scheduled intervals. In addition, electrical continuity checks are made on affected electrical circuits whenever modifications are made to the electrical system.

Any serious faults in electrical wiring that occurred during aircraft operations would normally be detected because they are accompanied by system faults and warnings. In such cases, investigations will be made specifically directed at the relevant wiring. Individual electrical circuits are protected by automatic current limiting devices designed to isolate the associated circuit in the event of a current overload.

INTERNATIONAL DEVELOPMENT

Kosovo

Dr. Tonge: To ask the Secretary of State for International Development what assistance her Department is giving to the re-building of the civil administration in Kosovo; and if she will make a statement. [91293]

Clare Short: Our aim is to provide timely help to meet the basic safety and welfare needs of all Kosovars, while assisting in rapid stabilisation through the establishment of an effective and well-co-ordinated international civil administration. We provided a support package, including funds and equipment, to the UN Special Representative's Office. Through the World Health Organisation, we are helping the UN Mission in Kosovo to establish a central health administration. Our support includes experts, logistical support, essential equipment and supplies.

The UN has recently requested qualified staff to build up the UN Civil Administration in Kosovo. The Government will shortly decide their response.

Public Bodies

Mr. Burstow: To ask the Secretary of State for International Development if she will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if she will indicate in *(c)*(ii) the relevant successor body; what new non-departmental public bodies have been established since 1 May 1997; and how many non-departmental public bodies her Department currently is responsible for. [90679]

Clare Short: The information requested is as follows:

(a) None.

(b) The Crown Agents Holding & Realisation Board and the India Family Pension Funds Body of Commissioners are expected to be disbanded within the next year.

(c)(i) None.

(c)(ii) None.

(d) None.

(e) In addition to those listed at (b) the following bodies were in existence on 1 May 1997 and remain unchanged:

The Advisory Committee on Overseas Economic and Social Research

The Overseas Service Pensions Scheme Advisory Board

The Know How Fund Advisory Board

The Commonwealth Scholarships Commission in the United Kingdom.

(f) One new body has been created since 1 May 1997—The Development Awareness Working Group.

(g) My Department is currently responsible for seven non-departmental public bodies.

Departmental Vehicles

Mr. Burstow: To ask the Secretary of State for International Development if she will list for *(a)* her Department and *(b)* associated bodies listed in the National Asset Register, how many vehicles are

currently (i) owned and (ii) leased; if she will indicate their (1) fuel types and (2) engine cubic capacities; how many of the vehicles due for replacement by (A) her Department and (B) associated bodies listed in the National Asset Register will be replaced in (x) 1999–2000, (y) 2000–1 and (z) 2001–2 by vehicles using (a1) petrol, (b2) diesel, (c3) natural gas, (d4) electric batteries and (e5) other; and how much her Department plans to spend in each year on vehicle replacements. [90690]

Clare Short: We own 50 vehicles used in the administration of the aid programme overseas. The other information requested is not held centrally and could be obtained only at disproportionate cost.

CHURCH COMMISSIONERS

Church Investment

Mr. Simon Hughes: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, how much of the Church's investment is in the defence and military hardware industries. [90234]

Mr. Stuart Bell: The Commissioners do not invest in companies whose main business is the manufacture of armaments. The Commissioners' main investments in defence-related companies are presently in GEC and GKN. In addition, some of the companies in which the Commissioners hold shares may have small defence-related interests, ranging from electrical and electronic systems to engineering components, but these companies would not be described as military and certainly cannot be classified as armaments.

Millennium Celebrations

Mr. Pike: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what steps the Commissioners are taking to support initiatives from the parochial ministry to celebrate the millennium. [90233]

Mr. Stuart Bell: I would encourage every parish to take steps to mark the Millennium year as the 2000th anniversary of the birth of Jesus Christ. Now that the funding for the Faith Zone at the Dome is secure, I hope my hon. Friend will encourage churches in his own constituency to see that, whatever happens at the Dome, local community activity is an essential part of a Christian marking of the Millennium. I understand from the Churches' Millennium Office that they are very encouraged by the level of activity in churches up and down the country.

HOME DEPARTMENT

Market Research

Mr. Don Foster: To ask the Secretary of State for the Home Department if he will list the title and purpose of each item of market and opinion research commissioned by or through his Department, its agencies and non-departmental public bodies since May 1997 stating in each case whether or not the results were published. [89694]

Mr. Straw *[holding answer 5 July 1999]:* The Department conducts or commissions market or opinion research only when it is justified by the specific needs of a particular policy or programme and when this is the most economical, efficient and effective way to achieve the purpose. Consulting and involving the public helps inform both policy formulation and the delivery of better quality public services. Responsive public services are an important part of the Modernising Government initiative.

For the available information, I would refer the hon. Member to the reply the then Minister of State, Home Office, my right hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) gave to the hon. Member for Gordon (Mr. Bruce) on 23 February 1998, *Official Report*, column *50*, and the reply I gave to the hon. Member for Lichfield (Mr. Fabricant) on 3 July 1998, *Official Report*, column *287*. There are nine additional items to add to this list:

1. A study of voter opinion looking into the possibility of introducing a Belgian style electoral system for elections to the European Parliament. The results from this research have been placed in the Library.
2. Planning, development, tracking and measuring the effectiveness of publicity campaigns, including:
   (a) Fire Safety Attitude and Behaviour Monitor November 1998 (England and Wales).
   (b) Fire Safety Christmas 1998 Campaign Evaluation (January 1999).
   (c) A study of voter's experience in the recent European Parliamentary elections, including qualitative creative campaign development (March 1999) and Quantitative pre/post tracking (June 1999).
   (d) A study of Electoral Registration advertising involving quantitative campaign tracking before and after the campaign (July and October 1998).
   (e) Local Crime Reduction Partnerships advertising involving quantitative campaign evaluation (March 1999).

   This research was not published, but results may sometimes appear in press releases.
3. National Fire Safety Centre Branding Research (June 1999).
4. Police Information Technology Organisation (PITO) staff survey, in two phases, to gauge staff perceptions of the organisation.
5. Police Information Technology Organisation survey of police customers in England and Wales to establish a measure of the level of satisfaction with PITO's service. PITO's Annual Report for 1998–99, a copy of which is in the Library, reports the outcome under Performance against Key Performance Indicators.
6. Quarterly analysis of United Kingdom Passport Agency Customer Service.
7. Market research into clothing trends (October 1997) to investigate (by public opinion poll and other means) which trade names would encourage people to buy prison manufactured clothing.
8. On-going focus group research with Young Offenders to learn about their background and experiences.
9. Further 1999 Forensic Science staff survey published in the Forensic Science Service Magazine.

Private Finance Initiative

Mr. Beith: To ask the Secretary of State for the Home Department, pursuant to his answer of 12 May 1999, *Official Report*, column *156*, on the private finance initiative, if he will list (i) the amounts by which the contract payments were reduced, (ii) the reason for each

reduction, (iii) the dates on which the reductions were made and (iv) the period of the contract they relate to; if he will list the decisions on further reductions in contract payments which are pending; and if he will make a statement. [90711]

Mr. Straw: The available information is as given in the table.

Description/amounts by which contract payment reduced	*Reasons for reduction*	*Dates reduction made*	*Contract period deductions relate to*
Immigration and Nationality Directorate			
£4.5 million	Delay in delivering full implementation of programme	Between 24 April 1996 and 31 March 1999	24 April 1996–31 March 1999
Medway Secure Training Centre			
1. £618,721	1. Non-availability of places	Between September 1998 and May 1999	1. 18 July 1998–30 April 1999
2. £61,161	2. Failure to meet performance standards	2. 17 April 1998–30 April 1999	
Data Capture (United Kingdom Passport Agency)			
£66,931 (service credits)	1. Failure in systems availability (£47,235). 2. Accuracy errors in data passed to United Kingdom Passport Agency	March 1999	5 October 1998–31 March 1999
Manufacture of Digital Passports (United Kingdom Passport Agency)			
£4,489 (service credits)	Faults in passport books	Between 5 October 1998-to date	5 October 1998-to date
Altcourse Prison			
£28,089	Failure to meet performance standards	May 1998	December 1997-February 1998
Lowdham Grange Prison			
1. £702	1. Unavailable place	1. July 1998	1. 14–22 June 1999
2. £82,645	2. Failure to meet performance standards	2. Between October 1998 and March 1999	2. June 1998-February 1999
Parc Prison			
1. £54,782	1. Failure to meet standard contract requirements	1. March 1998	1. February 1998
2. £751,309	2. Failure to meet specific performance standards	2. Between May 1998 and October 1999	2. 17 November 1997–30 November 1998
3. £835	3. Doubling cell occupation beyond permitted level	3. Between August 1998 and June 1999	3. July 1998-May 1999
Prison PABX System			
£441,382	Late delivery of systems	Between April 1996 and October 1997	April 1996-October 1997

Of the contracts referred to in the table, further payment reductions are due to be implemented as follows:

(a) Immigration and Nationality Directorate Case work Programme

In response to the continued delay in full delivery of the programme, payments to the contractor will be made at a lower level until such time as delivery is complete.

(b) Medway Secure Training Centre

In response to failure in performance during the period 1 May 1999 to 31 July 1999, further payment reductions are due—amount yet to be determined.

(c) Data Capture (United Kingdom Passports Agency)

Further reductions relating to timeliness of delivery of data and system availability in respect of this contract are under negotiation.

(d) Parc Prison

Further reductions for double cell occupation and failure to meet performance standards for the period between 1 March 1999 and 30 June 1999 are due. Amount: £2,287.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for the Home Department how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91065]

Mr. Straw: I refer to the reply given to you on 15 April, *Official Report*, column *316*. A further 11 'Named Day' parliamentary questions were answered by my Department up to, and including, the 14 April 1999 and received a substantive reply on the day requested. This does not alter the figure of 75.4 per cent. as previously stated.

Prisoners (Licence Period)

Lorna Fitzsimons: To ask the Secretary of State for the Home Department what plans he has to review the remission rates applied to prison sentences; and what monitoring his Department undertakes of remission rates in other European countries. [90989]

Mr. Boateng: Provisions in Part II of the Criminal Justice Act 1991 abolished remission. In the reply I gave to my hon. Friend on 13 July, *Official Report*, column *109*, I set out the new arrangements under the Act. We have no current plans to change these arrangements.

The Government do not currently monitor the release arrangements in other European countries. However, at its meeting in June, the Council of Europe's European Committee on Crime Problems mandated the Council on Penological Co-operation to examine

the question of early (conditional) release (parole).

Terms of reference for this examination have yet to be drawn up.

Racial Incidents

Ms Kelly: To ask the Secretary of State for the Home Department how many reported racial incidents there were by region in each year since 1995; and how many led to a conviction. [91165]

Mr. Straw: Available information about the number of racist incidents recorded by each police force since 1995 is set out in the table. These are based on the Association of Chief Police Officers definition of a racial incident

"any incident in which it appears to the reporting or investigating officer that the complaint involves an element of racial motivation; or any incident which includes an allegation of racial motivation made by any person."

Last year, a breakdown of the number of racist incidents recorded by the police in each police area was included for the first time in the Home Office publication "Statistics on Race and the Criminal Justice System", a copy of which is in the Library. The statistics for 1998–99 will be published in the autumn.

The Stephen Lawrence Inquiry recommended that these incidents are referred to as "racist" incidents and that simpler and clearer definition should be used;

"A racist incident is any incident which is perceived to be racist by the victim or any other person."

This definition was adopted by all police forces on 29 April 1999.

Information on convictions arising from racist incidents is not available.

The number of racist incidents recorded by each force in each year since 1995

Forces	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Avon and Somerset	286	318	310	409
Bedfordshire	41	43	77	75
Cambridgeshire	75	160	141	147
Cheshire	62	27	92	78
City of London	6	2	10	6
Cleveland	62	112	68	76
Cumbria	24	27	37	46
Derbyshire	291	192	208	174
Devon and Cornwall	44	73	82	90
Dorset	37	41	67	86
Durham	26	23	24	37
Dyfed-Powys	3	23	18	17
Essex	127	178	116	160
Gloucestershire	37	34	34	32
Greater Manchester	637	776	595	624
Gwent	22	32	60	45
Hampshire	210	279	178	219
Hertfordshire	183	234	295	288
Humberside	75	58	55	72
Kent	173	129	256	276
Lancashire	222	320	337	311
Leicestershire	366	270	299	237
Lincolnshire	2	0	7	6
Merseyside	131	130	162	241
Metropolitan Police	5,480	5,011	5,621	5,862
Norfolk	39	41	56	89
North Wales	3	5	4	12
North Yorkshire	30	37	43	41
Northampton	146	214	195	318
Northumbria	508	475	488	444
Nottinghamshire	259	362	330	391
South Wales	517	443	357	367
South Yorkshire	156	194	169	213
Staffordshire	164	253	225	214
Suffolk	73	74	74	54
Surrey	39	77	55	45
Sussex	247	263	260	298
Thames Valley	233	266	233	279
Warwickshire	114	99	66	107
West Mercia	35	46	64	57
West Midlands	375	489	725	632
West Yorkshire	254	355	623	644
Wiltshire	64	37	35	59
England and Wales Total	11,878	12,222	13,151	13,878

Freedom of Information

Ms Moran: To ask the Secretary of State for the Home Department what representations he has received from organisations concerned with health and safety on the draft Freedom of Information Bill. [90809]

Mr. Straw: Up to and including 12 July 1999 I had received one representation on the draft Freedom of Information Bill from an organisation concerned with health and safety. This was from the Health and Safety Commission and Health and Safety Executive (dated 7 July) and was a contribution to the public consultation exercise.

The Health and Safety Commission/Executive expressed views primarily on the extent and nature of the exemptions.

When the pre-legislative scrutiny and public consultation exercise have been completed, the Government will respond to the reports of the Select Committees and the submissions of the consultees. Consultation responses will be made publicly available at this time.

Police Numbers (Sussex)

Mr. Waterson: To ask the Secretary of State for the Home Department how many police officers there were in Sussex in *(a)* May 1997 and *(b)* May 1999. [91450]

Mr. Boateng: Information on police numbers is collected twice a year, in March and September. The information available is set out in the table:

Date	*Number of officers*
31 March 1997	3,085
31 March 1999	2,847

The number of police officers in each force is a matter for local determination by the chief constable and the police authority. It is for chief officers to decide on the

balance between numbers of police officers and civilian support staff. The Sussex Police increased civilian numbers by 244 between March 1997 and March 1999.

Transsexuals

Mr. Brady: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Birmingham, Selly Oak (Dr. Jones) of 14 April 1999, *Official Report*, column *257*, what representations he has received regarding the working group on the status of transsexual people; what meetings he and his officials have had with groups representing transsexual people; and what plans he has made for such meetings in the future. [91294]

Mr. Straw: The Working Group on Transsexual People invited written submissions from interested parties. To date it has received representations from 10 organisations and 28 members of the public. A number of hon. Members have also written to me about the work of the Group. In addition, the Minister of State, Home Office, my right hon. Friend, Lord Williams of Mostyn, had a meeting with Susan Marshall, Vice-President of Press for Change, on 13 July. Consideration will be given to further meetings as appropriate.

M4 Bus Lane

Mr. Evans: To ask the Secretary of State for the Home Department, pursuant to his answer of 5 July 1999, *Official Report*, column *325*, on the M4 bus lane, when information on the number of motorists that have been *(a)* charged and *(b)* cautioned for using the new bus lane on the M4 will be made available. [91409]

Mr. Boateng: The statistics collected centrally do not contain the location of offences and, therefore, offences committed on particular roads cannot be identified.

I understand from the Metropolitan Police that they do not routinely keep statistics at this level of detail either, and have no plans to do so.

Trials

Mr. Garnier: To ask the Secretary of State for the Home Department for the last five years for which figures are available, of those defendants who pleaded not guilty at *(a)* the Crown Court and *(b)* the magistrates court, how many were acquitted and how many convicted. [91396]

Mr. Boateng: The table shows, in respect of cases handled by the Crown Prosecution Service, the outcome of contested hearings following a plea of not guilty in the Crown Court and in magistrates courts for each of the last five years. The table also shows the number of defendants convicted and acquitted, and expresses these as a proportion of all contested hearings.

Crown Court—contested hearings

Year ending March	*Convictions after trial*	*Acquittals*
1995	11,511	8,462
1996	12,358	8,399
1997	11,982	8,012
1998	13,413	9,012
1999	11,561	8,668

Magistrates courts—contested hearings

Year ending March	*Convictions after trial*	*Dismissals*
1995	72,307	20,997
1996	61,417	18,637
1997	53,393	17,769
1998	53,702	18,407
1999	47,889	17,181

Mr. Garnier: To ask the Secretary of State for the Home Department what research he has commissioned into the respective *(a)* rates of conviction, *(b)* levels of sentencing upon conviction following a plea of not guilty between (i) stipendiary and (ii) lay magistrates and *(c)* the levels of sentencing upon conviction following a plea of not guilty of (i) judges in the Crown Court, (ii) stipendiary and (iii) lay magistrates; and if he will publish it. [91397]

Mr. Boateng: Research is being commissioned jointly by the Home Office and the Lord Chancellor's Department to assess the relative costs, effectiveness and other benefits/disadvantages of stipendiary and lay magistrates. This will look, inter alia, at conviction rates and sentencing patterns, although it is unlikely that it will seek to distinguish between sentencing in contested and guilty plea cases. Some information about differences between sentencing by lay and stipendiary magistrates is to be found in "Sentencing Practice: an examination of decisions in magistrates courts and the Crown Court in the mid-1990's" by Flood-Page and Mackie (1998, Home Office Research Study No. 180), a copy of which is in the Library.

Statistical data are available on the type of sentence, including length of custody, received by defendants in the Crown Court for various offence groups by type of plea. These are to be found in Table 7E of "Criminal Statistics, England and Wales 1997" (Home Office, 1998) a copy of which is in the Library. Data by plea are not yet available from magistrates courts.

Mr. Garnier: To ask the Secretary of State for the Home Department for the last five years for which figures are available, how many defendants have elected trial by *(a)* jury and *(b)* magistrates; and what proportion of defendants charged with either way offences *(a)* and *(b)* represent. [91395]

Mr. Boateng: The table shows, in respect of proceedings handled by the Crown Prosecution Service, the number of defendants charged with either way offences who elected trial by jury. These figures are also expressed as a percentage of all either way cases dealt with at the Crown Court.

The table also shows the number of defendants charged with either way offences who consented to summary trial, and whose case proceeded to a contested hearing in magistrates courts. However, the Crown Prosecution Service maintains no separate record of either way proceedings dealt with in magistrates' courts by way of a guilty plea.

Crown Court

Year ending March	*Either way-defendant elections*	*As percentage of either way cases*
1995	26,612	34.2
1996	24,768	33.1
1997	21,472	30.5
1998	21,653	27.9
1999	18,391	29.4

Magistrates Courts

Year ending March	*Either way cases contested*
1995	33,273
1996	27,057
1997	24,422
1998	25,693
1999	24,004

Mr. Garnier: To ask the Secretary of State for the Home Department in respect of offences triable either way, what was, for the last five years for which figures are available, the average period between the plea of not guilty and the trial in *(a)* the Crown Court and *(b)* the magistrates courts [91398]

Mr. Vaz: I have been asked to reply.

Information on the time taken to deal with proceedings in the Crown Court and the magistrates court is not collected in a way which allows offences triable either way to be separately identified.

The Court Service collects data on the average time between committal and arraignment or start of trial in the Crown Court. Table A shows the average time in the Crown Court from committal to start of trial for defendants pleading not guilty from 1994 to 1998. These data include both either way and indictable only cases.

The Lord Chancellor's Department Time Intervals Survey collects data on the duration of criminal cases completed in magistrates courts in sample weeks in February, June and October. The interval between a plea of not guilty and the trial is not separately identified. Table B gives the average number of days from first appearance or mode of trial decision to verdict for defendants pleading not guilty in indictable and triable either way cases in magistrates courts from 1994 to 1998.

Table A: Crown Court: England and Wales: Average time from committal to start of trial for defendants pleading not guilty, 1994 to 1998

Year	*Average number of weeks from committal to start of trial*
1994	21.4
1995	21.3
1996	19.1
1997	18.2
1998	18.4

Note:
Excludes bench warrants issued, no plea recorded, indictment to lie on file and found unfit to plead

Source:
Judicial Statistics

Table B: Magistrates courts: England and Wales: Average time from first appearance or mode of trial decision to verdict for defendants pleading not guilty in indictable and triable either way cases, 1994 to 1998

Year	*Average number of days from first appearance or mode of trial decision to verdict*
1994	68
1995	73
1996	73
1997	73
1998	72

Notes:
1. The date of first appearance is recorded for defendants in indictable only cases, whereas the date on mode of trial decision is recorded for defendants in triable either way cases.
2. The date of verdict includes finding of guilt, information dismissed and committed for trial, among other decisions.
3. Cases where offence to charge was over 10 years, or where charge to first listing or first listing to completion was over 1 year, are excluded from the analysis.

Source:
Lord Chancellor's Department Time Intervals Survey

Human Rights Act 1998

Mr. Caton: To ask the Secretary of State for the Home Department when the Human Rights Act 1998 comes into effect in *(a)* Wales and *(b)* Scotland; and if he will make a statement. [91687]

Mr. Straw: We plan to bring the remaining provisions of the Human Rights Act 1998 into force throughout the United Kingdom on 2 October 2000. However, under devolution legislation already in force, the Scottish Parliament and Executive of the Welsh Assembly may not lawfully act in a manner incompatible with convention rights.

Holocaust Remembrance Day

Mr. Dismore: To ask the Secretary of State for the Home Department if he will make a statement on progress on the proposed consultation on plans for Holocaust Remembrance Day. [91692]

Mr. Straw *[holding answer 16 July 1999]:* Home Office officials have been working with colleagues from the Foreign and Commonwealth Office, the Department for Culture, Media and Sport and the Department for Education and Employment; and representatives of the British Board of Deputies and the Holocaust Trust, among others, to develop a proposal for a Holocaust Remembrance Day. This proposal will be the subject of wide consultation shortly.

Public Bodies

Mr. Burstow: To ask the Secretary of State for the Home Department if he will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if he will indicate in (c)(ii) the relevant successor body; what new non-departmental public bodies have been

established since 1 May 1997; and how many non-departmental public bodies his Department currently is responsible for. [90670]

Mr. Straw: Since 1 May 1997, two non-departmental public bodies (NDPBs), sponsored by my Department, have been disbanded—the Advisory Committee on Service Candidates (disbanded on 31 July 1998) and the Crime Prevention Agency Board (disbanded on 12 January 1999). During the next 12 months, I expect that the Criminal Injuries Compensation Board and the Metropolitan Police Committee will be disbanded.

No Home Office NDPB has had its functions transferred either to another NDPB or a democratically elected body, and none has continued to perform a similar function under a different name.

Details of all NDPBs in existence on 1 May 1997, sponsored by my Department, are listed in "Public Bodies 1997". Since that date, we have established as NDPBs the Police Information Technology Organisation, the Race Relations Forum, the Youth Justice Board for England and Wales, the Office of the Surveillance Commissioners and the Sentencing Advisory Panel.

Although the Government are committed to keeping the number of NDPBs to a minimum and to ensuring that those which remain are open, accountable and effective, some of the new NDPBs established since 1 May are essential in helping the Government deliver their Manifesto commitments.

My Department is currently responsible for 36 NDPBs, plus 134 Boards of Visitors to Penal Establishments.

Firearms Compensation

Mr. Greenway: To ask the Secretary of State for the Home Department (1) how many claims for compensation under the Firearms (Amendment) (No. 2) Act 1997 Compensation Scheme *(a)* have been paid and *(b)* remain outstanding; [91852]

(2) what is his latest estimate of the value of claims under the Firearms (Amendment) (No. 2) Act 1997 Compensation Scheme *(a)* already paid and *(b)* still outstanding. [91853]

Mr. Boateng: 11,813 claims have been paid under the Compensation Scheme for small-calibre pistols at a cost of £6,144,557.22. A total of 334 claims remain outstanding under the small-calibre scheme. Given the payments made so far, the estimated value of the remaining claims is in the region of £174,000.

Electoral Registers

Mr. Hawkins: To ask the Secretary of State for the Home Department what proposals his Working Party on Electoral Procedures has made in relation to access by political parties to the full Electoral Register. [91857]

Mr. George Howarth: In its summary of recommendations, a copy of which is in the Library, the Working Party have proposed that the full register should continue to be available to electoral users as at present. This would include the names of those persons who choose to be excluded from the register that is made commercially available.

Mr. Hawkins: To ask the Secretary of State for the Home Department how many responses he has received from business and charitable organisations to his consultation on the commercial sale of the Electoral Register. [91856]

Mr. George Howarth: As at 15 July, we had received a total of 99 individual written responses from 87 organisations working in the business and charitable sectors.

Mr. Hawkins: To ask the Secretary of State for the Home Department if he has placed on the Internet the responses to his consultation on the commercial sale of the Electoral Register, and publicised their existence, in accordance with the Cabinet Office guide on written consultation exercises. [91855]

Mr. George Howarth: The press release on 3 August 1998 which publicised the consultation was placed on the Internet. The summary of recommendations of the Working Party on Electoral Procedures, which includes recommendations about sale of the register, is being published on the Internet. The Working Party's final report will also appear there in due course. The Cabinet Office guide does not require the publication of responses to consultation exercises.

UK Passport Agency

Mr. Lidington: To ask the Secretary of State for the Home Department what plans he has for the relocation of the London Passport Office and Passport Agency headquarters. [91812]

Mr. Mike O'Brien: The United Kingdom Passport Agency has been looking at options to relocate its Headquarters and the London Passport Office to improved accommodation elsewhere in London. A property has been identified—Bridge Place, 89 Eccleston square, Victoria which is currently on the Government Estate. Under the Passport Agency's Framework Document, it is for my right hon. Friend the Secretary of State for the Home Department to approve any changes in office locations, and the Agency will be discussing whether he will approve the proposals shortly.

Health Care (Prisons)

Mr. Tredinnick: To ask the Secretary of State for the Home Department when the Prison Service will publish its proposed prison service instruction on complementary and alternative medicine. [91809]

Mr. George Howarth: A Prison Service Instruction is expected to be issued to prison establishments within the next three months, after consideration by senior Prison Service managers.

Mr. Tredinnick: To ask the Secretary of State for the Home Department if he will make a statement on the composition and aims of the joint Prison Service/NHS health care policy and executive units. [91804]

Mr. George Howarth: The aims, objectives and composition of the new joint Prison Service/NHS Executive Prison Health Policy Unit and the Prison Health Care Taskforce are set out in framework documents. I have arranged for copies to be placed in the Library.

Mr. Tredinnick: To ask the Secretary of State for the Home Department (1) what plans he has to restrict the alternative and complementary medical treatments currently available in prisons and young offenders institutions; and if he will make a statement; [91807]

(2) which *(a)* prisons and *(b)* young offender institutions currently employ complementary and alternative medical practitioners; and what plans he has to change the arrangements for offering such services in prisons; [91806]

(3) what plans he has to reduce the current treatment modalities available through complementary medical services to prisoners at Her Majesty's Prisons Coldingley and Downview and Young Offenders Institution Feltham; and if he will make a statement. [91803]

Mr. George Howarth: The Government have accepted the recommendations of the joint Prison Service and NHS Executive Working Group on the future of prison health care, in particular that health care provision should be jointly planned and organised with the NHS according to formal health needs assessments. This means that complementary or alternative treatments, as is the case of other treatments, will only be made available on the recommendation of a prison doctor after he or she has taken account of an individual prisoner's health needs, and the demands upon available resources for other health services. Complementary and alternative treatments will not be given priority.

In keeping with the Prison Service's duty of care, and the need to ensure that treatments being made available are safe, effective, appropriate to the custodial context and conducive to the orderly running of prisons, treatments other than acupuncture, osteopathy, chiropractic, yoga and meditation will only be made available in circumstances where a good case can be shown, following the approval of the Prison Service's director of health care.

Mr. Tredinnick: To ask the Secretary of State for the Home Department how many sole practitioners currently provide complementary and alternative medical treatments in Her Majesty's Prisons and Her Majesty's Young Offenders Institutions. [91811]

Mr. George Howarth: The information is not available in the form requested. A survey of prison establishments completed in December 1998 showed that complementary and alternative treatments were provided by individual members of prison staff or sole practitioners from the public or private sectors at 44 Prison Service establishments.

Mr. Tredinnick: To ask the Secretary of State for the Home Department if he will list the service providers currently offering complementary and alternative medical treatments in Her Majesty's Prisons and Her Majesty's Young Offenders Institutions. [91802]

Mr. George Howarth: Complementary and alternative medical treatments are currently known to be provided by: Complementary Medical Services for Prisoners (CMSP) at Coldingley and Downview prisons and at Feltham Young Offender Institution; by drugs project teams at Blakenhurst, Dartmoor, Gloucester, Leyhill and Standford Hill prisons; by individual practitioners at Buckley Hall, Dorchester, Durham, High Down and Holme House prisons; and by members of staff, including health-care staff, at Bedford, Blundeston, Brixton, Brockhill, Buckley Hall, Cookham Wood, Dartmoor, Dorchester, Dover, Erlestoke, Featherstone, Gartree, Gloucester, Hewell Grange, High Down, Highpoint, Hollesley Bay, Lancaster Castle, Leeds, Portland, Styal, Sudbury, Swansea and Weare prisons.

Mr. Tredinnick: To ask the Secretary of State for the Home Department if he will list the complementary and alternative medical therapies offered in Her Majesty's Prisons and Her Majesty's Young Offenders Institutions, indicating the establishments in which they are offered. [91810]

Mr. George Howarth: The table shows the results of a survey carried out in December 1998 that indicated which establishments then provided each of the major complementary and alternative therapies.

Complementary and alternative therapies available at prison establishments

Prison	*Auricular acupuncture*	*Aromatherapy*	*Reflexology*	*Movement therapy*	*Herbal remedies*	*Massage*	*Osteopathy*	*Chiropractic*	*Meditation*	*Relaxation therapy*
Aldrington	yes	—	—	—	—	—	—	—	—	—
Altcourse	—	yes	—	—	—	yes	—	—	—	—
Bedford	yes	—	—	—	—	—	—	—	—	—
Blakenhurst	yes	yes	—	—	—	—	—	—	—	—
Blundeston	yes	—	—	—	—	—	—	—	—	—
Brinsford	yes	—	—	—	—	—	—	—	—	—
Bristol	yes	—	—	—	—	—	—	—	—	—
Brixton	—	—	—	—	—	—	—	—	—	yes
Brackhill	yes	yes	—	—	—	—	—	—	—	—
Buckley Hall	yes	yes	—	—	—	yes	—	—	—	—
Canterbury	yes	—	—	—	—	—	—	—	—	—
Channings Wood	yes	—	—	—	—	—	—	—	—	—
Coldingley	yes	yes	yes	yes	yes	yes	—	—	yes	—
Dartmoor	yes	—	—	—	—	yes	—	—	—	—
Dorchester	yes	—	—	—	—	—	—	—	—	—
Dover	yes	—	—	—	—	—	—	—	—	—
Downview	yes	yes	yes	yes	yes	yes	—	—	yes	—
Durham	yes	—	—	—	—	yes	—	—	—	—
Erlestoke	yes	yes	—	—	—	—	yes	—	—	—
Exeter	yes	—	—	—	—	—	—	—	—	—
Featherstone	yes	—	—	—	—	—	—	—	—	—

Complementary and alternative therapies available at prison establishments

Prison	Auricular acupuncture	Aromatherapy	Reflexology	Movement therapy	Herbal remedies	Massage	Osteopathy	Chiropractic	Meditation	Relaxation therapy
Feltham	yes	yes	yes	yes	yes	yes	—	—	yes	—
Foston Hall	yes	—	—	—	—	—	—	—	—	yes
Full Sutton	—	—	—	—	—	—	—	yes	—	—
Gartree	yes	—	—	—	—	—	—	—	—	—
Gloucester	yes	—	—	—	—	—	—	—	—	—
Hewell Grange	yes	—	—	—	—	—	—	—	—	—
High Down	yes	—	—	—	—	—	—	—	—	—
High Point	—	yes	—	—	—	—	—	—	—	yes
Hollesley Bay	yes	—	yes	—	—	—	—	—	yes	—
Holloway	yes	yes	yes	—	—	—	—	—	—	—
Holme House	yes	—	—	—	—	yes	—	—	—	—
Lancaster Castle	yes	—	yes	—	—	—	—	—	—	—
Leghill	yes	—	—	—	—	—	—	—	—	—
Long Larten	yes	—	—	—	—	—	—	—	—	—
Nottingham	yes	yes	—	—	—	—	—	—	—	—
Portland	yes	yes	yes	—	—	—	—	—	—	—
Shepton Mallet	yes	—	—	—	—	—	—	—	—	—
Stafford	yes	—	—	—	—	—	—	—	—	—
Standford Hill	yes	—	—	—	—	—	—	—	—	—
Styal	—	yes	yes	—	—	—	—	—	—	yes
Sudbury	yes	—	—	—	—	—	—	—	—	—
Swansea	yes	—	—	—	—	—	—	—	—	—
Swinfen Hall	yes	—	—	—	—	—	—	—	—	—
Wealston	yes	—	—	—	—	—	—	—	—	—
Weare	yes	yes	—	—	—	yes	—	—	—	—
Wellingborough	yes	—	—	—	—	—	—	—	—	—

Mr. Tredinnick: To ask the Secretary of State for the Home Department how many of Her Majesty's Prisons and Her Majesty's Young Offenders Institutions have applied for the Medical Directorate to establish a Complementary Medical Service for Prisoners unit; and if he will make a statement. [91808]

Mr. George Howarth: No applications to establish such units have been received by the Prison Service directorate of health care.

Asylum Seekers

Mr. Coleman: To ask the Secretary of State for the Home Department how many asylum applications were received from *(a)* Serbia and *(b)* Colombia in 1998; and how many of the applications (i) were agreed, (ii) were refused and (iii) await decision; and if he will make a statement. [88835]

Mr. Mike O'Brien *[pursuant to his reply, 30 June 1998, c.192]:* The table referred to asylum applications for nationals of Colombia for 1997, and not 1998 as requested. The figures for Columbia for 1998 are given in the table.

Applications[1] received for asylum in the United Kingdom, excluding dependants, and initial decisions[2] [3] for nationals of the Federal Republic of Yugoslavia and Columbia, 1998

	Federal Republic of Yugoslavia	Colombia
Applications received	7,395	425
Total decisions	1,570	1,020
Of which:		
Recognised as a refugee and granted asylum	935	150

Applications[1] received for asylum in the United Kingdom, excluding dependants, and initial decisions[2] [3] for nationals of the Federal Republic of Yugoslavia and Columbia, 1998

	Federal Republic of Yugoslavia	Colombia
Not recognised as a refugee but granted exceptional leave	75	60
Refused asylum and exceptional leave	565	810
Applications outstanding at end of year[4]	7,700	1,620

[1] Provisional figures rounded to the nearest five.
[2] Information is of initial determination decisions, excluding the outcome of appeals or other subsequent decisions.
[3] Decision figures do not necessarily relate to applications made in 1998.
[4] Estimated figures.

NORTHERN IRELAND

Oncologists

Mr. Paul Marsden: To ask the Secretary of State for Northern Ireland if she will list the number of clinical and medical oncologists per 100,000 population for each health authority in Northern Ireland. [90807]

Mr. McFall: In the Northern Ireland Health and Personal Social Services, all clinical and medical oncologists are based within the Eastern Health and Social Services Board area, however they provide a regional service for the whole of Northern Ireland. At 30 September 1998, the relevant staff figures for Northern Ireland were 0.87 clinical oncology staff and 0.25 medical oncology staff per 100,000 of the population.

Stroke Units

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if she will list the existing stroke units in Northern Health Board general hospitals which treat clients *(a)* in the acute phase, *(b)* in the rehabilitation phase and *(c)* in both; and in each case, what age criteria apply to admissions to the units. [90997]

Mr. McFall: Stroke patients in the acute phase are admitted to the stroke unit at Braid Valley, the Medical Admission Unit at Antrim Hospital, or the Acute Medical Wards in Coleraine, Whiteabbey and Mid-Ulster Hospitals.

Patients in the rehabilitation phase receive care in the Stroke Unit at Braid Valley Hospital, or the assessment and Rehabilitation wards at Coleraine, Whiteabbey and Mid-Ulster Hospitals.

There is no age criterion in any of the units providing treatment for stroke patients.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland which general hospitals within the Northern Health Board have specialised stroke units; what plans there are to establish units where none presently exist; and what are the target dates for such plans. [91082]

Mr. McFall: There is one specialised stroke unit within the Northern Health and Social Services Board area, located at Braid Valley Hospital in Ballymena. Antrim Hospital has six designated stroke beds. There are no dedicated stroke units at Whiteabbey, Mid-Ulster or Coleraine Hospitals.

It is anticipated that a fully specialised stroke unit will be developed at the new Causeway Hospital when it opens in November 2000.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland which of the health boards have a written policy on the management and rehabilitation of strokes. [90998]

Mr. McFall: All four Health and Social Services Boards have written policies on stroke services.

Fair Employment

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if she will list the latest figures from the Fair Employment Commission on the Post Office in Northern Ireland *(a)* in total and *(b)* in the head office in Tombe Street, Belfast, giving the numbers currently employed who are (i) Protestants, (ii) Roman Catholics and (iii) not defined. [90999]

Mr. Ingram: The Post Office in Northern Ireland is registered with the Fair Employment Commission as part of Royal Mail Scotland and Northern Ireland.

The monitoring information for Royal Mail Scotland and Northern Ireland includes employees working in Northern Ireland in the Royal Mail, Post Office Counters Ltd., Parcelforce Worldwide, Subscription Services Ltd. and Group Centre. Annual monitoring returns do not include data for individual locations.

The composition of the Northern Ireland work force of Royal Mail Scotland and Northern Ireland in January 1998 was:

Protestant—2,091 (53.3 per cent.)

Roman Catholics—1,834 (46.7 per cent.)

Non-determined—163.

Cockles

Mr. Öpik: To ask the Secretary of State for Northern Ireland what steps she is taking to prevent the destruction of the Zostera beds of Strangford Lough by mechanised cockle harvesting; and if she will make a statement. [91255]

Mr. Paul Murphy: Responsibility for the subject in question has been delegated to the Environment and Heritage Service under its acting Chief Executive, Mr. J. R. Lamont. I have asked him to arrange for a reply to be given.

Letter from J. S. Faulkner to Mr. Lembit Öpik, dated 15 July 1999:

As Acting Chief Executive of the Environment and Heritage Service (EHS), I am responsible for operational aspects of the conservation of statutory nature conservation sites in Northern Ireland. Although question No 873 involves the exploitation of a fishery for commercial purposes, your concern relates primarily to nature conservation and I have therefore been asked to reply on behalf of EHS and the Fisheries Division of the Department of Agriculture.

A Court case in 1997 between the National Trust and a shellfish collector operating in Strangford Lough resulted in a judgment that this activity was a common law right and as such was not subject to control through the Trust's byelaws. Those engaged in shellfish collecting are currently seeking to have large areas at the north end of the Lough classified for the purpose of harvesting wild shellfish. This decision rests with the Eastern Group Environmental Health Committee as it relates solely to public health. At least one area has recently been classified and it is understood that harvesting of cockles with the aid of a tractor-mounted dredger will commence shortly.

EHS has recently commissioned a literature review to determine the likely effects of mechanised cockle harvesting within Strangford Lough. This has revealed that the impact of tractor dredging on intertidal flora and fauna may depend on a number of factors, such as the time of year and the nature of the sediments. It is clear, however, that it can potentially be extremely damaging to beds of *Zostera* which are an important source of food for overwintering waterfowl within Strangford Lough.

Despite the designation of the intertidal area of the Lough as an Area of Special Scientific Interest (ASSI) and Special Protection Area (SPA), EHS cannot currently prevent the mechanical harvesting of shellfish from taking place. This is because those engaged in shellfish collecting are not lawful owners or occupiers of the foreshore but are operating under a common law right. EHS could introduce byelaws under the Habitats Regulations but this would be a lengthy process involving public consultation and would almost certainly be challenged by those intent on collecting shellfish.

The Department of Agriculture also has no powers at present to regulate the gathering of shellfish from the intertidal zone in Strangford Lough. In view of recent developments, however, the Department is proposing to introduce new primary legislation as quickly as possible to enable it to regulate fisheries in the intertidal zone around the entire Northern Ireland coastline.

I trust that you will appreciate from the above that the two Departments are aware of the potential seriousness of unregulated shellfish harvesting in Strangford Lough. Neither Department, however, may be able to prevent it taking place in the short term.

Public Bodies

Mr. Burstow: To ask the Secretary of State for Northern Ireland if she will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if she will indicate in *(c)*(ii) the relevant successor body; what new non-departmental public bodies have been established since 1 May 1997; and how many non-departmental public bodies his Department currently is responsible for. [90793]

Mr. Paul Murphy: The information requested is as follows:

(a) NDPBs disbanded since 1 March 1997:

1. NI Citizen's Charter Advisory panel on 2 May 1997
2. Ulster Folk & Transport Museum on 31 March 1998
3. Ulster Museum on 31 March 1998
4. North Down & Ards Community HSS Trust on 31 March 1998
5. Ulster, North Down & Ards Hospital HSS Trust on 31 March 1998
6. Standing Advisory Commission on Human Rights on 28 February 1999

(b) NDPBs which will be disbanded in the next 12 months:

1. Commission for Racial Equality in NI[1]
2. Fair Employment Commission[1]
3. Equal Opportunities Commission[1]
4. NI Disability Council[1]
5. Independent Commission Police Complaints

[1] The functions of these bodies will be assumed by a new Equality Commission.

(c) NDPBs which have had their functions transferred to:

(i) another NDPB

The functions of the North Down & Ards Community HSS Trust and the Ulster, North Down & Ards Hospital HSS Trust were transferred to the Ulster Community & Hospitals HSS Trust with effect from 1 April 1998;

Ulster Folk and Transport Museums, and Ulster Museum were transferred to the National Museums & Galleries of Northern Ireland with effect from 1 April 1998;

The Health and Safety Agency for NI was transferred to the Health and Safety Executive for NI with effect from 1 April 1999.

(ii) A democratically elected body (naming the relevant successor body): None.

(d) NDPBs which have been renamed but continue to perform a similar role:

Rathgael & Whiteabbey Training Schools Management Board became the Juvenile Justice Board with effect from 1 August 1998

The Health and Safety Agency was renamed the Health and Safety Executive for NI with effect from 1 April 1999 and now performs a wider role.

(e) Details of all other NDPBs in existence on 1 May 1997 are listed in Public Bodies 1998.

(f) New NDPBs which have been established since 1 May 1997:

The Community & Hospitals HSS Trust with effect from 1 April 1998

Commission for Racial Equality in Northern Ireland with effect from 29 July 1997

National Museums & Galleries of Northern Ireland with effect from 1 April 1998

NI Human Rights Commission with effect from 1 March 1999

(g) The Secretary of State for Northern Ireland is currently responsible for 122 Non Departmental Public Bodies.

HEALTH

Hospital Sports Sites

Mr. Nigel Jones: To ask the Secretary of State for Health how many hospital sports sites have been granted planning permission since 1 May 1997. [88495]

Mr. Denham: The information requested is not available centrally.

Dental Services

Mr. Sayeed: To ask the Secretary of State for Health (1) what discussions he has had with the General Dental Council regarding their jurisdiction in assessing whether a dentist meets minimum standards of practice; [90414]

(2) what plans he has to review the statutory responsibilities of the General Dental Council in respect of the professional conduct of dentists. [90415]

Mr. Denham: The General Dental Council has proposed that it is empowered to test and identify dentists who demonstrate a consistently poor standard of performance (but are not suspected of serious professional misconduct). We have welcomed these proposals and intend to use Section 60 of the Health Act 1999 to make the necessary amendments to the Dentists Act 1984.

Mr. Sayeed: To ask the Secretary of State for Health what recent representations he has made to the General Dental Council in respect of the adequacy of its procedures for dealing with serious professional misconduct. [90842]

Mr. Denham: We have full confidence in the General Dental Council's handling of serious professional misconduct cases, but it has let us know that hearing these cases is making heavy demands of the six lay members on the Council. Accordingly we will shortly be acting on the Council's proposal that its lay membership be increased to 12.

NHS Site Sales

Mr. Fearn: To ask the Secretary of State for Health if he will list the sites owned by the National Health Service which the NHS Executive is seeking planning permission for housing developments and the current status of each application. [90742]

Mr. Denham: A list of sites owned by my right hon. Friend the Secretary of State for which planning permission for housing development is being sought is given in the table. The list includes the current status of each application.

This list does not include sites owned by National Health Service trusts, since they would themselves be seeking planning permission, not the NHS Executive. Information relating to NHS trusts could be provided only at disproportionate cost.

Region	Current status of planning applications
Eastern	
Hill End Hospital	[1]
Runwell Hospital, Wickford	[1]
Colchester sites	[1]
Heath Hospital, Tendring	[1]
Goston Manor, Watford	[1]
Cassell Hospital, Richmond	[1]
Queens Hospital, Croydon	[2]
Bexley Hospital, Bexley	[1]
Napsbury Hospital, Herts	[1]
South East	
Lord Mayor Treloar, Alton	[1]
Land at Graylingwell, Chichester	[1]
Land at Haywards Heath	[1]
Land at Southlands, Worthing	[1]
Milford Hospital, Milford	[1]
Mabledon Hospital, Dartford	[1]
South West	
Pewsey Hospital, Pewsey	[1]
Part Exminster Hospital, Exminster	[1]
St. Anne's, Bournemouth	[2]
St. Leonard's Hospital, Ringwood	[1]
Henham Hall Hospital, Avon	[1]
St. Margarets Hospital, Swindon	[1]
PEOH, Exeter	[1]
West Midlands	
Stollington, Staffordshire	[1]
Chelmsley Hospital, Marston Green	[1]
North West	
Florence Nightingale Hospital, Bury	[1]
Lancaster Moor Hospital, Lancaster	[1]
Whittingham Hospital, Preston	[1]
Trent	
Manor/Kingsway, S. Derby	[1]
Rauceby Hospital, Rauceby	[1]
Northern and Yorkshire	
Newton Aycliffe Hospital	[1]
Northowram Hospital, Northowram	[1]
Seacroft Hospital, Leeds	[1]
Middleston Hospital	[1]
Rawcliffe Hall Hospital	[1]
St. George's Hospital, Morpeth	[1]
St. Mary's Hospital, Stannington	[1]
Cherry Knowle Hospital, Ryhope	[1]

[1] A planning application has been made, and determination by the local planning authority is awaited.
[2] The local planning authority has resolved to approve the application subject to conditions including Section 106 planning obligations which are now being negotiated.
[3] The planning application is subject of an appeal, the outcome of which is awaited.

Pen Needles

Mr. Paul Marsden: To ask the Secretary of State for Health if he will make a statement about the availability on the NHS of pen needles for children with diabetes. [90811]

Mr. Denham: We have consulted on proposals which would allow insulin pen needles to be prescribed by general practitioners on the National Health Service for both adults and children. We have received representations from most of the organisations consulted. We are considering them, and are seeking clarification on certain points before we make our final decisions.

Oncologists

Mr. Paul Marsden: To ask the Secretary of State for Health if he will list for each OECD country the number of clinical and medical oncologists per 100,000 population; and if he will make a statement. [90804]

Mr. Denham: The information requested is not available centrally.

Mr. Paul Marsden: To ask the Secretary of State for Health if he will list the number of clinical and medical oncologists per 100,000 population for each health authority in England. [90803]

Mr. Denham: The latest available information is shown in the table.

Number of hospital medical staff in medical and clinical oncology specialties by health authority per 100,000 population in England at 30 September 1998

Health authority	Number	Per 100,000
England	1,000	2.0
Avon	20	2.3
Barking and Havering	10	1.8
Barnet	0	0.3
Bedfordshire	0	0.9
Berkshire	10	1.2
Bexley and Greenwich	0	0.2
Birmingham	50	4.9
Bradford	10	1.6
Buckinghamshire	0	0.1
Bury and Rochdale	0	0.3
Calderdale and Kirklees	0	0.5
Cambridge and Huntingdon	30	7.3
Camden and Islington	50	12.5
Cornwall and Isles of Scilly	0	0.2
Coventry	10	4.2
Dorset	20	2.9
Ealing, Hammersmith and Hounslow	0	0.3
East and North Hertfordshire	0	0.4
East Kent	10	1.5
East London and The City	30	5.2
East Norfolk	10	1.3
East Riding	10	1.2
East Surrey	0	0.5
East Sussex, Brighton and Hove	10	1.6
Enfield and Haringey	20	3.5
Gateshead and South Tyneside	0	0.8
Gloucestershire	20	3.4
Hillingdon	40	17.0
Kensington, Chelsea and Westminster	120	33.2
Lambeth, Southwark and Lewisham	30	4.2
Leeds	50	7.4
Leicestershire	20	1.7
Lincolnshire	10	1.8
Liverpool	0	0.2
Manchester	60	14.2
Merton, Sutton and Wandsworth	10	2.2
Morecambe Bay	0	1.3
Newcastle and North Tyneside	30	7.2

Number of hospital medical staff in medical and clinical oncology specialties by health authority per 100,000 population in England at 30 September 1998

Health authority	*Number*	*Per 100,000*
North Cumbria	10	1.9
North Essex	10	1.3
North Nottinghamshire	0	0.5
North Staffordshire	10	1.9
North West Anglia	0	1.2
North West Lancashire	10	2.1
North Yorkshire	0	0.1
Northamptonshire	10	1.3
Northumberland	0	0.3
Nottingham	20	2.8
Oxfordshire	30	5.1
Portsmouth and South East Hampshire	10	1.8
Salford and Trafford	0	1.1
Sandwell	0	0.3
Sheffield	30	5.7
Shropshire	0	0.7
Somerset	0	0.6
South and West Devon	20	4.0
South Cheshire	0	0.1
South Derbyshire	10	1.1
South Essex	10	1.3
South Humber	0	0.6
South Lancashire	0	0.3
South Staffordshire	0	0.5
Southampton and South West Hampshire	30	5.0
Suffolk	10	1.0
Tees	10	1.8
Warwickshire	0	0.2
West Kent	10	1.0
West Surrey	20	2.7
Wiltshire	10	1.7
Wirral	30	9.8
Wolverhampton	10	3.3
Worcestershire	0	0.7

Notes:

1. Figures rounded to nearest 10
2. '0' denotes 5 or less
3. Population per 100,000 calculated on unrounded figures
4. Population per 100,000 figures based on 1998 projections
5. Some doctors work in more than one health authority, but are only recorded once in the England total—hence the England figure is smaller than the total of health authority figures

Sources:

Department of Health HCHS Medical and Dental Workforce Census:

Office for National Statistics mid-year population estimates.

Pensioners (Free Treatment)

Mr. O'Hara: To ask the Secretary of State for Health if he will estimate the annual cost of extending free optical and dental treatment to all state pensioners. [90698]

Mr. Denham: From 1 April everyone aged 60 and over has been eligible for free National Health Service sight tests. If this group were also made eligible for spectacle vouchers, regardless of income, the additional cost would be about £100 million per annum. Hospital optical treatment is provided free of charge to all NHS patients. The annual cost of extending free dental treatment to all state pensioners is estimated at a minimum of about £100 million assuming no increase in the volume of dental services provided to this age group.

Severalls Hospital, Colchester

Mr. Bob Russell: To ask the Secretary of State for Health if he will name the company to which it is intended to sell the former Severalls Hospital at Colchester; at what price it is to be sold; and when he expects the sale to be completed. [90707]

Mr. Denham: No contracts for sale have yet been signed nor have solicitors been instructed to draw up a contract. Discussions for a potential sale are continuing with terms yet to be agreed. It would be prejudicial at this stage to name the parties with whom negotiations are being conducted or to disclose terms of a potential sale including expectations on price or value. Parts of Severall Hospital are, of course, occupied for National Health Service needs and will continue to be so for the foreseeable future.

If negotiations are successful, completion could be by early 2000.

Public Bodies

Mr. Burstow: To ask the Secretary of State for Health if he will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if he will indicate in *(c)*(ii) the relevant successor body; what new non-departmental public bodies have been established since 1 May 1997; and how many non-departmental public bodies his Department currently is responsible for. [90669]

Ms Jowell: Of the non-Departmental public bodies (NDPBs) in existence on 1 May 1997: *(a)* the Advisory Committee on Design Quality in the National Health Service was abolished on 20 July 1998, the Royal Commission on Long Term Care was abolished on 1 May 1999, and the Standing Committee on Postgraduate Medical Education was abolished on 1 April 1999; *(b)* The Advisory Committee on Genetic Testing, the Human Genetics Advisory Commission and the Clinical Standards Advisory Group will be disbanded in the next 12 months. The Central Council on Education and Training for Social Work (an executive NDPB) will be abolished by 31 March 2001; *(c)* None has had their functions transferred (i) to another non-departmental public body or (ii) to a democratically elected body; and *(d)* none has been re-named.

Since 1 May 1997 the following NDPBs have been established: the Royal Commission on Long Term Care of the Elderly (now abolished); and the Genetics and Insurance Committee. The Advisory Committee on Dangerous Pathogens, which was a departmental committee, has been reclassified as an advisory NDPB. The Nurses', Midwives and other NHS Professions' Review Body, Doctors and Dentists Review Panel and the Pharmacists' Review Panel were inherited by the Department from the Office of Manpower and Economics during the period. The Department is responsible for 7 executive and 39 advisory NDPBs.

The status of the Advisory Committee on Breast Cancer Screening, the National Specialist Commissioning Advisory Group and the Microbiology Advisory Committee have been reclassified by the Cabinet Office and no longer have NDPB status: they are now regarded as Departmental bodies.

Radiation

Mr. Tredinnick: To ask the Secretary of State for Health if he will evaluate the recent study on the effects of radiation from VDUs at the offices of Southampton and South West Hampshire Health Authority; and if he will make a statement. [91923]

Ms Jowell: This recent study claims to show that office staff who use visual display units (VDUs) experience various adverse health reactions which can be relieved by a device fitted to the VDU screen.

The Government obtain advice from the National Radiological Protection Board (NRPB) on risks to health from exposure to electromagnetic fields. NRPB's Advisory Group on Non-ionising Radiation evaluated in detail the health effects of working with VDUs and published a report in 1994 "Health Effects Related to the Use of Visual Display Units" (Documents of the NRPB Volume 5, No2—copies of which are available in the Library). The Advisory Group concluded that exposure to radiation resulting from the use of VDUs causes no significant health effects. In responding to this recent study NRPB have commented that since the publication of their 1994 report, no research published in peer reviewed journals has led to a change to this conclusion.

Mr. Tredinnick: To ask the Secretary of State for Health if, in its assessment of radiation, the National Radiological Protection Board takes account of non-thermal effects; and if he will make a statement. [91919]

Ms Jowell: I have been advised by the National Radiological Protection Board that there is a consensus among national and international expert bodies that standards for protection of people from electromagnetic fields (EMF) should be based upon sound scientific evidence of established effects on human health. This is also the view of NRPB. For low frequencies, standards are set to prevent effects on the central nervous system and to avoid shocks. For higher frequencies they are set to prevent damage due to heating of body tissues. Concerns about other, so-called athermal effects arising from exposure to EMFs have also been raised. These include suggestions of subtle effects on cells that could affect cancer development or of influences on electrically excitable tissue that could influence the function of the brain and nervous tissue.

While mindful, therefore, that some scientific data challenge the conventional assumptions upon which protection standards are based, NRPB has concluded that biological interactions resulting from such effects are neither well defined nor understood. Additionally, there is no convincing biological evidence that electromagnetic fields could cause cancer or other athermal effects. The basis for its recommendations is therefore established biological effects.

Mr. Tredinnick: To ask the Secretary of State for Health what reports he has received of research by the USA National Institute of Environmental Health Systems into the effect of extremely low-frequency radiation; and if he will make a statement. [91921]

Ms Jowell: The Department has been advised that the National Radiological Protection Board is aware of a report published by the US National Institute of Environmental Health Sciences (NIEHS) on 15 June 1999. The Report to Congress on the US EMF (Electromagnetic Field) Research and Public Information Dissemination Programme indicates that

> "the NIEHS believes that the probability that EMF is truly a health hazard is currently small. The weak epidemiological associations and lack of laboratory support for these associations provide only marginal scientific support that exposure to this agent causes any degree of harm".

Mr. Tredinnick: To ask the Secretary of State for Health what plans he has to conduct research into the emissions from mobile phones and VDUs of extremely low-frequency radiation; and if he will make a statement. [91922]

Ms Jowell: Research into potential effects of microwaves, such as those emitted by mobile phones, is being undertaken on a worldwide basis. The Department is contributing to these international initiatives and is also supporting its own research. A programme of research and exposure assessment is being carried out at the National Radiological Protection Board (NRPB). The NRPB has recently been asked to set up a working group to assess the current state of research into the use of mobile phones. The Chairman, Sir William Stewart has been appointed and the membership and terms of references will be announced shortly.

The NRPB also keeps the safety of Visual Display Units under review. It has concluded that exposure to radiation resulting from the use of VDUs causes no significant adverse health effects.

Complementary Medicine

Mr. Tredinnick: To ask the Secretary of State for Health what part the provision of complementary and alternative medicines plays in the drug strategy for the South London area. [91805]

Ms Jowell: It is for health and local authorities to decide the type and level of drug treatment services that are provided and commissioned in their areas. This includes use of alternative and complementary therapies.

DEFENCE

Smart Procurement

10. **Mr. Jim Cunningham:** To ask the Secretary of State for Defence if he will make a statement on the performance of the smart procurement initiative in improving value for money in procurement. [90208]

Mr. George Robertson: I am confident that the Smart Procurement Initiative will produce improved value for money through faster, cheaper and better acquisition of defence capability. We are on track to achieve the savings

of £2 billion to which we are committed, and early indications are that substantial further savings are in prospect.

Unaccompanied Tours

11. **Mr. Brazier:** To ask the Secretary of State for Defence what percentage of personnel in the *(a)* infantry, *(b)* Royal Armoured Corps and *(c)* Royal Engineers are currently engaged in, or working up for, unaccompanied tours. [90209]

Mr. Doug Henderson: Twenty eight per cent. of the Infantry, 47 per cent. of the RAC and 67 per cent. of the Royal Engineers are currently engaged in, or working up for, unaccompanied tours. In view of the current level of commitment of the Royal Engineers, I have decided that our plans to create a fifth engineer logistic squadron following the Strategic Defence Review, should be brought forward two years from 2002 to 2000. This enhancement to the Royal Engineers will be achieved by establishing a second Queen's Gurkha Engineer Squadron to be based at Invicta Barracks, Maidstone. The nucleus of the new squadron will be formed immediately and the squadron will be available for operational tasking towards the end of next year.

Territorial Army

12. **Mr. Swayne:** To ask the Secretary of State for Defence if he will review the structure of the Territorial Army. [R] [90210]

Mr. Doug Henderson: The assumptions underpinning the reform of the Territorial Army, announced by my right hon. Friend the Secretary of state for Defence to the House on 17 November 1998, *Official Report,* columns 749–71 remain valid. There are therefore no plans at present to revisit this reform, nor to initiate a further review of the structure of the TA.

Child Support Agency

16. **Caroline Flint:** To ask the Secretary of State for Defence what steps his Department takes to encourage serving personnel to meet their family responsibilities as required by the CSA. [90215]

Mr. Doug Henderson: Financial support by Service personnel for their dependants is essentially a private matter for the individuals. However, Service personnel are subject to child support legislation and where an individual fails, or refuses, to fulfil this requirement, my Department will make deductions from pay to meet child maintenance assessments when requested to do so by the Child Support Agency.

Kosovo

17. **Mr. Campbell-Savours:** To ask the Secretary of State for Defence what records are to be kept on the Kosovo military campaign; and where they are to be located. [90216]

Mr. George Robertson: Records of every aspect of the campaign are kept. They will be drawn upon in work undertaken as lessons to be learned and subsequently archived in accordance with the Public Records Acts 1958 and 1967.

18. **Mr. Casale:** To ask the Secretary of State for Defence if he will make a statement on the current security situation in Kosovo. [90217]

24. **Dr. Naysmith:** To ask the Secretary of State for Defence if he will make a statement on the current security situation in Kosovo. [90223]

Mr. Simon Hughes: To ask the Secretary of State for Defence if he will make a statement on the security situation in Kosovo. [90213]

Mr. George Robertson: The Security situation in Kosovo continues to improve as KFOR becomes larger and increasingly well established. While incidents such as looting and murder are still occurring, Serb and KLA compliance with their respective undertakings has been satisfactory so far. Around 700,000 refugees have returned and are vigorously rebuilding their lives. This is due in no small part to the efforts of KFOR troops who continue to do an excellent job.

Improvements in the security situation, and the continuing arrival in theatre of troops from other nations, make it possible for me to announce some further withdrawals of British troops from Kosovo. Between August and October, we will be bringing home the 1 PARA, 1 Royal Gurkha Rifles, and the Irish Guards battle groups together with their supporting elements.

These withdrawals, together with the withdrawals of units of the Royal Air Force and Royal Navy announced last month, will go a long way to help relieve the overstretch in the Armed Forces. Further withdrawals, including that of HQ Allied Command Europe Rapid Reaction Corps, will follow.

Mr. Key: To ask the Secretary of State for Defence what contribution he and his Department are making to *(a)* the United States and *(b)* NATO post-Kosovo reviews. [91576]

Mr. George Robertson: The Ministry of Defence is looking at the lessons learned from the Kosovo conflict, and is contributing to similar work at NATO. I and my Department will continue to have contacts with Allies, including the US, on a wide range of issues, including lessons learned.

Mr. Key: To ask the Secretary of State for Defence how many troops Russia has committed to Operation Joint Guardian; how many Russian troops have been deployed; what is the deadline for the deployment of Russian troops to Kosovo; and if he will make a statement. [91571]

Mr. George Robertson: The total number of Russian forces committed to Operation Joint Guardian will not exceed 3,600. Five battalions (approximately 2,850 troops) will be deployed in the three sectors, and up to 750 troops for airfield and logistics base operations. There will also be 16 liaison officers.

There is no NATO deadline for the deployment of Russian troops to Kosovo. As of 15 July 1999, 713 members of the Russian armed forces were deployed in Kosovo.

NATO allies welcome the Russian contribution to Operation Joint Guardian. NATO and Russia have worked together successfully in Bosnia and look forward to doing the same in Kosovo.

Mr. Key: To ask the Secretary of State for Defence how many personnel and at what grade or rank are currently reviewing the Strategic Defence Review following the Kosovo conflict. [91575]

Mr. George Robertson: I refer the hon. Member to the oral answer I gave on 10 May 1999, *Official Report*, column 8, to the hon. Member for Chipping Barnet (Sir S. Chapman).

Mr. Key: To ask the Secretary of State for Defence (1) if all Serbian paramilitary forces have left Kosovo; [91591]

(2) how many members of *(a)* the Yugoslav army, *(b)* the SAJ anti-terrorist police and *(c)* the PJP combat police forces he estimates have left Kosovo. [91572]

Mr. George Robertson: COMKFOR declared on 20 June 1999 that all Serbian military and paramilitary forces had left Kosovo.

Mr. Syms: To ask the Secretary of State for Defence what estimate he has made of the proportion of Serb armour in Kosovo which survived the bombing campaign. [90211]

Mr. George Robertson: Now that K-FOR troops are deployed in Kosovo, a full assessment of the damage inflicted on Yugoslav forces, and the proportion of Serb armour in Kosovo that survived the campaign, is underway. This will take some time to complete.

Eurofighter

19. **Mr. Wilkinson:** To ask the Secretary of State for Defence what is his estimate of the delay in the entry into operational RAF squadron service of the Eurofighter 2000 Typhoon aircraft as against its first publicly announced projected in-service dates [90218]

Mr. George Robertson: Since the start of the Eurofighter development programme in 1988, there has been slippage of 42 months against the original estimated entry into service date, defined as delivery of the first aircraft to the Royal Air Force. The current date is June 2002.

Army Units (Personnel)

21. **Mr. Day:** To ask the Secretary of State for Defence which *(a)* Regular and *(b)* Territorial Army units are not at full strength. [90220]

Mr. Doug Henderson: Approximately 75 per cent. of Regular Army Arms and Services are currently under strength to varying degrees against their trained requirement. The Territorial Army, on the other hand, is generally over strength as the full impact of the Strategic Defence Review drawdown has not yet taken effect. I will place full details of each in the Library of the House.

Gurkhas

22. **Mr. Brake:** To ask the Secretary of State for Defence what plans he has to review conditions of service for Gurkhas in the armed services. [90221]

Mr. Doug Henderson: As I announced to the House on 1 July 1999, *Official Report*, column 471, I have set up a group to examine Gurkha pensions and gratuities. I will chair the group which will take into account all aspects of Gurkha pensions and gratuities within the context of the Tri-Partite Agreement between Nepal, India and the UK. I expect the work to be completed by the end of the year.

War Crimes (Former Yugoslavia)

23. **Mr. Quinn:** To ask the Secretary of State for Defence what assistance has been provided by British troops to those responsible for arresting people indicted for war crimes in the former Yugoslavia. [90222]

Mr. George Robertson: In Bosnia, SFOR has detained 14 persons indicted by the ICTY. Nine of these detentions have taken place in the British-commanded sector and involved British forces, either directly or in support. Most recently, Radislav Brdjanin was detained by British SFOR forces on 6 July.

In Kosovo, British troops have helped to secure sites which may contain evidence of crimes, and British military personnel have assisted in obtaining witness statements and in supporting the ICTY's forensic investigations.

National Audit Office Report

26. **Mr. Clifton-Brown:** To ask the Secretary of State for Defence if he will make a statement about the report of the National Audit Office on the cost of overruns and delays in his Department's projects. [90225]

Mr. Spellar: It is open to the Committee of Public Accounts to decide to take evidence on the Comptroller and Auditor General's Report on the Major Projects Report 1998 (HC 519 Sessions 1998–99). In accordance with the usual convention on committee business I cannot offer any comment which might pre-empt the Committee's consideration. However, the Comptroller and Auditor General's Report makes clear that the cost overruns and time delays in question have accumulated over a number of years and acknowledges that the Smart Procurement initiative has been launched to tackle these problems.

Armed Forces (Reductions)

27. **Dr. Julian Lewis:** To ask the Secretary of State for Defence if it is his policy to retain the immediate post-cold war reductions in the armed forces. [90226]

Mr. Doug Henderson: The complete force structure inherited from the previous Government was examined in the Strategic Defence Review. Increases against previous plans were agreed in a number of areas, notably the overall size of the Army to make the armed forces more flexible, usable and deployable. The Strategic Defence Review force structure is now being implemented.

Defence Manufacturing (North-west)

28. **Mr. Evans:** To ask the Secretary of State for Defence when he next intends to visit BAe Samlesbury-Warton to discuss defence manufacturing capacity in the north-west. [90227]

Mr. Spellar: The importance of BAe Samlesbury and Warton to defence manufacturing in the north west is well appreciated by this Department. However, there are no immediate plans for Defence Ministers to visit BAe Samlesbury/Warton.

Child Labour Convention

29. **Dr. Cable:** To ask the Secretary of State for Defence what assessment he has made of the effect of applying the ILO convention on child labour to the British armed forces. [90228]

Mr. Doug Henderson: The new ILO Convention concerns the prohibition and immediate action for the elimination of the worst forms of child labour. This includes the

> "forced or compulsory recruitment of children for use in armed conflict"

which is clearly an unacceptable form of child labour. The recruitment of genuine volunteers, as undertaken here in the UK, is entirely different from the abusive, exploitative, forced or coercive involvement of children in armed conflict as members of militia or para-military forces. The new Convention will not, therefore, have an effect on our armed forces.

Depleted Uranium

30. **Mr. Gordon Prentice:** To ask the Secretary of State for Defence for what reasons the Army does not hold depleted uranium munitions. [90229]

Mr. Doug Henderson: The Army does hold stocks of depleted uranium based ammunition.

Helen Jackson: To ask the Secretary of State for Defence how many individuals *(a)* in or formerly with the armed forces and *(b)* in Southern Iraq have been tested specifically for evidence of depleted uranium contamination. [90363]

Mr. Doug Henderson: There is no central record of any health tests conducted for those still serving or for those who have left the armed forces.

The Ministry of Defence is aware of the suggestion that exposure to depleted uranium (DU) is a cause of ill-health among some veterans of the 1990–91 Gulf conflict. Any Gulf veteran who is concerned that their health has been adversely affected by service during that conflict is entitled to seek a referral to the Ministry of Defence's Gulf Veterans' Medical Assessment Programme (MAP) for a full medical assessment. During assessment, the patient receives a set of standard tests. If the examining physician considers it clinically appropriate for a patient to receive tests to detect DU, these would be arranged. Between one and five people so far examined by MAP physicians, have exhibited symptoms that, in the judgment of the examining physicians, have indicated a clinical requirement for testing to detect DU, and have been tested.

However, a very small number of UK troops, who expressed concern that they might have inhaled DU dust during preparatory training in Saudi Arabia before the state of hostilities, were subjected to Whole Body Monitoring in February 1991. They showed no detectable contamination.

The Ministry of Defence is also aware of reports of DU testing undertaken by Professor Sharma of the University of Waterloo, Ontario, and Dr. Durakovic of Georgetown University, Washington. Dr. Durakovic discussed their work in general terms with Ministry of Defence officials in February 1999, when he explained that they are carrying out a study into uranium levels among veterans of the Gulf conflict, in which it is understood a small number of UK Gulf veterans and Iraqi nationals are participating. Dr. Durakovic indicated that they plan to publish their findings, including details of the methodology they are using and the results obtained, later this year. Their work is not being undertaken at the request of the Ministry of Defence and any UK Gulf veterans who choose to participate do so on a voluntary basis.

The healthcare of Iraqi nationals, including any testing for the presence of DU, is a matter for the Iraqi Government.

Sir Richard Body: To ask the Secretary of State for Defence, pursuant to his answer of 16 June 1999, *Official Report*, column *148*, on Kosovo, what measures have been taken to identify targets hit by depleted uranium ammunition; and whether non-standard issue NBC kit has been issued for troops in proximity to such locations. [90950]

Mr. George Robertson: Although British Forces did not fire depleted uranium ammunition in Kosovo, we await information through NATO channels as to whether any such ammunition was used in the British led sector.

Service personnel deployed in Kosovo have been given appropriate guidance, and provided with standard NBC equipment, including protective gloves and respiratory equipment, which they should wear if contact with targets damaged by DU ammunition is unavoidable.

Dr. Lynne Jones: To ask the Secretary of State for Defence (1) what investigations he is undertaking into the environmental impact of the use of weapons containing depleted uranium during the conflict in Kosovo and Serbia; [91764]

(2) what decontamination work is taking place in Kosovo as a result of the use by US forces of weapons containing depleted uranium; what responsibility the US is taking for the cost of this work, and if (i) UK and (ii) other EU personnel are involved. [91765]

Mr. George Robertson: No decontamination work is currently taking place in Kosovo. A joint task force has been set up by the UN Environment Programme and the UN Commission on Settlements to assess the environmental and health aspects of the conflict. The UK stands ready to co-operate with that task force.

Aircraft Carriers

31. **Mr. Rapson:** To ask the Secretary of State for Defence what progress has been made in his Department's plans to procure two new aircraft carriers. [90230]

Mr. George Robertson: I refer my hon. Friend to the answer given earlier today to my hon. Friend the Member for Dunfermline, West (Ms Squire), *Official Report*, column 778.

Officer Recruitment

Mr. Robathan: To ask the Secretary of State for Defence if he will make a statement on the current state of officer recruiting and retention. [90219]

Mr. Doug Henderson: Officer recruitment to the Royal Navy and the Royal Air Force is encouraging. Officer recruitment to the Royal Navy was 3 per cent.

higher in the year 1998–99 than in the previous year, and was 8 per cent. higher for the RAF. Officer recruitment to the Army, however, fell 23 per cent. during the same period, and addressing this is an important priority. As part of this work, we have introduced enhanced bursary and sponsorship schemes to increase the attraction of an Army career to potential officers.

Procurement Projects

Mr. Hancock: To ask the Secretary of State for Defence if he will list the procurement projects in category C or above whose in-service dates have been postponed or notified to industry during 1999, indicating the (i) original and (ii) new in-service dates. [82897]

Mr. Spellar: The In-service dates, ISD, of equipment may be revised during procurement for a number of reasons: to reflect project changes; to reflect a more realistic assessment of delivery dates; or because of adjustments to our wider defence programme priorities. Contractors are notified of revised dates when there may be contractual implications.

Since the start of this year, the forecast ISDs for those projects that have passed the initial concept phase and which have been postponed are as follows:

Project	*ISD as at 31 December 1998*	*1999 ISD*
Sonar 2193 for Hunt Class	October 2001	October 2003
Survey Vessel 1	July 2001	July 2002
Alternative Landing Ship Logistic 1	September 2002	February 2004
Stingray Life Extension	May 2004	May 2005
Royal Navy Joint Tactical Information Distribution System—ship fit	December 2001	December 2002
Sonar 2087	August 2004	December 2004
Radar Type 996 Availability Improvements	January 2002	May 2002
Radar Type 996 Track Extractor	September 2001	January 2002
All Terrain Vehicle (Protected)	December 2002	June 2003
Medium Range Third Generation Anti-Tank Guided Weapon	August 2003	June 2005
Heavy Equipment Transporter	December 2002	May 2003
Joint Tactical Information Distribution System for third Tornado Squadron	December 1998	December 1999
Nimrod MRA4	April 2003	March 2005

Two further projects have similarly been postponed, the Cooperative Outboard Logistic Update, with a delay of 12 months, and Project Botanical, with a delay of 37 months. Publication of the precise ISDs of these projects could give potential enemy an insight into a sensitive operational capability and I am, therefore, withholding this information under exemption 1 of the Code of Practice on Access to Government Information.

Anglo-Irish Meeting

Mr. McNamara: To ask the Secretary of State for Defence if he will make a statement on the meeting at the home of Commandant Patrick Trears in the Republic of Ireland on 30 July 1974 involving Major Peter Maynard. [87461]

Mr. Doug Henderson *[holding answer 18 June 1999]:* An informal meeting was held with a view to the possibility of exchanging technical information between Irish and British explosives experts which would have been of benefit to both sides. No action was taken as a result of the meeting.

Faslane Shiplift

Mr. Alan Simpson: To ask the Secretary of State for Defence what is the current status of the shiplift at Faslane; and if he will make a statement. [88132]

Mr. Spellar: The Clyde Naval Base shiplift is currently in use for the docking of a Vanguard class submarine.

DLH Project

Mr. Hancock: To ask the Secretary of State for Defence how much further over budget the Active Decoy Round-Outfit DLH Project has gone since the 1997 National Audit Office Major Projects report. [90968]

Mr. Spellar: The estimated cost of the Outfit DLH project has not increased since the NAO's 1997 Major Project Report. The current estimated cost for the project, at 1999–2000 prices, is £108 million. This is consistent with the projects in the 1997 NAO Major Project Report uplifted to the same 1999–2000 price base.

US Strategic Defence Initiative

Mr. Heseltine: To ask the Secretary of State for Defence if he will list the number of contracts awarded to British companies under the US Strategic Defence Initiative and their total value, in each year since 1985. [90760]

Mr. Spellar: The MOD does not maintain a central or comprehensive record of all contracts let by the US Government with UK industry and universities under the Strategic Defence Initiative.

2nd Division

Mr. Key: To ask the Secretary of State for Defence what additional annual staff costs will be incurred as a result of moving HQ command of the 2nd Division from York to Edinburgh. [91142]

Mr. Doug Henderson: The staff establishment of the new Headquarters 2nd Division in Edinburgh has yet to be finalised but annual staff costs are expected to be £650,000 lower than those of the existing Divisional Headquarters in York. Taking into account the other consequences of the amalgamation of the Scottish District and 2nd Division Headquarters, the resultant savings in staff costs are expected to be of the order of £3 million per annum.

Military Visits

Mr. McNamara: To ask the Secretary of State for Defence if he will list *(a)* the occasions on which the GOC Northern Ireland has met military officers of foreign countries, *(b)* the occasions on which senior officers have attended social gatherings and receptions for foreign military delegations and *(c)* the cost of entertainments for overseas delegations and visitors since 1 May 1997. [89913]

Mr. Doug Henderson *[holding answer 12 July 1999]:* Records of the General Officer Commanding's (GOC's) meetings from 1 May 1997 to the end of March 1998 are not available. The GOC NI has met military officers of foreign countries on the following occasions since 1 April 1998:

1 April 1998

Dinner for visiting members of the Royal College of Defence Studies in Northern Ireland. Overall cost: £390.98

6 May 1998

Presentation to the Royal College of Defence Studies in England. Cost: £59.30.

18 June 1998

Presentation to the Joint Senior Command Staff College in England. Cost of refreshments (tea/coffee only) borne by individual students.

24 March 1999

Dinner for visiting members of the Royal College of Defence Studies in Northern Ireland. Cost: estimated at £360—invoice not yet received.

4 June 1999

Presentation to the Joint Senior Command Staff College in England. Cost of refreshments (tea/coffee only) borne by individual students.

Other British senior military officers also attended the dinners with the Royal College of Defence Studies.

Armed Forces Deployments

Mr. ottaway: To ask the Secretary of State for Defence (1) how many armed forces personnel he estimates will be committed to *(a)* Northern Ireland, *(b)* Kosovo, *(c)* Bosnia, *(d)* the Gulf, *(e)* Germany, *(f)* Gibraltar, *(g)* Cyprus, *(h)* other Mediterranean and Near East, *(i)* the Far East and *(j)* other locations in each of the next two years; and if he will make a statement on the numbers for each location; [90936]

(2) how many armed forces personnel are currently committed to *(a)* Northern Ireland, *(b)* Kosovo, *(c)* Bosnia, *(d)* the Gulf, *(e)* Germany, *(f)* Gibraltar, *(g)* Cyprus, *(h)* other Mediterranean and Near East, *(i)* the Far East and *(j)* other locations. [90937]

Mr. Doug Henderson: The approximate numbers of Service personnel deployed on operations or garrisoned in these locations (as at 1 July 1999 unless otherwise stated) are as follows:

(a) Northern Ireland—16,500

(b) Kosovo—10,100 (including FYROM, Greece, Italy and RN personnel afloat)

(c) Bosnia—3,590 (plus a further 1,000 in Croatia)

(d) The Gulf—1,330 (as at 6 July 1999) (including personnel in Turkey to patrol the Northern No Fly Zone over Iraq)

(e) Germany—27,700

(f) Gibraltar—440

(g) Cyprus—3,700 (1 January 1999)

(h) Other Mediterranean and Near East—0

(i) The Far East—1,070

(j) Other locations—1,530

We keep these commitments under review and any adjustments made over the next two years will reflect changes to our operational and other requirements.

Project Aquatrine

Mr. Key: To ask the Secretary of State for Defence what is *(a)* the purpose and *(b)* the cost of Project Aquatrine; how many of his Department's sites are involved; and if he will make a statement. [91570]

Mr. Spellar: The purpose of Project Aquatrine is to allow the MOD to substantially reduce its direct involvement in the provision of water and sewerage services, which, while important is not regarded as a core activity. The underlying principle driving Project Aquatrine is the maintenance of current and future services with improved value for money. It is considered that the most effective and efficient way to deliver and support these services across our sites throughout Great Britain would be to adopt an innovative situation based on a Public Private Partnership. This approach would enable us to access external capital and commercial expertise and better manage our continuing environmental responsibilities.

Royal Tournament

Mr. Sedgemore: To ask the Secretary of State for Defence if he will make a statement about the future of the Royal Tournament. [92197]

Mr. George Robertson: Last year, I announced that the Royal Tournament in its current form would end on a high in 1999, but that a flagship Armed Forces event would continue in the future.

The Royal Military Tattoo 2000 will be a flagship contribution by the Armed Forces to the country's Millennium celebrations. Within the setting of Horse Guards' Parade, the theme will be Defence of the Realm: Past, Present and Future, portraying a 1000 year story. The event will take place between 10–15 July 2000, with one performance each evening.

From 2001 onwards, the spirit of the Royal Tournament will be carried forward in a showcase event in London. This will be a Military Tattoo at Horse Guards Parade, involving ceremonial, massed bands, and pageantry. It will be held in the summer inside a week.

In addition, a Military Festival will be held annually outside London at different military locations, also in the summer. In 2001 this will be at Portsmouth, based on the Royal Navy's Festival of the Sea.

These changes will mean that the final Royal Navy Field Gun Competition will take place at the 1999 Royal Tournament, in the centenary year of the action it commemorates.

Public Bodies

Mr. Burstow: To ask the Secretary of State for Defence if he will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded

in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if he will indicate in *(c)*(ii) the relevant successor body; what new non-departmental public bodies have been established since 1 May 1997; and how many non-departmental public bodies his Department currently is responsible for. [90671]

Mr. Spellar: In line with Government policy, the Ministry of Defence is committed to keeping the number of Non-Departmental Public Bodies (NDPBs) to a minimum and to ensuring that those which remain are open, accountable and effective. MOD had 17 NDPBs on 1 May 1997. None has been disbanded, and there are no current plans for any to be disbanded in the next 12 months. The Royal College of Defence Studies Advisory Board was declassified as an NDPB in October 1998, but not disbanded. The Nuclear Weapons Safety Committee and the Nuclear Powered Warship Safety Committee merged to form the Defence Nuclear Safety Committee in November 1998. No other body has had its functions transferred or has been renamed in this period. In August 1998, the Animal Welfare Advisory Committee (a body already in existence) was classified as an advisory NDPB. In addition to the above changes, MOD has taken over as lead department for the Armed Forces Pay Review Body which was formerly listed under HM Treasury.

MOD is currently responsible for 17 NDPBs: Fleet Air Arm Museum, Royal Naval Museum, Royal Marines Museum, Royal Navy Submarine Museum, National Army Museum, Royal Air Force Museum, Oil and Pipelines Agency, Advisory Committee on Conscientious Objectors, Animal Welfare Advisory Committee, Armed Forces Pay Review Body, Dartmoor Steering Group, Defence Nuclear Safety Committee, Defence Scientific Advisory Council, Independent Board of Visitors for the Military Corrective Training Centre, National Employer Liaison Committee, Review Board for Government Contracts, Royal Military College of Science Advisory Council.

Serbia

Sir Sydney Chapman: To ask the Secretary of State for Defence what reports he has received of environmental damage caused by the war in Serbia, with particular reference to radioactive material. [91588]

Mr. George Robertson: No solid evidence has so far been presented of damage to the environment as a result of NATO's air campaign. The environmental effects of the conflict in Kosovo are to be assessed by a joint task force set up by the UN Environment Programme and the UN Commission on Human Settlements. The UK stands ready to co-operate with that task force.

TRIGAT Programme

Dr. Iddon: To ask the Secretary of State for Defence If he will make a statement on the medium-range TRIGAT programme. [90199]

Mr. George Robertson: I announced on 10 June that the UK intend to join the Industrialisation and Production phase of the Medium Range TRIGAT programme. The UK, France and Germany have now signed a Memorandum of Understanding covering that stage of the programme. Subject to signature of the Memorandum of Understanding by the remaining partner nations, Belgium and the Netherlands, and satisfactory final negotiations with the Prime Contractor, Aerospatiale, we expect to place a contract for the Industrialisation and Production phase of the weapon system later this year.

FOREIGN AND COMMONWEALTH AFFAIRS

Cabinet Joint Consultative Committee

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs how many meetings of the CJCC he has attended. [89273]

Mr. Robin Cook: I refer my hon. Friend to the answer given by my right hon. Friend the Prime Minister on 5 July 1999, *Official Report,* column *362.*

MOX Fuel Shipments

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries whose Governments have made representations to his Department about the imminent shipment of MOX fuel to Japan; and which of those Governments have also requested meetings. [91144]

Mr. Hoon: To date, representations have been made by the Governments of New Zealand and the Republic of Korea about the forthcoming shipment of MOX fuel to Japan. A meeting with the New Zealand High Commissioner took place on 28 June.

Though no specific representations have been made by Caribbean states on the MOX shipment, a meeting with Commonwealth Caribbean High Commissioners to discuss the more general issue of the movement of nuclear material through the Caribbean Sea will be held on 21 July.

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs what guidance has been issued to embassies overseas on issues related to the imminent shipment of MOX fuel to Japan; and if he will place copies in the Library. [91079]

Mr. Hoon: Detailed guidance on the forthcoming MOX shipment has been provided to posts. As it includes confidential material for the information of governments along the possible routes, it would not be appropriate to place copies of it in the Library.

Industry guidance has also been supplied to posts. Copies of this will be placed in the Library.

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps his Department has taken to reassure other Governments that the shipment of MOX fuel is neither an environmental nor a proliferation risk. [91154]

Mr. Hoon: Though under no obligation to do so, it has been our practice since 1996 to provide information in advance and on a confidential basis to coastal states, both on and off the route, on shipments of nuclear materials. This includes information on the internationally agreed physical protection measures in place to counter any

environmental or proliferation risk. We intend to continue with this practice in the case of the forthcoming MOX shipment.

Sellafield MOX Plant

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the unclassified submissions made by his Department to the last two rounds of consultation on the proposed Sellafield MOX plant. [91078]

Mr. Hoon: No submissions were made by my Department to the last two rounds of consultation on the proposed Sellafield MOX plant.

Gibraltar

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he made to the European Commission about delays at the border between Spain and Gibraltar *(a)* before and *(b)* after it became apparent that the Commission's decision on whether to take action would be further delayed. [91244]

Ms Quin: I refer the hon. Gentleman to the answer I gave on 14 July 1999, *Official Report*, column *256*.

Libya

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place between Her Majesty's Government and the United States Government concerning United Nations sanctions against Libya; and if he will make a statement. [91239]

Mr. Hoon: We remain in close consultation with the Governments of the United States and Libya and the United Nations Secretary-General with a view to securing full Libyan compliance with the requirements of the relevant United Nations Security Council resolutions. We welcome the progress to date, as set out in the Secretary-General's report to the UN Security Council last week. When the remaining requirements are met, the United Kingdom will support the lifting of UN sanctions against Libya, which are currently suspended.

Indonesia

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations his Department has made to the Government of Indonesia concerning the referendum in East Timor. [91241]

Mr. Hoon: We are in regular contact with the Indonesian Government about the UN supervised consultation in East Timor scheduled for August. We have emphasised that the Indonesian Government must fulfil their commitments to ensure a security situation in which a satisfactory consultation can take place.

Kashmir

Mr. Luff: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from Amnesty International about the situation in Kashmir; and if he will make a statement. [91690]

Mr. Hoon *[holding answer 16 July 1999]:* We have studied Amnesty International's report, published earlier this year, on disappearances in Kashmir. We share the concern expressed there over aspects of the human rights situation in Kashmir, while welcoming the steps the Indian Government have taken in recent years to improve human rights observance in India. We continue to condemn all human rights abuses, whether by militants or the security forces, and to encourage the Indian authorities to bring the perpetrators to justice.

Mr. Luff: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the state of the conflict between India and Pakistan over Kashmir; and if he will make a statement. [91691]

Mr. Hoon *[holding answer 16 July 1999]:* We welcome the disengagement of infiltrators from their positions on the Indian side of the Line of Control, and India's suspension of airstrikes against them. We trust that the conditions for a complete cessation of fighting will soon be created, and that both sides will work to assure the integrity of the Line of Control. We continue to urge India and Pakistan to resume their bilateral dialogue on all outstanding issues, including Kashmir, and hope for an early return to the process started at Lahore in February.

Mr. Michael Ashcroft

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will hold an inquiry into the leaking of his Department's documents relating to Michael Ashcroft to the Press. [91938]

Mr. Tony Lloyd: An inquiry into the circumstances of the leak of protectively marked information to the press was instituted early on 13 July.

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs if any of his special advisers prior to 13 July passed on to or discussed with a journalist the contents of documents referring to Michael Ashcroft. [91937]

Mr. Tony Lloyd: An inquiry was instituted on 13 July into the circumstances of the leak. We need to await the result of that inquiry.

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs if any of his special advisers at any time prior to 13 July had access to, or were informed of, the contents of documents referring to Michael Ashcroft. [91936]

Mr. Tony Lloyd: An inquiry was instituted on 13 July into the circumstances of the leak. We need to await the result of that inquiry. The rules applying to Ministers as regards access to papers of a previous Administration also apply to special advisers.

Disarmament Conferences

Dr. Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress towards an agreed formula for negotiations in the current session of the Conference on Disarmament on a Fissile Material Treaty; and if Russia remains a participating country. [91730]

Mr. Tony Lloyd: We regret that the Conference on Disarmament has been unable to agree a work programme which would enable negotiations to begin on the Fissile Material Cut Off Treaty. In May, together with France

and the United States, we put forward proposals designed to break the deadlock in the Conference on Disarmament. We will continue to work for an early start to negotiations.

Russia remains a member of the Conference on Disarmament and will be expected to participate in negotiations when they begin.

UNHCR (Kosovo)

Helen Jackson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of whether the UNHCR in Kosovo have the expertise to deal with the dangers of depleted uranium from US armaments used in the recent Balkan conflict. [90362]

Mr. George Robertson: I have been asked to reply.

The UNHCR is the lead agency responsible for the return of refugees to Kosovo. We have passed to them a copy of the March 1999 paper "Testing For The Presence of Depleted Uranium in Veterans of the Gulf Conflict" which contains information which may be useful to them. We stand ready to provide them with whatever advice they judge necessary to help them complete their tasks. I should stress however that health risks from depleted uranium have been assessed as low.

LORD CHANCELLOR'S DEPARTMENT

Public Bodies

Mr. Burstow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if he will indicate in *(c)*(ii) the relevant successor body; what new non-departmental public bodies have been established since 1 May 1997; and how many non-departmental public bodies his Department currently is responsible for. [90681]

Mr. Vaz: Two of the Lord Chancellor's non-departmental public bodies have been disbanded since 1 May 1997: the Supreme Court Rule Committee and the County Court Rule Committee were disbanded on 26 April 1999. Their functions have been transferred to the Civil Procedure Rule Committee. That Rule Committee and the Civil Justice Council, which were both provided for by the Civil Procedure Act 1997, were set up after 1 May 1997.

Under the provisions of the Access to Justice Bill, the Legal Aid Board and the Advisory Committee on Legal Education and Conduct would both be disbanded within the next 12 months, but their functions will be included in the functions of their replacement bodies, respectively the Legal Services Commission and the Legal Services Consultative Panel.

Three of the Advisory Committees on Justices of the Peace have been amalgamated into one committee.

Non-departmental public bodies are listed in the Cabinet Office Publication "Public Bodies". The Government are committed to keeping the number of NDPBs to a minimum and to ensuring that those which remain are open, accountable and effective. Many of the new NDPBs established across Whitehall since 1 May are essential in helping the Government deliver their Manifesto commitments.

Departmental Vehicles

Mr. Burstow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list for *(a)* his Department and *(b)* associated bodies listed in the National Asset Register, how many vehicles are currently (i) owned and (ii) leased; if he will indicate their (1) fuel types and (2) engine cubic capacities; how many of the vehicles due for replacement by (A) his Department and (B) associated bodies listed in the National Asset Register will be replaced in (x) 1999–2000, (y) 2000–01 and (z) 2001–02 by vehicles using (a1) petrol, (b2) diesel, (c3) natural gas, (d4) electric batteries and (e5) other; and how much his Department plans to spend in each year on vehicle replacements. [90692]

Mr. Vaz: The information requested is as follows:

	Lord Chancellor's Department	*The Court Service*	*Northern Ireland Court Service*	*HM Land Registry*	*Public Trust Office*	*Public Records Office*
Leased	—	238	—	—	—	—
Owned	15	333	1	43	—	—
Diesel	—	550	1	42	—	—
Petrol	15	21	—	1	—	—
Engine cc						
1200	—	1	—	—	—	—
1400	2	—	—	—	—	—
1500	—	4	—	—	—	—
1600	2	9	—	—	—	—
1700	3	171	—	—	—	—
1800	7	103	—	32	—	—
1900	—	157	—	3	—	—
2000	—	121	—	2	—	—
2100	—	1	—	—	—	—
2200	1	3	—	—	—	—
2500	—	1	—	6	—	—
5816	—	—	1	—	—	—

	Lord Chancellor's Department	The Court Service	Northern Ireland Court Service	HM Land Registry	Public Trust Office	Public Records Office
Replacement date						
1999–2000	3	146	—	10	—	—
2000–01	9	49	—	18	—	—
2001–02	3	42	1	8	—	—

For the financial year 1999–2000, we expect the cost of replacing vehicles to be £1,795,000; of the vehicles to be replaced, 166 will be diesel fuelled and four will be petrol fuelled. For subsequent years, the decision on how much the Department plans to spend each year on vehicle replacements and, what means of fuel the replacement cars will have, will be made in light of the best environmental advice available and in accordance with our Green Transport Plan.

Court Welfare Services

Mr. Clapham: To ask the Parliamentary Secretary, Lord Chancellor's Department when the decision on the merger of the Official Solicitor, Guardian Ad Litem and Family Court Welfare will be finalised and the decision will be communicated to the relevant parties. [91939]

Mr. Vaz: Ministers and officials have been considering the key issues arising from last year's inter-departmental consultation paper on the future organisation of court welfare services. Discussions are proceeding and a decision is expected shortly.

AGRICULTURE, FISHERIES AND FOOD

Genetically Modified Crops

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what reports he has received from Sainsbury's plc about the levels of herbicide residue present in GM soya. [90723]

Mr. Rooker *[holding answer 13 July 1999]:* Perhaps the hon. Member will write to me regarding his concerns and specifying the herbicides he is referring to.

Food and Drink Inspections

Sir Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement explaining the total amount spent by the EU on the disposal of fruit and vegetables in the most recent annual period for which figures are available; and if he will list the tonnage of each particular fruit and vegetable so disposed of. [90422]

Mr. Rooker *[pursuant to the reply, 14 July 1999, c. 265]:* The Government have no wish to see good food go to waste and have consistently opposed the system of paying compensation for produce withdrawn from the market, arguing that it distorts the market and encourages surpluses. The reform of the EU fruit and vegetable regime in 1996 was a step in the right direction, providing for reductions in withdrawal prices and volumes withdrawn over the first six years of the reform. The reform also encouraged greater use of free distribution to charities and other non-profit making institutions. A considerable amount of produce withdrawn in the UK has been distributed to such bodies in the past year. In addition, it is hoped that it will be possible to distribute fruit to schools in the coming season, following a recent change in the rules which allows transport costs to be claimed.

Provisional quantities of each product withdrawn in the EU during the 1997–98 marketing years:

	Tonnes
Cauliflowers	172,928
Apricots	16,965
Nectarines	72,688
Peaches	89,616
Lemons	7,866
Tomatoes	240,828
Aubergines	4,050
Pears	86,208
Table grapes	133
Apples	357,615
Satsumas	4,033
Mandarins	1,836
Clementines	68,964
Oranges	144,819
Melons	17,030
Watermelons	6,850

Source:
EU Commission data

EDUCATION AND EMPLOYMENT

Pre-school Places

Mr. Patrick Hall: To ask the Secretary of State for Education and Employment how many extra pre-school places he plans to make available for three year olds next year. [89536]

Ms Hodge: The 57 Local Education Authorities receiving funding for three-year-olds for the autumn 1999 and spring 2000 terms have indicated that they can secure around 48,000 new free places for three year olds. From April 2000, further funding will be distributed across all Local Education Authorities. We are committed to ensuring that 66 per cent. of three year-olds have a free nursery place by 2002.

Parental Choice

Miss Geraldine Smith: To ask the Secretary of State for Education and Employment what measures the Government are taking to increase parental choice in education. [90371]

Ms Estelle Morris: Parents mainly exercise their right to parental choice when expressing a preference as to the school they would like for their child's education. The Government have ensured that local education authorities have a statutory duty to have regard to the principle that pupils should be educated in accordance with the wishes of their parents as far as possible.

The Code of Practice on School Admissions confirms the need for: parents to be given sufficient information for informed choice; clear and objective admission arrangements; simple admission procedures with the minimum of bureaucracy; and an effective statutory right of appeal.

The Greenwich judgment of 1989 has given many parents greater opportunity for choice as to their child's school. The funding we are providing to LEAs to meet our infant class size pledge for 5, 6 and 7 year olds will mean that more parents will achieve their first choice of school and will also result in 12,000 extra places at popular schools. And we have ensured, in the School Standards and Framework Act 1998, that appeal panels will be visibly independent of those who took the original decision not to admit a child, giving parents greater confidence to pursue appeals.

School Sports

Mr. Reed: To ask the Secretary of State for Education and Employment what estimate he has made of the proportion of schools' budgets spent on sport or PE The Minister for School Standards, [90782]

Ms Estelle Morris: Budget data for estimating the cost of providing sport and PE in schools are not held centrally.

Mr. Reed: To ask the Secretary of State for Education and Employment how much was spent by each local education authority on promoting sport or PE in schools in the last year for which figures are available. [90780]

Ms Estelle Morris: Information on spending to promote sport and PE in schools is not held centrally.

Laboratory Teaching

Dr. Gibson: To ask the Secretary of State for Education and Employment what reports he has received from Ofsted on the need for improvement in the laboratory teaching of *(a)* physics, *(b)* chemistry, *(c)* biology, *(d)* environmental sciences and *(e)* other sciences in the past two years; and if he will make a statement. [91281]

Ms Estelle Morris: The teaching of science subjects in secondary schools is referred to in several of the reports published by Ofsted during the past two years, including HM Chief Inspector's annual reports for 1996–97 and 1997–98, Secondary Education 1993–97, and Standards in the Secondary Curriculum 1997–98.

Dr. Gibson: To ask the Secretary of State for Education and Employment if he will list the research which he has evaluated in the past two years into the provision of laboratory science teaching in *(a)* England and Wales, *(b)* the USA and *(c)* European countries; and if he will make a statement. [91287]

Ms Estelle Morris: The only relevant research commissioned by the Department is "Labour Market for Engineering, Science and IT Graduates: Are there Mismatches between Supply and Demand?" which covers briefly some aspect of science teaching in schools. The research was carried out by the National Institute of Economic and Social Research, and was published in June 1999.

Dr. Gibson: To ask the Secretary of State for Education and Employment what plans he has to develop technical assistance for teachers in school scientific laboratories. [91283]

Ms Estelle Morris: The Government announced in their Green Paper on Teachers their intention to provide funding to increase the number of teaching assistants by 20,000 full-time posts (or equivalent) by 2002. Schools, as employers, may wish to use some of these posts for the provision of technical assistance to teachers of Science in schools.

Science Teachers

Dr. Gibson: To ask the Secretary of State for Education and Employment what assessment he has made of the range of qualifications held by those teaching science at *(a)* GCSE level and *(b)* A-level; and if he will make a statement. [91277]

Ms Estelle Morris: Details of the amount of science tuition time taught at GCSE and A-level for the academic year 1996–97 and the qualifications of the teachers are given in tables 17 and 18 of the DfEE Statistical Bulletin '1996–97 Secondary Schools Curriculum and Staffing Survey', a copy of which is in the House of Commons Library.

The Government have taken steps to encourage graduates with maths and science qualifications to become teachers. Following the introduction of financial incentives, applications to take Postgraduate Certificates in Education to deliver science are up by 24 per cent. on this time last year and for mathematics the increase is 37 per cent.

Departmental Policy

Mr. Clappison: To ask the Secretary of State for Education and Employment what plans he has to review the arrangements for issuing correspondence setting out departmental policy in his name from his Parliamentary Office. [91670]

Ms Estelle Morris: My right hon. Friend has no plans for such a review.

Assisted Places

Mr. Clappison: To ask the Secretary of State for Education and Employment how many children are in receipt of an assisted place. [91669]

Ms Estelle Morris: There are 29,795 assisted place holders in England in the current academic year 1998–99.

Mr. Clappison: To ask the Secretary of State for Education and Employment what is the average cost of *(a)* an assisted place and *(b)* an assisted place to age 13 years according to the most recent figures. [91673]

Ms Estelle Morris: The average cost of an assisted place in the current academic year 1998–99 is £4,145. Since the fees charged for the great majority of assisted place holders aged between 11 and 18 are similar across the age range, and almost 95 per cent. of assisted pupils are in that range, the average cost of a place to age 13 is estimated to be of a similar order to that for the scheme as a whole.

Mr. Clappison: To ask the Secretary of State for Education and Employment how many children in receipt of an assisted place due to end in the summer term of 1999 are attending the junior school of an all through school. [91674]

Ms Estelle Morris: There are estimated to be about 230 children in the junior departments of all through schools whose assisted places will end at the close of the current academic year.

Mr. Clappison: To ask the Secretary of State for Education and Employment how many pupils in receipt of an assisted place *(a)* applied for and *(b)* received an extension of their assisted place under Section 2(2)(6) of the Education (Schools) Act 1997; and in each case how many related to an extension to (i) age 13 and (ii) beyond age 13 years. [91671]

Ms Estelle Morris: We have received 343 applications for extension and approved 189 of them. 152 of the applications related to an extension to age 13, and 191 were for an extension beyond that age. Of the 189 cases approved, 117 related to an extension to age 13, and 72 were for an extension beyond age 13.

CABINET OFFICE

Public Bodies

Mr. Burstow: To ask the Minister for the Cabinet Office if he will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if he will indicate in *(c)*(ii) the relevant successor body; what new non-departmental public bodies have been established since 1 May 1997; and how many non-departmental public bodies his Department currently is responsible for. [90674]

Mr. Kilfoyle: Since 1 May 1997, Cabinet Office Ministers have abolished three NDPBs: the Citizen's Charter Panel of Advisers; the Deregulation Task Force; and the People's Panel Advisory Group. No Cabinet Office NDPB is due to be abolished over the next twelve months and none has had its functions transferred or has been renamed. A list of all NDPBs currently sponsored by the Cabinet Office is published on the Internet (www.cabinet-office.gov.uk/quango).

The Cabinet Office has set up three new NDPBs since 1 May 1997: the Better Regulation Task Force; the People's Panel Advisory Group; and the Security Vetting Appeals Panel. The People's Panel Advisory Group was only in existence for a short time and was abolished on 1 July 1999.

The Cabinet Office currently sponsors ten NDPBs, although the Minister for the Cabinet Office is also responsible for a COI-Sponsored NDPB and for seventeen NDPBs sponsored by the Duchy of Lancaster Office. The Government are committed to keeping the number of NDPBs to a minimum and to ensuring that those that remain are open, accountable and effective.

Anti-drugs Strategy

Mr. Field: To ask the Minister for the Cabinet Office what the allocation of funds is for programmes that have been announced as part of the Government's £217 million anti-drugs strategy. [91441]

Dr. Jack Cunningham: The Government provided additional funding of £217 million over three years as a result of the Comprehensive Spending Review. The following table shows allocations to increase participation in programmes to improve health and break the links between drugs and crime. The breakdown is as follows:

£ million

	1999–2000	*2000–01*	*2001–02*	*Total*
PSS (purchase of community care services) Local Authority	3	5	12.5	20.5
NHS: Health Authorities drug misuse special allocation	12	18	20	50
Comprehensive provision for treatment of problem drug users in prison and effective links between prisons and community	20	20	20	60
Voluntary drug testing in every prison	2	5	5	12
Piloting of Drug Treatment and Testing Orders followed by comprehensive implementation subject to evaluation	1	20	40	61
Development Funding for Drug Action Teams	1.5	1.5	1.5	4.5
Department of Health prevention work	1	1	1	3
Research	2	2	2	6
Total				217

SOCIAL SECURITY

Carers' Benefits

Dr. Harris: To ask the Secretary of State for Social Security if he will estimate the cost of allowing credited National Insurance contributions by carers in receipt of invalid care allowance to be included in determining entitlement for contribution based on jobseeker's allowance, when the caring responsibilities of the carer come to an end. [90769]

Angela Eagle: The net cost of allowing credited National Insurance contributions by carers in receipt of Invalid Care Allowance to be treated as earnings in determining entitlement to Jobseeker's Allowance (JSA) is estimated at around £3 million at April 1999 benefit rates.

Note:

Estimate rounded to nearest £1 million.

Sources:

1. Lifetime Labour Market Database. 1 per cent. sample of National Insurance Recording System taken at February 1997.

2. JSA quarterly 5 per cent. scan taken between February 1997 and February 1998.

Child Support Agency (Birkenhead)

Mrs. Curtis-Thomas: To ask the Secretary of State for Social Security how many complaints have been received by the Birkenhead CSA in each month since May 1997; how complaints are classified; and what proposals *(a)* have been implemented and *(b)* are proposed to reduce the number of complaints. [91258]

Angela Eagle: The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Mrs. Faith Boardman to Mrs. Claire Curtis-Thomas, dated 19 July 1999:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Child Support Agency Centre at Birkenhead.

The annex to this letter contains 2 tables. Table 1 is arranged to readily allow month on month comparisons of the number of complaints received from May 1997. Table 2 shows the general classification of complaint and for your information I have included the percentages for the last complete financial year.

Birkenhead Child Support Agency Centre (CSAC) has introduced a number of initiatives to improve customer service and reduce complaints which I have listed below. Many of these have been implemented nationally and others are local improvements.

Extending the opening hours of Client Helpline—now open 8.00am-8.30pm Mon-Fri and 9.00am-5.00pm Saturday.

Decision-Making and Appeals (DMA)—a more direct and responsive service to address client concerns. Simplifies the procedures for clients to report changes to the Agency. The emphasis of the new scheme is to enable parents to have direct telephone contact to discuss their case, wherever possible with the person who has actually been dealing with it.

Direct Telephone Numbers—staff are giving out their direct telephone numbers to customers. This ensures that clients can contact their case officer when needed to discuss their case and to resolve queries. Personal explanation of the decisions made in customer's cases should resolve the problems and queries of most parents.

Positive Customer Contact—the Agency is using the telephone as the primary means of contacting customers. This enables staff to gather information more quickly and to explain to clients the reason why information is needed. Customers are being contacted before a final calculation is made to ensure that the maintenance assessment is based on correct and up to date information. Customers are being contacted earlier by telephone at all stages of the process. This will reduce delays and aid in compliance. Staff in Birkenhead have received appropriate training.

Process Management Checks—team leaders have been given the freedom to target areas of work. In practice this means that cases are checked much earlier in the process to improve accuracy.

Face to Face—customers have always had the opportunity to speak to a member of the Agency's staff at their local child support office. However, in the past customers faced difficulties in arranging this. The Agency has committed approximately 600 staff (Wales and North West Business Unit has approximately 106) to face to face contact with its customers. This initiative is currently being rolled out nationally. Interviews can either be conducted at the local child support office or the customer's home.

Contacts with local stakeholders such as CAB—Birkenhead CSAC has dedicated customer service telephone numbers for CAB, New Deal for Lone Parent Advisors and MP's. CAB, New Deal Advisors and MP's have been invited into the CSAC. CSA staff have visited CAB and New Deal Advisors in order to forge closer links.

Meetings with customers—forums have been held with MP's and Customers—two in Lancashire, one in Wales. Open meetings have been arranged where customers could raise issues and ask general questions. Customers were also given the opportunity to speak to individual CSA staff who took away their queries and responded to them.

Forces Focal Point—set up to meet the specified needs of Forces Personnel. A member of staff acts as liaison between the Business Unit and the various armed forces. A dedicated telephone number is available to forces welfare offices, the Police and Prison Service.

Closer working with Benefits Agency—BA staff are completing CSA forms on the initial visit. They are also advising customers on CSA procedures in order to promote understanding and to simplify the information-gathering process.

Customer Service Workshops—staff are attending a one day seminar in improving customer service.

Customer Service Focus Group—staff meet to discuss customer service improvement initiatives. This group has conducted a Root Cause Analysis of customer complaints and has been tasked with devising and implementing solutions to the common complaints in order to reduce numbers.

For the future Birkenhead and the rest of the Agency will continue to build on improvements already made.

Customer Service workshops are continuing and further meetings are being arranged with clients and MP's.

Staff will be attending BA stakeholder liaison meetings to foster good relations between CSA staff and stakeholder groups.

Staff will be given customer focused performance indicators which will encourage practices which meet the needs of our customers.

A programme of visits, talks and surgeries is planned by the Forces Focal Point for police welfare staff, prison officers and armed forces personnel.

All computer generated notifications will provide the direct telephone number of an officer dealing with a client's case.

On 1 July the Secretary of State announced the publication of the White paper which sets out the plans for Child Support reform. In the long-term, with a simplified scheme, benefits from DMA, focus on customer service and a new computer system, the number of complaints about CSA should reduce significantly.

I hope you find this reply helpful.

Table 1—Number of complaints received by Birkenhead CSAC

1997		*1998*		*1999*	
Month	*Number*	*Month*	*Number*	*Month*	*Number*
—	—	January	287	January	179
—	—	February	274	February	180
—	—	March	303	March	212
—	—	April	247	April	217
May	342	May	178	May	164
June	272	June	214	June	155
July	314	July	232	—	—
August	238	August	186	—	—
September	245	September	207	—	—
October	235	October	211	—	—
November	224	November	228	—	—
December	211	December	164	—	—

Table 2—Classification of complaints and percentage of total received 1998–99

Reason	*Percentage of total*
Delay/failure to take appropriate action	45.2
Incorrect action	15.8
Child Support Policy	17.7
Communication	16.1
Complaint about staff	4.0
Disclosure of information	1.0
Good cause	0.2

Pensions

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the amount of money which would need to be credited to a stakeholder pension in a given year for a new entrant to the labour market to buy on retirement a pension equivalent to the value of the credit to the state second pension which would be given to someone with caring responsibilities during that year. [91136]

Mr. Timms: A carer who received a full year of credits for the State Second Pension in 2002 (the first year in which credits for the State Second Pension are likely to be available) would accrue rights to a pension of about £1 per week in today's prices, which rises in line with average earnings over the working life. This real rise in the value of the pension over the working life means that the cash value of the future pension accrued in 2002 will rise to approximately £2 per week in 1999 prices by the time of retirement (2051).

The amount a 16-year-old female entrant to the labour market in the same year would need to contribute to a stakeholder pension scheme to accrue the same pension in 2051 is £402 in 2002 (or about £8 per week) and about £6 per week net of tax relief at the basicrate.

Depending on earnings, part of this contribution could be made up of the National Insurance rebate if she was contracted-out of the State Second Pension.

The precise amounts required in a stakeholder pension to match the value of State Second Pension credits vary depending on the year in which the contribution is made and on the gender of the contributor.

Notes:

1. All figures are rounded to the nearest pound.
2. Figures are expressed in 1999 prices.
3. The annuity rate used is GAD's projected female annuity rate for 2050.
4. The real rate of return on Stakeholder funds is assumed to be 4 per cent.
5. An annual charge of 1 per cent. on the accumulated stakeholder fund is assumed.
6. Contributions are assumed to be gross; they would attract tax relief of 23 per cent.
7. The State Second Pension entitlement is calculated on the basis that a carer will gain a pension equivalent to that which would be accrued on £180 per week (in 1999 earnings terms) over the year.

Mr. Laurence Robertson: To ask the Secretary of State for Social Security, pursuant to his answer of 2 July 1999, *Official Report*, column *307*, on pensions, how many claims for pension payments were not processed *(a)* within 20 days and *(b)* within 60 days and, of those not processed within 60 days, what was (i) the average time and (ii) the longest time, for processing in the 12 months up to 31 May. [91482]

Mr. Timms: The administration of Retirement Pensions is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Mr. Peter Mathison to Mr. Laurence Robertson, dated 16 July 1999:

The Secretary of State has asked me to reply to your recent question, pursuant to his answer of 2nd July on pensions, how many claims for pension payments were not processed (a) within 20 days and (b) within 60 days and, of those not processed within 60 days, what was (i) the average time and (ii) the longest time, for processing in the 12 months up to 31st May.

The table below sets out the number of Retirement Pension claims which, in the 12 months ending May 1999, had not been processed within 20 days and 60 days of their receipt:

Month	*Claims not processed within 20 days*	*Claims not processed within 60 days*	*Total claims processed within month*	*Total claims received within month*
June 1998	16,007	3,338	49,068	55,605
July 1998	11,607	2,989	40,412	50,176
August 1998	9,305	2,589	33,421	42,988
September 1998	14,227	6,208	42,269	50,224
October 1998	25,374	7,572	62,646	51,318
November 1998	12,821	3,867	50,460	48,612
December 1998	6,536	1,894	35,880	36,672
January 1999	[1]—	[1]—	41,120	58,427
February 1999	10,661	2,316	45,725	50,980
March 1999	14,537	2,763	52,823	62,949
April 1999	[2]—	2,394	46,682	54,025
May 1999	[2]—	2,454	46,152	49,308

[1] Figures not available
[2] No longer maintained

As mentioned in the previous reply, in the 10 months up to 31 March 1999 the Benefits Agency target of processing 65% of its claims within 20 days was met in all but one of the months. Since April, the target has been 95% processed in 60 days and for April and May the percentages achieved were 94.9 and 94.7 respectively.

Information on the average time taken to process claims is taken across all the claims processed including those processed over 60 days. All claims are recorded on the Pensions Computer System and in respect of those not processed after 60 days, the system notifies the local Benefits Agency office management on a monthly basis to allow progress on the claims to be monitored. Management is also informed of the longest case outstanding but the cost in establishing which is the longest outstanding case across the network of offices in the 12 months ending May 1999 is disproportionate to the effort involved.

I hope this is helpful.

Pensioners (Income Support)

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to the Green Paper, "A New Contract for Welfare: Partnership in Pensions", and with regard to the take-up of Income Support by pensioners, (1) if his Department has started to trigger claims automatically at points where pensioners are likely to become entitled; [91925]

(2) if his Department brought forward proposals to identify pensioners who are entitled and to encourage them to claim, in accordance with the stated timetable; [91926]

(3) if his Department met his stated timetable of pinpointing more accurately those who may be entitled by April. [91924]

Mr. Timms: Work is continuing in all three areas. We will bring forward our proposals in due course.

Housing Benefit (Chelmsford)

Mr. Burns: To ask the Secretary of State for Social Security how many successful claims there were for housing benefit in the Chelmsford local authority area broken down by tenants of *(a)* council houses, *(b)* housing associations and *(c)* the private sector in May of each year since 1994. [91920]

Angela Eagle: The information is in the following table:

Number of cases by tenancy type from May 1994 to May 1998
Chelmsford Local Authority

Quarter	*Local authority*	*Housing association*	*Private sector*
May 1994	5,240	650	1,360
May 1995	5,110	810	1,350
May 1996	4,910	920	1,350
May 1997	4,750	950	1,230
May 1998	4,530	1,030	1,050

Source:
Housing Benefit Management Information System, Quarterly 100 per cent. caseload enquiries, with and without Income Support/Jobseeker's Allowance (Income Based), taken on the last working day of May until May 1997 and then the second Thursday in May 1998

Family Credit

Mr. Field: To ask the Secretary of State for Social Security if there is a maximum number of child allowances an individual claimant can receive in family credit; and if there will be one in the working families tax credit. [91326]

Angela Eagle: Provided the entitlement conditions are satisfied, there is no maximum number of child credits that an individual claimant can receive in family credit, nor will there be any limit in the working families' tax credit.

Public Bodies

Mr. Burstow: To ask the Secretary of State for Social Security if he will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if he will indicate in *(c)*(ii) the relevant successor body; what new non-departmental public bodies have been established since 1 May 1997; and how many non-departmental public bodies his Department currently is responsible for. [90677]

Mr. Bayley: Of the 15 non-departmental public bodies (NDPBs) sponsored by this Department on 1 May 1997, none has been disbanded; six will be disbanded in the next 12 months; one has had its functions transferred; none has been renamed but continues to perform a similar role; and 14 have been unchanged.

No new NDPBs have been established since 1 May 1997 and this Department is currently responsible for the 14 NDPBs detailed in Public Bodies 1998.

The six NDPBs to be disbanded in the next 12 months will be Central Adjudication Services, Child Support Appeal Tribunals, Disability Appeal Tribunals, Medical Appeal Tribunals, Social Security Appeal Tribunals and Vaccine Damage Tribunals.

Responsibility for the Women's National Commission has been transferred to Cabinet Office.

The Government are committed to keeping the number of NDPBs to a minimum and to ensuring that those which remain are open, accountable and effective.

TREASURY

Debt Relief

Mr. Reed: To ask the Chancellor of the Exchequer if he will make a statement on *(a)* progress made on the second phase of the highly indebted poor countries review, with specific reference to enhanced structural adjustment facility and *(b)* how the Government intend to link debt relief and poverty eradication. [90508]

Ms Hewitt: The Köln Summit made clear that the link between debt relief and poverty reduction should be strengthened.

The UK has put forward its own proposals for strengthening that link. Among other things, the UK has suggested that:

i. Debt relief should be structured both to provide resources for anti-poverty programmes, and to revive business confidence. This requires a balance between debt stock reduction and debt service reduction in the early years. To achieve this:
The World Bank and IMF should put forward a menu of options for achieving the required net present value reduction in their debt, taking into account the overall time profile of a country's debt service and creditor procedures;
This menu should include an option which reduces multilateral debt service by 50–75 per cent. in early years, and another with as much stock reduction as possible;
The indebted country should then be able to negotiate around these options.

ii. Debt relief should provide an opportunity to invigorate the entire government anti-poverty programme. It should not be seen as funding a separate, add-on operation. This anti-poverty programme should be informed by the World Bank and UN's work on social principles, and by the thinking around the Comprehensive Development Framework. It should incorporate a medium-term expenditure framework for the whole budget. Macro policy—and hence ESAF—should be an integral part. It should be as widely owned as possible. Hence, the anti-poverty plan needs to be built on existing processes in-country, rather than on an international blueprint. Although final agreement on IFI support for the programmes should continue to rest with countries and Bank/Fund Boards, other main players should have the opportunity to feed their comments in directly on final drafts before they go to the Boards.

The UK's proposals are included in a paper which has been sent to the World Bank and the International Monetary Fund as part of phase II of the HIPC review. Copies are available in the Libraries of both Houses and on the Treasury's website (www.hm-treasury.gov.uk/docs/1999/hipc2.html).

Financial Services Authority

Dr. Cable: To ask the Chancellor of the Exchequer what assessment he has made of how the provisions in the document, "Freedom of Information: Consultation on Draft Legislation", Cm 3455, would affect the operation of the Financial Services Authority; and if he will make a statement. [91253]

Ms Hewitt: It is intended that the FSA should be subject to the Freedom of Information legislation and the implications of the proposed provisions for the FSA's operations are being considered. The FSA will be submitting their response to the Home Office consultations exercise in due course.

Insurance Industry (Solvency Ratios)

Mr. Cousins: To ask the Chancellor of the Exchequer on how many occasions in each of the last five years his Department has been notified that insurance providers have been in breach of the required solvency ratios; and what corrective action his Department took. [90935]

Ms Hewitt: Neither the Financial Services Authority (FSA), as contractor for the Treasury, nor the Department of Trade and Industry, as the Department previously responsible, maintains systematic information on notifications of such.

The Insurance Companies Act 1982 provides for the authorisation and prudential supervision of companies carrying out insurance business in the United Kingdom. All UK authorised insurance companies are required to maintain a margin of solvency. If it appears that an authorised insurance firm has failed to maintain the required margin, it may be required to implement a plan or scheme for restoring a sound financial position. In the last five years, these requirements have been exercised as follows:

Year	*Cases*
1994	11
1995	5
1996	5
1997	3
1998	5

Source:
Insurance Annual Reports; published by The Stationery Office

Additional action may be taken, depending on the circumstances of the case and the perceived risk to policyholders.

Pesticide Tax

Mr. Sawford: To ask the Chancellor of the Exchequer what estimate he has made of the number of *(a)* farms which may become unprofitable and *(b)* jobs which may be lost if a pesticide tax is introduced. [91152]

Ms Hewitt: No decision has been taken on whether to introduce a tax on the use of pesticides.

Research commissioned by the Department of the Environment, Transport and the Regions on a possible tax or charge on pesticides was published on 24 March focusing on various design options for a charge scheme or tax, and attempting to evaluate the potential impact. Views were invited on the issues raised in the research and this consultation exercise closed on 24 June. The Government will consider the findings of the research project and the views expressed in the consultation exercise in deciding how best to proceed.

Premium Bonds

Mr. Gibb: To ask the Chancellor of the Exchequer how much income, or deemed income, is received from premium bonds per annum; and what percentage of this income is paid out in prizes. [91276]

Ms Hewitt: Money saved in Premium Bonds forms part of the Government's funding programme; as such no income is generated from them. The return to savers is in the form of the chance to win tax free prizes each month.

The monthly prize fund is calculated by applying a variable notional rate of interest, currently 3.25 per cent. per annum, to the number of eligible bonds.

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer how many people, and what percentage of the population, held premium bonds in *(a)* 1979, *(b)* 1989 and *(c)* 1999; and what was the average holding. [91402]

Ms Hewitt: The number of holdings, percentage of the population holding Premium Bonds and the average holding are shown in the following table.

Date	*Number of holdings (millions)*	*Percentage of population*	*Average holdings (£)*
March 1979	25.5	44.5	56
March 1989	24.2	42.2	95
March 1999	23.0	38.8	559

Royal Mint

Mr. Kenneth Clarke: To ask the Chancellor of the Exchequer what steps he will be taking to ensure that the new freedom being given to the Royal Mint to enter into the manufacture of jewellery and other non-coin products will not lead to unfair competition with private sector manufacturers. [91688]

Ms Hewitt: Proposals from the Royal Mint to expand their business in ways which require any change to the Trading Fund Order which currently restricts the Royal Mint's activities will be considered on their merits, taking into account both the viability of the proposals and any wider implications for competition. If agreed, a new Trading Fund Order would be laid before Parliament.

Prince Programme

Mr. Bercow: To ask the Chancellor of the Exchequer for what reason vulnerable sectors of the population are targeted in the Prince Programme information campaign. [91873]

Ms Hewitt: The Prince Programme includes a series of projects with the aim of facilitating the changeover to the euro among vulnerable sectors of the population. These vulnerable groups are being targeted because they have special information requirements.

NIRS2

Mr. Rendel: To ask the Chancellor of the Exchequer if the Government will conduct a full review of the NIRS2 project. [91653]

Dawn Primarolo *[holding answer 16 July 1999]:* All of the conclusions and recommendations in the Twenty-Second report of the Public Accounts Committee will be considered, including the request for a review of the NIRS2 project, and a full response will be made to the Committee.

Public Bodies

Mr. Burstow: To ask the Chancellor of the Exchequer if he will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if he will indicate in *(c)*(ii) the relevant successor body; what new non-departmental public bodies have been established since 1 May 1997; and how many non-departmental public bodies his Department currently is responsible for. [90675]

Dawn Primarolo: The Government are committed to keeping the number of NDPBs to a minimum, and to ensuring that those which remain are open, accountable and effective.

Details of Non-Departmental Public Bodies in existence since 1 May 1997 are listed in "Public Bodies 1998". In addition:

(a) Disbanded:

Statistics Advisory Committee—4 May 1999

(b) Will be disbanded:

Policyholders Protection Board

Financial Services Tribunal

Subject to enactment of the Financial Services and Markets Bill now before Parliament

The Bill provides for the creation of a Financial Services and Markets Tribunal under the Lord Chancellor's Department, and a Financial Services and Markets Compensation Scheme

(c) (i) Functions transferred:

Responsibility for the following bodies has been transferred to

Ministry of Defence

Armed Forces Pay Review Body

Department of Health

Doctors' and Dentists' Review Body

Nurses', Midwives' and other NHS Professions' Review Body

Pharmacists' Review Panel

Department for Education and Employment

Schoolteachers' Review Body

Cabinet Office:

Senior Salaries Review Body

(c) (ii) Functions transferred to a democratically elected body: None

(d) Renamed: None

(e) Unchanged:

Section 706 Tribunal

Royal Mint Advisory Committee on the design of Coins, Medals, Seals and Decorations

Air Passenger Duty

Ms Roseanna Cunningham: To ask the Chancellor of the Exchequer if he will provide a breakdown of air passenger duty raised by *(a)* region and nation and *(b)* airport since its introduction; and if he will make a statement. [91306]

Mrs. Roche: Estimated figures for the breakdown of air passenger duty by nation are shown in the table:

Air passenger duty receipts

£ million

Nation	*1994–95*	*1995–96*	*1995–97*	*1997–98*	*1998–99*
England	76.6	311.8	324.3	449.9	763.8
Scotland	5.6	23.0	23.4	32.8	54.6
Wales	0.7	2.7	2.5	3.5	6.2
Northern Ireland	1.4	5.6	5.6	7.1	12.1
Total	84.3	343.0	355.8	493.4	836.6

Notes:

1. National breakdowns are based on location of airport
2. Figures are independently rounded and may not sum to total shown

Breakdowns for each region and airport could be provided only at disproportionate cost.

Correspondence

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer when he will answer the letter from the right hon. Member for Wells to the Chief Secretary, sent on 27 April, about the reduction in the European Budget Rebate. [91901]

Mr. Milburn: No such letter has ever been received.

Compensation

Mr. Willetts: To ask the Chancellor of the Exchequer, pursuant to his answer of 5 July 1999, *Official Report*, column 359, on compensation, how much compensation has been paid to customers in respect of inconvenience they have suffered as a result of NIRS2 delays. [91185]

Mr. Timms *[holding answer 13 July 1999]:* I have been asked to reply.

By 30 June 1999, the Benefits Agency has paid £1,802,090 compensation to customers in respect of inconvenience they have suffered as a result of NIRS2 delays.

The total compensation payments will not be known until the National Insurance Contributions Office (NICO) and the Benefits Agency (BA) have fully recovered backlogs

WALES

Statutory Instruments

Dr. Fox: To ask the Secretary of State for Wales what percentage of statutory instruments introduced by his Department into Parliament in *(a)* 1998, *(b)* 1992, *(c)* 1985 and *(d)* 1973 had the European Union as their legislative source. [89170]

Mr. Michael: The need to use different record sources for different periods has meant that some figures include local statutory instruments while others include only general instruments. Also we have only been able to identify instruments complying with EU obligations as those made under the European Communities Act 1972. Subject to these limitations, the following information is offered.

1998—292 SIs (includes local SIs—approximately 70)—15 cite European Communities Act 1972, s2(2), as enabling legislation.

1992—382 SIs (includes local SIs but no figures readily available for number of local SIs—2 cite European Communities Act 1972, s2(2), as enabling legislation.

1985—135 SIs (excludes local SIs)—3 cite European Communities Act 1972, s2(2), as enabling legislation.

1973—85 SIs (excludes local SIs)—8 cite European Communities Act 1972, s2(2), as enabling legislation.

Note:

These figures are for all SIs made by the Secretary of State for Wales, whether individually or in conjunction with an English Minister.

Secretary of State's Office

Mr. Amess: To ask the Secretary of State for Wales if he will estimate the running costs of the Secretary of State's Office for 1999–2000. [89856]

Mr. Michael: I have made budgetary provision of £2 million.

Further Education Colleges

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had on proposals for reform of the financial and organisational structures of further education colleges. [89853]

Mr. Hain: This is a matter for the National Assembly for Wales.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for Wales how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91061]

Mr. Michael: I refer the hon. Member to the answer I gave him on 15 April 1999, *Official Report*, column *336*.

Departmental Vehicles

Mr. Burstow: To ask the Secretary of State for Wales if he will list for *(a)* his Department and *(b)* associated bodies listed in the National Asset Register, how many vehicles are currently (i) owned and (ii) leased; if he will indicate their (A) fuel types and (B) engine cubic capacities; and how many of the vehicles due for replacement by *(a)* his Department and *(b)* associated bodies listed in the National Asset Register will be replaced in (i) 1999–2000, (ii) 2000–01 and (iii) 2001–02 and will be replaced by vehicles using (1) petrol, (2) diesel, (3) natural gas, (4) electric batteries and (5) other; and how much his Department expects to spend in each year on vehicle replacements. [90797]

Mr. Michael: Vehicles used by my Department area supplied by the Government Car Service (GCS) which is the responsibility of the Cabinet Office.

Public Bodies

Mr. Burstow: To ask the Secretary of State for Wales if he will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if he will indicate in *(c)*(ii) the relevant successor body; what new non-departmental public bodies have been established since 1 May 1997; and how many non-departmental public bodies his Department currently is responsible for. [90795]

Mr. Michael: Since May 1997, no new non-departmental public bodies have been established, eight have been disbanded and 37 remain in existence. Several of these are technical or professional bodies rather than "quangos" in the normally accepted sense of that term. Future decisions will be a matter for the National Assembly for Wales. The specific organisations referred to are set out in the following list:

(a) Since 1 May 1997 the following non-departmental public bodies have been disbanded:

the Agricultural Advisory Panel for Wales, (May 1997);

the Staff Commission for Wales, (July 1997);

the Welsh Council for Post Graduate Medical and Dental Education, (August 1997);

the Development Board for Rural Wales, (October 1998);

the Land Authority for Wales, (October 1998);

Tai Cymru, (November 1998);

the Residuary Body for Wales, (December 1998);

the Welsh Advisory Committee on Drug and Alcohol Misuse, (May 1999).

(b) It is now a matter for the Assembly to decide whether further bodies will be disbanded.

(c)(i) The Development Board for Rural Wales and the Land Authority for Wales were disbanded and their functions transferred to the Welsh Development Agency.

(ii) Responsibility for the Residuary Body for Wales' remaining properties was passed on to Caerphilly County Borough Council. The functions of Tain Cymru have passed to the Welsh Office and latterly the National assembly.

(d) none.

(e) The following bodies remain:

Agricultural Dwelling House Advisory Committee
Agricultural Land Tribunal (Wales)
Agricultural Wages Committee
Ancient Monuments Board for Wales
Arts Council of Wales
Cardiff Bay Development Corporation
Countryside Council for Wales
Environment Agency Advisory Committee for Wales
Further Education Funding Council for Wales
Higher Education Funding Council for Wales
Hill Farming Advisory Sub-Committee for Wales
Historic Buildings Council for Wales
Library and Information Services Council (Wales)
Local Government Boundary Commission for Wales
Mental Health Review Tribunal for Wales
National Library of Wales
National Museums and Galleries of Wales
Place Names Advisory Committee
Qualifications, Curriculum and Assessment Authority for Wales
Registered Inspectors of Schools Appeals Tribunal (Wales)
Rent Assessment Panel for Wales
Royal Commission for Ancient and Historical Monuments of Wales
Social Services Inspectorate for Wales Advisory Group
Sports Council for Wales
Valuation Tribunals (Wales)
Wales Tourist Board
Welsh Committee for Professional Development of Pharmacy
Welsh Dental Committee
Welsh Development Agency
Welsh Industrial Development Advisory Board
Welsh Language Board
Welsh Medical Committee
Welsh National Board for Nursing, Midwifery and Health Visiting
Welsh Nursing and Midwifery Committee
Welsh Optometric Committee
Welsh Pharmaceutical Committee
Welsh Scientific Advisory CommitteeNo new non-departmental public bodies have been established since 1 May 1997.

Responsibility for the 37 aforementioned bodies has been transferred to the National Assembly for Wales. There are now no non-departmental public bodies for which the Secretary of State for Wales has responsibility.

Written Answers to Questions

Tuesday 20 July 1999

HOUSE OF COMMONS

Bicycle Allowance

Mr. Baker: To ask the President of the Council how many hon. Members have claimed a bicycle allowance since its introduction. [91271]

Mrs. Beckett: Four hon. Members have claimed the bicycle allowance since its introduction.

Hon. Members' Cars

Mr. Baker: To ask the President of the Council how many hon. Members' cars were registered as being within each engine size capacity for which records are held in *(a)* May 1998 and *(b)* May 1999. [91272]

Mrs. Beckett: The information requested is not held as at May 1998 and May 1999 and could be produced only at disproportionate cost by an extensive clerical exercise.

The relevant details as at 31 March are available:

Engine capacity	*March 1998*	*March 1999*
Up to 1300cc	109	92
1301cc to 2300cc	519	530
2301cc and above	324	292

Disabled Access

Mr. Hilary Benn: To ask the Chairman of the Accommodation and Works Committee what plans there are further to improve disabled access to the Palace of Westminster. [91776]

Sir Sydney Chapman: I refer the hon. Member to the answer I gave on 9 March 1998, *Official Report*, column *37*. If the hon. Member has a specific proposal for any further improvement, the Director of Works would be pleased to consider it.

TREASURY

Tax Credits

Mr. Willetts: To ask the Chancellor of the Exchequer what assessment he had made of the effect of paying a benefit directly through the pay-packet as a tax credit on incentives and behaviour. [90146]

Dawn Primarolo *[holding answer 8 July 1999]:* No benefits are currently paid as tax credits. The Government have, however, already announced that the new Working Families Tax Credit and Disabled Persons Tax Credit will be paid through the pay packet from April 2000. This will demonstrate the link between reward and work, encourage take-up, and improve work incentives.

VAT

Ms Lawrence: To ask the Chancellor of the Exchequer when he intends to lay the Value Added Tax (Sport, Sports Competitions and Physical Education) Order 1999; and if he will make a statement. [92280]

Dawn Primarolo: The Government laid the Order today. It will come into effect on 1 January 2000 and stop VAT avoidance by profit-making sports clubs, by laying down conditions for exemption from VAT which any non-profit making club can satisfy.

Royal Mint

Ms Lawrence: To ask the Chancellor of the Exchequer what are the performance targets for the Royal Mint for 1999–2000. [92281]

Ms Hewitt: I have set the Royal Mint the target of achieving a rate of return on average net assets of 14.6 per cent. for 1999–2000 which is an increase over the target of 14.3 per cent. set for 1998–99.

The Royal Mint's other performance targets have also been tightened. The new targets are for:

96 per cent. of accepted orders from UK banks and the Post Office for UK circulating coin to be delivered within 11 working days;

95 per cent. of UK collector coin orders from individual UK customers to be delivered within 25 days;

97 per cent. of medals orders to be delivered by the agreed delivery date;

99.7 per cent. of collector products accepted by individual UK customers.

New Deal (Young People)

Mr. Bercow: To ask the Chancellor of the Exchequer how many individuals his Department has recruited under the New Deal for Young People. [91892]

Ms Hewitt: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*.

Gold Sales

Mr. Cash: To ask the Chancellor of the Exchequer if he will make a statement on the Government's policy relating to gold sales; and if he will estimate the job losses there *(a)* have been and *(b)* will be in third world countries which produce gold, with particular reference to South Africa. [91879]

Ms Hewitt: As they will be spread out over a number of years, UK gold sales will be modest in the context of the world gold market. The 125 tonnes to be sold this year amounts to around 5 per cent. of estimated annual mining supply and less than a tenth of 1 per cent. of IMF estimates of above ground stocks of gold. Sales on this scale are unlikely to have a significant sustained impact on the price of gold.

National Insurance Contributions

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if he will estimate the cost of reducing NI contributions by 0.5 per cent. [91648]

Dawn Primarolo: Reducing the National Insurance Contributions rates for employees, the self-employed and employers by 0.5 per cent. would cost about £2.9 billion in 2000–01.

Data Series

Jackie Ballard: To ask the Chancellor of the Exchequer what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90826]

Ms Hewitt: HM Treasury has not commissioned any new internal data series separated by gender, race, disability and age since June 1997. However, the Department has long-established procedures for routinely monitoring staff in post numbers and the outcome of recruitment, promotion and appraisal exercises by gender and race. In addition, an Equality Audit of the posting, appraisal and promotion procedures, by gender and race, will be undertaken later this year.

HM Customs and Excise has not carried out any national internal surveys, but several surveys have been carried out locally. Customs is also considering carrying out a national survey in the near future.

The Inland Revenue has not completed a full Departmental internal staff survey separated by gender, race, disability and age since June 1997. However, a full Departmental survey is currently being issued to everyone in the Department. The survey will concentrate on human resource issues such as training and development, motivation, equality and impressions of the Revenue as an employer. Survey respondents are invited to state their sex, ethnicity, if they have a disability as defined by the Disability Discrimination Act, their age and if they work part-time or full-time. Key results of the survey will be made available to everyone in the Department.

A disability survey will be taken forward later this year. As part of the survey everyone in the Department will be asked to state if they have any disabilities and the nature of those disabilities.

The Revenue routinely monitors issues such as performance management results and staff in posts by band (grade) separated by gender, race, disability, part-time and full-time and since 1998, by age. The Revenue is in the process of monitoring vacancy filling by gender, race, disability, part-time and full-time and age.

National Savings monitors its external recruitment to ensure there are no biases, but has carried out no internal surveys since June 1997 on gender, race, disability or age.

The Office for National Statistics (ONS) routinely collects information from all applicants for jobs on gender, race and disability. Information about age is collected from those who take up posts. Internally it publishes annual information about performance marks by gender, ethnic origin and disability.

In June of this year, all ONS staff were asked to complete a questionnaire about disability. The results of this are being analysed at present. At the same time, staff who had not previously declared their ethnic origin were asked to do so.

District Banks

Mr. Salter: To ask the Chancellor of the Exchequer what representations he has had from (i) consumer organisations and (ii) organisations representing *(a)* the elderly, *(b)* the disabled and *(c)* the visually impaired, regarding the closure and automation of district banks in (1) rural and (2) urban communities; and what responses he has made. [91695]

Ms Hewitt: Representations have been received from a number of organisations concerned about consumer interests. The Treasury's Policy Action Team's Report on "Access to Financial Service" is likely to be published in the autumn.

EDUCATION AND EMPLOYMENT

Student Grants

Mr. Sayeed: To ask the Secretary of State for Education and Employment for what reasons the software to carry out financial assessments for student grant applications has not been supplied to local education authorities to date. [92090]

Mr. Mudie: The three software companies used by most local education authorities have released the final version of their software to those LEAs. Those authorities are now finalising financial assessments for students who applied by the established deadlines so that they will receive cheques at the start of their courses. The remaining LEAs have their own in-house software provision or manual systems.

Mr. Sayeed: To ask the Secretary of State for Education and Employment what guidance his Department has issued to students who do not receive their grant by the first day of term. [92089]

Mr. Mudie: None. We expect all students who have applied to the required timetable to receive cheques on the first day of their course, and are making plans to ensure that even very late applicants receive a payment upon arrival at their universities and colleges.

Mr. Sayeed: To ask the Secretary of State for Education and Employment under what circumstances students are entitled to apply for compensation in relation to delays in the processing of their applications for a grant. [92093]

Mr. Mudie: There are arrangements for students to make complaints if they are not satisfied with the processing of their applications for student support. However, we expect all students who have applied to the required timetable to receive cheques on the first day of their course, and are making plans to ensure that late applicants also receive a payment upon arrival at their universities and colleges.

Mr. Sayeed: To ask the Secretary of State for Education and Employment how many local education authorities are expected to complete assessments for student grants using the new systems, in accordance with his Department's timetable. [92091]

Mr. Mudie: We expect that all local education authorities will complete processing applications from students who submitted their forms by the required timetable, and that cheques will be issued to those students at the start of their courses.

Mr. Sayeed: To ask the Secretary of State for Education and Employment what estimate he has made of the number of local education authorities which will have completed the processing of applications for student grants before the start of the university term. [92092]

Mr. Mudie: The Department is monitoring closely the progress being made by local education authorities. We expect that they will all complete processing applications from students who submitted their forms by the required timetable, and that cheques will be issued to those students at the start of their courses.

Holocaust Remembrance Day

Mr. Dismore: To ask the Secretary of State for Education and Employment if he will make a statement on his Department's involvement in the proposed Government committee on Holocaust Remembrance Day. [92160]

Mr. Mudie: I refer my hon. Friend to the reply given by my right hon. Friend the Secretary of State for the Home Department on 19 July 1999, *Official Report*, column *400*.

Public Bodies

Mr. Burstow: To ask the Secretary of State for Education and Employment if he will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if he will indicate in *(c)*(ii) the relevant successor body; what new non-departmental public bodies have been established since 1 May 1997; and how many non-departmental public bodies his Department currently is responsible for. [90678]

Mr. Mudie *[holding answer 19 July 1999]:* Of the non-departmental public bodies (NDPBs) in existence on 1 May 1997:

(a) the NDPB that has been simply disbanded is the Supported Employment Consultative Group, in June 1998 as intended. The Centre for Information on Language Teaching and Research continues in operation but, following constitutional change, has been de-classified as an NDPB;

(b) the Funding Agency for Schools has ceased funding activities, and will be disbanded in the autumn of this year;

(c)(i) the functions of the disbanded National Advisory Council for the Employment of People with Disabilities have been transferred to the National Disability Council. The National Council for Vocational Qualifications and the School Curriculum and Assessment Authority have been merged to form the Qualifications and Curriculum Authority. The Race Relations Employment Advisory Group has been disbanded and replaced by the Race Relations Education and Employment Forum;

(c)(ii) no functions have been transferred to a democratically elected body;

(d) the Education Assets Board has been renamed as the Education Transfer Council and the National Council for Educational Technology has been renamed as the British Educational Communications and Technology Agency;

(e) unchanged NDPBs not mentioned above are the Construction Industry Training Board, the Engineering Construction Industry Training Board, the Equal Opportunities Commission, the Further Education Funding Council, the Higher Education Funding Council for England, Investors in People UK, Remploy Ltd., Student Loans Company, Teacher Training Agency, Registered Inspectors Appeals Tribunal, Special Educational Needs Tribunal, School Teachers Review Body now classified under this Department.

New NDPB established since 1 may 1997 are; the Disability Rights Task Force, New Deal Task Force, Skills Task Force.

The Department is responsible for 21 NDPBs.

The Government are committed to keeping the number of NDPBs to a minimum and to ensuring that those which remain are open, accountable and effective. Many of the NDPBs established since 1 May are essential in helping the Government deliver their Manifesto commitments.

Class Sizes

Dan Norris: To ask the Secretary of State for Education and Employment how many children aged five to seven years in *(a)* Bath and North-East Somerset and *(b)* South Gloucestershire were in classes of 30 or fewer in each year from 1992 to date. [91155]

Ms Estelle Morris: The available information is shown in the table.

The Government have pledged to reduce infant class sizes so that no 5, 6 or 7-year-old is in an infant class of more than 30 pupils. The number of infants in classes larger than 30 has already been reduced by some 130,000 between January 1998 and January 1999.

Numbers of pupils in key stage 1 classes of 30 pupils or less taught by one teacher in maintained primary schools in Bath and North East Somerset and South Gloucestershire local education authority areas: January 1996–99 (provisional)

	Bath and North East Somerset classes of size		*South Gloucestershire classes of size*	
	1–30	*all*	*1–30*	*all*
1996	3,689	4,789	5,460	8,821
1997	4,025	4,977	5,279	9,031
1998	4,118	5,329	5,931	9,322
1999[1]	4,163	5,182	8,050	9,452

[1] Provisional

Source:
Annual Schools' Census

Experimental Science Teaching

Dr. Gibson: To ask the Secretary of State for Education and Employment what discussions he has had with the Minister for Science on the experimental

teaching of *(a)* biology, *(b)* chemistry, *(c)* physics, *(d)* environmental sciences and *(e)* other sciences in the past two years. [91280]

Mr. Mudie: My right hon. Friend and the Minister for Science meet from time to time to discuss a variety of issues of mutual interest.

Drive For Youth Programme

Mr. Peter Bottomley: To ask the Secretary of State for Education and Employment which departments funded the Drive For Youth programme in the past four years; what were the reasons for this investment; what amount of public funds was allocated to this in each year; and if he will make a statement. [90300]

Mr. Andrew Smith *[holding answer 8 July 1999]:* Drive For Youth is a registered charity. Government funding is through payment for services provided through contracts for the delivery of training courses for New Deal and other clients by the Employment Service, TECs, LECs and other bodies. Many of these contracts are concluded at local level, and information is not held centrally, so full details could be ascertained only at disproportionate cost.

National Childcare Strategy

Mrs. Anne Campbell: To ask the Secretary of State for Education and Employment if he will list by LEA the number of additional out-of-school child care places created under the National Childcare Strategy. [88187]

Ms Hodge: Details of new child care places created under the National Childcare Strategy in 1998–99 are set out in tables, copies of which have been placed in the Library.

NORTHERN IRELAND

Pre-school Provision

Mr. Beggs: To ask the Secretary of State for Northern Ireland if she will make a statement setting out for each education and library board, the numbers of children in September 1998 and 1999 and the projected numbers for September 2000, placed in *(a)* nursery schools and units and *(b)* in other pre-school provision. [90737]

Mr. McFall: The numbers of children in free pre-school education provision in the 1998–99 school year and projected numbers for the 1999–2000 and 2000–01 school years are set out in the table. All figures for 1999–2000 and 2000–01 are estimates.

	School year		
Board area	*1998–99*	*1999–2000*	*2000–01*
Belfast			
Nursery school/units	2,637	2,689	2,767
Reception places	92	92	92
Funded places in voluntary and private pre-school education centres	267	465	622
North Eastern			
Nursery school/units	1,813	2,307	2,879
Reception places	389	389	389
Funded places in voluntary and private pre-school education centres	421	720	908
South Eastern			
Nursery school/units	1,678	2,172	2,536
Reception places	475	475	475
Funded places in voluntary and private pre-school education centres	291	443	747
Southern			
Nursery school/units	1,720	2,136	2,630
Reception places	946	946	946
Funded places in voluntary and private pre-school education centres	378	400	543
Western			
Nursery school/units	1,446	1,992	2,512
Reception places	619	619	619
Funded places in voluntary and private pre-school education centres	514	629	647
Total	13,686	16,474	19,312

Departmental Travel

Mr. Brake: To ask the Secretary of State for Northern Ireland how many kilometres have been travelled on her Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets her Department has to reduce the kilometres travelled by private transport by her Department's employees; and if she will make a statement. [91028]

Mr. Paul Murphy *[holding answer 13 July 1999]:* The information on business travel is not collected in the form requested and therefore cannot be provided. As published in the Integrated Transport White Paper in July 1998, the Government have set a target that all Government Department headquarters buildings and main buildings occupied by Executive Agencies should have green transport plans by March 1999 and all other key buildings by March 2000.

Northern Ireland Departments are working to complete plans covering all headquarters and main buildings and they are developing plans for all other key buildings in line with the targets set out in the White Paper, and consideration is being given to measures to reduce single-occupancy car use by employees.

Council for Nature Conservation and the Countryside

Mr. Öpik: To ask the Secretary of State for Northern Ireland when she expects to receive the fifth report of the Council for Nature Conservation and the Countryside; and if she will make a statement. [91254]

Mr. Paul Murphy: I expect to receive the fifth report from the Council for Nature Conservation and the Countryside before the end of 1999.

Paramilitary Violence

Mr. Maclean: To ask the Secretary of State for Northern Ireland if she will list for *(a)* 1997, *(b)* 1998 and *(c)* 1999 the number of crimes attributed to paramilitary organisations committed in Northern Ireland. [91435]

Mr. Ingram *[holding answer 15 July 1999]:* Statistics for crimes attributed to paramilitary organisations are collated under the headings in the following tables which show the number of incidents recorded as being of paramilitary style during the years *(a)* 1997 *(b)* 1998 and *(c)* 1999 to 15 July 1999.

Crimes attributed to paramilitary organisations

	Deaths	*Shootings*	*Bombings*
1997	22	225	78
1998	55	211	127
1999 (to 15 July)	6	74	54

Casualties as a result of paramilitary style attacks

	Shootings	*Assaults*
1997	72	156
1998	72	144
1999 (to 15 July)	46	89

Notes:

1. Figures may be subject to minor amendment.
2. Figures cannot be attributed to specific paramilitary groupings.
3. The above may not be exhaustive as there may be some offences, e.g. armed robbery, which may be linked to paramilitary groups but they have been recorded under the category of offence and it is not possible to be more specific.

Mr. Maclean: To ask the Secretary of State for Northern Ireland if she will list for *(a)* 1997, *(b)* 1998 and *(c)* 1999 the number of (i) punishment beatings and (ii) punishment shootings which took place in Northern Ireland, indicating how many in each category were committed by (1) Loyalist and (2) Republican groups. [91436]

Mr. Ingram *[holding answer 15 July 1999]:* The table shows the number of casualties as a result of paramilitary style attacks over the last three years.

Casualties as a result of paramilitary style attacks

	Shootings		*Assaults*	
Year	*Loyalist*	*Republican*	*Loyalist*	*Republican*
1997	46	26	78	78
1998	34	38	89	55
1999[1]	25	21	56	33

[1] Up to-incl. 11 July

Note:

1999 figures are provisional

New Deal (Young People)

Mr. Bercow: To ask the Secretary of State for Northern Ireland how many individuals her Department has recruited under the New Deal for Young People. [91897]

Mr. Paul Murphy: As at 30 June 1999 the information on the Northern Ireland Civil Service (including its Agencies) participating as employers in the New Deal is as follows:

Northern Ireland Civil Service

New Deal 'starts' since programme began	*Number*
Age 18–24	21
25 and over	12
Total	33

I would also refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*.

CULTURE, MEDIA AND SPORT

Departmental Travel

Mr. Brake: To ask the Secretary of State for Culture, Media and Sport how many kilometres have been travelled on his Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by his Department's employees; and if he will make a statement. [91019]

Mr. Chris Smith *[holding answer 13 July 1999]:* The information on business travel is not collected in the form requested and therefore cannot be provided. As published in the Integrated Transport White Paper in July 1998, the Government have set a target that all Government Department headquarters buildings occupied by Executive Agencies and Government Offices for the Regions should have green transport plans by March 1999 and all other key buildings by March 2000.

We have completed a green transport plan covering all our headquarters and main buildings. Being located in central London, this Department is already well placed for staff commuting, with virtually all staff using public transport. Proposals therefore concentrate on discouraging business travel by private car by reviewing mileage rates, encouraging cycling, converting official vehicles to use cleaner fuels and reducing deliveries.

Lilleshall National Sports Centre

Mr. Peter Bradley: To ask the Secretary of State for Culture, Media and Sport what investment is planned in Lilleshall National Sports Centre to improve standards among British sports people. [91508]

Mr. Banks: Lilleshall National Sports Centre will be the part of the UK Sports Institute Network Centre serving the West Midlands. The Centre has a wide range of a sports specific and generic training facilities which include up to date gymnastics training facilities, natural and artificial turf pitches and indoor training halls.

The key services of sports science and medicine will be co-ordinated by the Lilleshall Sports Injury and Human Performance Centre, supported by Staffordshire and Worcester Institutes of Higher Education; Birmingham University will play a crucial role in both service and facility provision. A network of Sports Medicine practitioners will be established to provide primary care services and formal links will be established with hospitals to provide essential secondary and tertiary care for athletes.

Other sites will be incorporated into the regional network to complement the services available at Lilleshall and extend the range of sports available in the region.

The sports expected to be included within the West Midlands Network are:

archery
athletics
cricket
football
golf
gymnastics
hockey
netball
squash
equestrian.

Around 200 elite, international and national athletes currently living in the west midlands will be able to use the services available.

Press Officer

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will publish the criteria applied to the recruitment of his Department's new press officer; how many applicants there were for this post; how many were shortlisted; how this post was advertised; who was on the selection panel; and what salary this post carries. [91948]

Mr. Chris Smith *[holding answer 19 July 1999]:* In selecting the Head of News for my Department in summer 1998 the following criteria were used: people management, resource management, ability to inspire confidence, ability to communicate with impact, ability to add value to decisions, and knowledge of the system. Thirty two candidates applied of which seven were shortlisted for interview, and five were actually interviewed. The post was advertised in *The Guardian*.

The selection panel comprised two members of the Management Board of the Department, a senior representative of the Government Information and Communication Service and a Civil Service Commissioner.

The post carries a salary in the range of £36,517 to £56,198.

HOME DEPARTMENT

MOD Police

Mr. Key: To ask the Secretary of State for the Home Department how many complaints have been received by the Police Complaints Authority against the Ministry of Defence Police in each year since they were granted statutory constabulary powers. [92165]

Mr. Boateng: I understand from the Police Complaints Authority that the number of complaints dealt with in respect of the Ministry of Defence Police since 1987 when they were granted statutory constabulary powers is as set out in the table:

Year	*Number of complaints*
1987	22
1988	93
1989	86
1990	225
1991	143
1992	75
1993	46
1994–95[1]	58
1995–96	75
1996–97	44
1997–98	53
1998–99	47

[1] Statistics have been kept on a financial year basis from 1994

Criminal Records Agency

Mr. Lidington: To ask the Secretary of State for the Home Department if he will make a statement on his planned timetable for the establishment of the Criminal Records Agency. [91988]

Mr. Boateng: I am reviewing the timetable for the implementation of the Criminal Records Bureau and will inform the House of the results when it returns after the recess.

UK Passport Agency

Mr. Beith: To ask the Secretary of State for the Home Department what assessment was made of the required level of staff which would be needed following introduction of the new information technology systems by the UK Passport Agency; if he will publish a summary of the Agency's report on staffing requirements; and if he will make a statement. [90686]

Mr. Mike O'Brien: I have placed a summary of the business case for Private Sector Involvement in the Issue of the British Passport, produced by the UK Passport Agency in July 1997, in the Library. Paragraph 49 gives an estimate of Agency staffing levels under the chosen option as 930 permanent staff equivalents. This was based on demand estimated at an average 4 million services a year across the 10 year period of the contracts.

Mr. Beith: To ask the Secretary of State for the Home Department what was the forecast number of passport applications to be made in *(a)* 1998 and *(b)* 1999; what was the actual number of applications in 1998; what is the current estimate of the number of applications for 1999; and if he will make a statement. [90591]

Mr. Mike O'Brien: The UK Passport Agency forecasts the number of passport applications on the basis of financial years. The forecasts published in the Agency's 1998–2001 Corporate Plan were 4.5 million in 1998–99 and 5.0 million in 1999–2000.

During the year, the Agency revised its 1998–99 forecasts upwards from 4.5 million to 4.9 million to allow for a greater take up of children's passports than its statistical model forecast. In the event, the actual intake for 1998–99 was 4.8 million.

The Agency continues to analyse the impact on its forecast for 1999–2000 of its recent operational problems and the measures implemented as a result.

On available information, the Agency's latest forecast for 1999–2000 is for 5.2 million applications which again makes greater allowance for the effect of the child policy against the modelled 5.0 million.

Young Offenders Institution Feltham

Mr. Beith: To ask the Secretary of State for the Home Department on how many occasions he and other Ministers in his Department have met the governor and senior management responsible for Her Majesty's Young Offenders Institution Feltham since May 1997; and if he will make a statement. [90580]

Mr. George Howarth: Ministers have visited Feltham Young Offender Institution on three occasions since May 1997 when they would have met the governor and staff. I visited Feltham in July 1997 and my right hon. Friend the Home Secretary visited on 13 February 1998. My hon. Friend, the Member for Cardiff South and Penarth (Mr. Michael), in his capacity as Minister of State, Home Office, visited Feltham on 6 April 1998.

In addition, I met the governor on 26 May 1999 and the Minister for prisons and probation, Lord Williams, met the governor on 23 June 1999. Lord Williams has had meetings with the area manager on six occasions since February and the Home Secretary has met the area manager twice. Central records of attendance at office meetings are not available prior to this year.

These meetings were in addition to the regular meetings my right hon. Friend the Home Secretary and the Minister with responsibility for prisons, my right hon. and noble Friend Lord Williams and until July 1998, my right hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin), held with the Director General.

Wormwood Scrubs

Mr. Beith: To ask the Secretary of State for the Home Department on how many occasions he and other Ministers in his Department have met the governor and senior management responsible for HMP Wormwood Scrubs since May 1997; and if he will make a statement. [90579]

Mr. George Howarth: Since May 1997, my right hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin), the then Minister for prisons and probation, visited Wormwood Scrubs prison at night on 13 July 1998 when she would have met the governor and staff.

The current Minister for prisons and probation, my right hon. and noble Friend Lord Williams, has met the governor on two occasions on 14 April and 22 June 1999. My right hon. and noble Friend Lord Williams, has also had meetings with the area manager on six occasions since February and my right hon. Friend the Home Secretary has met the area manager twice. Central records of attendance at office meetings are not available prior to this year.

These meetings were in addition to the regular meetings my right hon. Friend the Home Secretary and the Minister with responsibility for prisons, my right hon. and noble Friend Lord Williams and until July 1998, my right hon. Friend the Member for Gateshead, East and Washington, West, held with the Director General.

Mr. Beith: To ask the Secretary of State for the Home Department if he will make a statement on the actions his Department has taken in respect of each of the recommendations made by Her Majesty's Chief Inspector of Prisons on Her Majesty's Prison Wormwood Scrubs in March 1997. [90970]

Mr. George Howarth: I have arranged for a copy of the action plan drawn up in response to the Chief Inspector of Prison's recommendations, contained in his 1996 inspection report, to be placed in the Library.

INTERNATIONAL DEVELOPMENT

Somalia

Mr. Ben Chapman: To ask the Secretary of State for International Development what measures she intends to take to improve the situation in Somalia with regard to *(a)* food, *(b)* seeds and *(c)* health assistance. [91296]

Clare Short: To date, we have committed £590,000 to emergency needs, including support for UNICEF's supplementary feeding programmes in the Bardera region; Action Contre le Faim's (ACF) emergency nutritional intervention in the Gedo and Bakool regions; and World Vision's primary health care project in Juba. We are currently considering providing support for the African Medical and Research Foundation to improve the health of internally displaced people in Luuq Town, South West Somalia, which will complement ACF's activities. In addition, the EC have provided 10,899 metric tonnes of food.

We are closely monitoring the situation and will continue to respond to needs as they arise.

Water

Mr. Cohen: To ask the Secretary of State for International Development if she will list the projects supported by her Department for the provision of potable water. [91722]

Clare Short: The White Paper on International Development makes clear that fresh water resources are essential for sustaining life, development and the environment. Access to potable water, sanitation and hygiene education is vital to poor people's health and well-being. We ensure that our support for the provision of potable water is integrated with improved sanitation and hygiene education. With the increasing

demands on limited fresh water resources, we are also working to ensure that water resources are managed in an integrated and sustainable way.

We are increasing commitments on water supply and sanitation projects. In all, we funded approximately 175 projects in 1998–99. Expenditure was £11 million on rural water supply and sanitation and £16 million on urban water supply and sanitation. In total, we spent £45 million in the water sector, including water resources management. Of this 52 per cent. was in Africa (notably, Ghana, Zimbabwe, South Africa, Kenya, Lesotho, Uganda and Tanzania); 39 per cent. in Asia (India, Nepal, Bangladesh, Pakistan, China) and the remaining 9 per cent. was spread between South America, Middle East and Eastern Europe.

Small Grants Budget

Mr. Love: To ask the Secretary of State for International Development what assessment she has made of the effectiveness of the small grants budget; and if she will make a statement. [91713]

Clare Short: The overall objectives set out in the Government's White Paper on International Development apply to the Small Grants Scheme which finances projects generally costing a few thousand pounds. Reports are considered on a country by country basis each year, and compliance with administrative and financial requirements is monitored by my Internal Audit Department.

Sudan

Mrs. Gillan: To ask the Secretary of State for International Development what measures she is taking to support the work of the World Food Programme in the Sudan. [92153]

Mr. Foulkes: The British Government committed £14.1 million through the World Food Programme (WFP) last year. This year, the situation is much improved. We have made available £5 million and have asked the UN Office for the Co-ordination of Humanitarian Affairs (OCHA), who are co-ordinating the UN system's humanitarian response in Sudan, to let us have their priorities, including those of WFP, for the use of this money.

Commonwealth Development Corporation

Mrs. Gillan: To ask the Secretary of State for International Development what estimate the Commonwealth Development Corporation has made of the number of employees at *(a)* the (i) Abosso gold and (ii) Satellite gold fields in Ghana and *(b)* the East Africa gold mines in Tanzania. [92151]

Mr. Foulkes: Abosso gold and satellite gold fields in Ghana have, respectively, around 400 and 330 employees. The East Africa gold mines in Tanzania, where work is still in the exploration stage, has about 40 employees.

Mrs. Gillan: To ask the Secretary of State for International Development if she will list the current portfolio of Commonwealth Development Corporation investments together with the estimates of their current value and annual income. [92149]

Mr. Foulkes: The Commonwealth Development Corporation's (CDC) Report and Accounts for 1998 list all the enterprises in which CDC had debt or equity investments at 31 December 1998.

Information on the value and annual income of individual investments is commercially sensitive. In total, the cost of CDC's investments before provisions, as published in the Report and Accounts for 1998, was £1,520.6 million. Provisions of £319.2 million bring the net portfolio at cost less provision down to £1,201.4 million. These figures take no accounts of surpluses in value over cost on any of CDC's equity investments as CDC's accounts are based on the historic cost convention. However, as part of the process of moving towards valuation accounting, CDC valued its equity portfolio as at 31 December 1998 in accordance with the British Venture Capital Association guidelines and this showed an unrealised surplus in valuation of £99 million.

The group revenue account confirmed portfolio loan investment income of £105.0 million and portfolio equity investment income of £31.5 million, giving an annual investment income for 1998 at £136.5 million.

Mrs. Gillan: To ask the Secretary of State for International Development if she will list the firms which have provided advice to her Department on the Commonwealth Development Corporation and the public-private partnership process together with the fees paid to those advisers to date. [92150]

Mr. Foulkes: We have received advice on preparation of the Commonwealth Development Corporation (CDC) public private partnership from Credit Suisse First Boston (and before their merger, BZW) Allen and Overy, and PricewaterhouseCoopers. Information on fees paid to individual companies while work is in progress is commercially sensitive. In total, costs to the Department for financial and legal advice in preparation of the CDC public private partnership (including costs of advice from the Treasury Solicitors Department) totalled £1.6 million as at 30 June 1999.

Bangladesh

Mr. Cohen: To ask the Secretary of State for International Development what plans she has to provide *(a)* loans and *(b)* other assistance to help (i) electrification and (ii) other projects in Bangladesh; what matters she discussed with the Bangladesh Prime Minister during his recent visit; and if she will make a statement. [91760]

Clare Short: Our development assistance for Bangladesh is provided on grant terms. We have given considerable support in the past to the Dhaka Electricity Supply Authority; however, we have no plans to make further investment until the high level of system losses has been tackled. Technical assistance has been offered on this issue. A new project has recently been agreed which aims to facilitate public/private partnerships. This will help in the power sector among others. This technical assistance will be geared primarily towards the establishment of appropriate legal and regulatory frameworks and the development, marketing and tendering of projects suitable for private sector participation.

We have a substantial development programme in Bangladesh, spending more than £65 million in 1998–99 on development projects, and on relief and rehabilitation activities following the floods of 1998. The programme has a strong emphasis on poverty reduction, in particular on primary health and education services, and help for sustainable livelihoods for the poor. Discussion with the Prime Minister of Bangladesh, Sheikh Hasina, focused on how to assist her Government's plans to improve public service management and target the needs of the poor.

TRADE AND INDUSTRY

Indonesia

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry how many export licences have been *(a)* requested, *(b)* granted and *(c)* revoked for arms to Indonesia since May 1997; and how many Hawk Fighter bombers were covered by these licences. [91215]

Dr. Howells *[holding answer 13 July 1999]:* Further to my answer to my hon. Friend the Member for Preston (Audrey Wise) on 2 July 1999, *Official Report*, columns *313–14*, concerning licences issued between 2 May 1997 and 18 June 1999 for the export of military equipment to Indonesia; none of these licences covered the export of Hawk aircraft.

Open Individual Export Licences (OIELs) routinely cover exports to a number of countries. Any country initially specified on an OIEL application but not included as a permitted destination on the licence is not recorded on the Export Control Organisation's computer databases. Accordingly, the number of applications for OIELs covering exports to any particular country could be established only by manual examination of the paper records of all of the applications made in the period, which would entail disproportionate cost.

Between 2 May 1997 and 18 June 1999, 114 applications were received for Standard Individual Export Licences (SIELs) covering the export to consignees or end-users in Indonesia of goods subject to export control by being listed in Part III of Schedule 1 to the Export of Goods (Control) Order 1994, the so-called Military List. None of these applications covered Hawk aircraft. In the same period, no Standard or Open Individual Export Licences covering such exports were revoked.

Milk Marque

Miss McIntosh: To ask the Secretary of State for Trade and Industry what factors underlay the time taken to publish the report of the Competition Commission on Milk Marque. [91312]

Dr. Howells: My right hon. Friend the Secretary of State explained the position to the House. He said:

"It was not an easy decision, as it is not usual to disagree with a clear recommendation from the MMC. It is one reason why the report took longer to publish than I would have liked; I understand the concerns expressed by many right hon. and hon. Members this afternoon and by the farming community, particularly the dairy farmers, about the delay in its publication. I wanted to publish the report as soon as possible and I have done that. I would have liked it to be sooner, but I wanted to make sure when it was published and I had put on record my decision that all avenues had been properly investigated."—[*Official Report*, 7 July 1999, column 1091.]

Tidal Energy

Mrs. Brinton: To ask the Secretary of State for Trade and Industry what estimate he has made of the size of community which would be served by a 100 MW tidal energy power plant. [91647]

Mr. Battle: A 100 MW tidal energy barrage might be expected to produce electricity equivalent to the annual consumption of 40,000 to 50,000 domestic customers assuming a capacity factor for the plant in the range 0.2 to 0.3 and average sales of 4,300 kWh/yr to domestic customers. While feasibility studies for such plants have been conducted in the UK no project is known to be in early prospect.

Edmonton Incinerator

Mr. Love: To ask the Secretary of State for Trade and Industry, pursuant to his answer to the hon. Member for Islington, North (Mr. Corbyn) of 12 July 1999, *Official Report*, column *43*, on the Edmonton incinerator, when he expects to announce his decision; and if he will make a statement. [91785]

Mr. Battle: My Department is still awaiting the formal views of the London Borough of Enfield, the relevant planning authority. Until the views of the relevant planning authority are known it is too early to say when a decision on the application will be taken.

BP Alaskan Pipeline

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry what representations he has made to BP concerning the safety and maintenance of the Alaskan pipeline; and if he will make a statement. [91423]

Mr. Battle *[holding answer 15 July 1999]:* There have been no representations made; the safety and maintenance of the Alaskan pipeline are matters for the State Government and relevant local authorities of Alaska to pursue directly with BP. As a matter of general policy, the UK Government would always encourage conformity to the highest standards.

Textphones

Mr. Burstow: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 12 July 1999, *Official Report*, column *42*, concerning public textphones, for what reasons BT's plans have been superseded; and how many public textphones he estimates will be in service in 2000. [91946]

Mr. Wills *[holding answer 19 July 1999]:* BT's plans for public textphone provision are a matter for the company and for Oftel. I understand, however, that usage of the existing public textphones has been disappointingly low.

It would be premature at this stage to estimate actual provision in 2000, which may be affected by a number of factors including use of existing public textphones, and any new measures which the Government decide to introduce.

BNFL

Mr. Gibb: To ask the Secretary of State for Trade and Industry if he will list the stockbrokers consulted by KPMG as part of their work preparing the report into the Public Private Partnership Options for BNFL. [92059]

Mr. Battle: In carrying out their work, KPMG relied on views expressed in confidence by four leading stockbrokers in the belief that those views would remain private to Government. It would be a breach of that confidence to identify them now.

Mr. Gibb: To ask the Secretary of State for Trade and Industry when he will publish in full the KPMG report into the Public Private Partnership Options for BNFL. [92056]

Mr. Battle: A summary of KPMG's report containing all its key points has been placed in the Libraries of both Houses. The full report constitutes advice to Ministers and contains commercially sensitive information, so it will not be published.

Mr. Gibb: To ask the Secretary of State for Trade and Industry if he will make a statement on the reasons for selling a minority stake in BNFL, rather than a majority stake. [92057]

Mr. Battle: The Atomic Energy Act 1971, which set up BNFL, provides for the sale of up to 49 per cent. of the business. This would enable a Public Private Partnership to be introduced into the company, thereby bringing private sector skills and capital to bear on its commercial decisions.

Bribery Convention

Mr. Colman: To ask the Secretary of State for Trade and Industry what plans Her Majesty's Government have to inform United Kingdom companies of the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. [92122]

Mr. Wilson: Negotiation of the OECD Convention was concluded during December 1997. Since then, officials have been informing UK companies of its scope. The scope of the Convention was accommodated within existing UK legislation. Therefore, there are no new obligations for UK companies.

Shipbuilding (Credit)

Miss Begg: To ask the Secretary of State for Trade and Industry what changes he proposes to make to the Home Shipbuilding Credit Guarantee Scheme. [92465]

Mr. Byers: I am pleased to announce today some significant improvements in Government supported shipbuilding finance under the Home Shipbuilding Credit Guarantee Scheme.

I am delighted to say that these improvements are one of the early outcomes of the Shipbuilding Forum, which I established last summer, to bring together all the major Industry, union and Government representatives to examine ways of improving the competitiveness of the shipbuilding sector. The Government are actively contributing to these outcomes. I believe that these improvements, recommended by the Shipbuilding Forum, will put the UK Scheme on a par with the best finance schemes among our EU competitors.

The Scheme, which currently offers soft credit financing support in pounds sterling and at fixed interest rates to help UK yards win new shipbuilding orders, will now be extended to offer support for loans in US dollars and euros and to provide DTI guarantees in support of loans at floating as well as fixed rates. It is moreover our aim that the Scheme should be more flexible in its operation and to this end loans under the Scheme will be considered in a combination of the permitted currencies. The Scheme will also guarantee loans for periods up to 12 years (previously eight and half years) for mobile offshore installations, including floating production storage and offloading vessels.

Floating rate loans will be of particular assistance as it allows shipowners to take advantage of the current low interest rates and make the Scheme more competitive and attractive to all.

Loans in US dollars recognises that shipbuilding is an international business and that the US dollar is the most widely used currency for financing the building of ships. It will bring our UK Scheme in line with other similar EU competitor schemes which already offer loans in US dollars as will the extension to loans in euros.

I am certain that these new financing arrangements, which the Industry have called for, will help strengthen the hand of the UK shipbuilding sector. The Government will continue to give the Industry every encouragement to improve its competitiveness and I look forward to working with the Shipbuilding Forum to ensure that we continue to achieve this aim.

DEFENCE

Military Personnel (Cyprus)

Mr. Cox: To ask the Secretary of State for Defence how many British military personnel stationed in Cyprus have been charged with drug offences in each of the last three years. [90821]

Mr. Doug Henderson: No British military personnel stationed in Cyprus have been charged with drug-related offences during the last three years. However, seven Service personnel were administratively discharged in 1997, having failed a compulsory Drug Test (CDT). Since then there have been no CDT failures. Nearly 6,000 people have been tested over the three year period.

Chemical Weapons Convention

Dr. Lynne Jones: To ask the Secretary of State for Defence, pursuant to his answer of 30 June 1999, *Official Report*, column *157*, on the Chemical Weapons Convention, under what circumstances depleted uranium may be defined as a chemical weapon for the purposes of the Chemical Weapons Convention. [91763]

Mr. Doug Henderson: The use of depleted uranium ammunition is not prohibited under any international agreement, including the Geneva Convention, and there are no circumstances under which such ammunition may be defined as a chemical weapon. Article II of the

Chemical Weapons Convention includes definition of chemical weapons as munitions and devices specifically designed to cause death or other harm through the toxic properties of the chemicals specified. Depleted uranium ammunition is designed to penetrate Main Battle Tank armour, or when used in the Royal Navy's Vulcan Phalanx close-in-weapons-system to penetrate incoming missiles, and so is not defined as a chemical weapon.

Trident

Mr. Alan Simpson: To ask the Secretary of State for Defence if he will make a statement on preparation for the refurbishment that will be required for Trident early in the next decade. [91565]

Mr. George Robertson: Work to provide upgraded refitting and refuelling facilities at Devonport for Trident submarines is progressing to plan in preparation for the first refit early next century.

Suez Medals

Mr. Bennett: To ask the Secretary of State for Defence what account he took, in reaching decisions about Suez Canal Zone medals, of Cabinet minute CAB 128 (1951) in the Public Record Office for 29 November 1951. [92041]

Mr. Spellar: The Minute in question had no bearing on my decision on the claim for a campaign award for operations in the Canal Zone of Egypt in the period 1951–54. It relates solely to the implications of a declaration of Active Service for the control of civilian labour. The matter of Active Service is not the deciding factor as to whether or not any such campaign award is made.

Nuclear Weapons (Space)

Mr. Jim Cunningham: To ask the Secretary of State for Defence what steps he has taken to discourage the deployment of nuclear armaments in space. [91693]

Mr. George Robertson: The deployment of nuclear armaments in space is prohibited by the 1967 Outer Space Treaty. All the Nuclear Weapon States, and the four states yet to accede to the Nuclear Non-Proliferation Treaty as non-nuclear weapon status, Cuba, India, Israel, Pakistan, are members of the Outer Space Treaty.

ATTORNEY-GENERAL

Official Documents

Mr. Wilshire: To ask the Attorney-General if he will publish a list of all those official documents of the last Administration which have been seen by *(a)* him, *(b)* other Ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92184]

The Attorney-General: A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, the Law Officers Departments have been guided by the convention governing access to the papers of a previous Administration, as set out in the then Prime Minister's reply to a written question on 24 January 1980, *Official Report*, columns *305–07*.

Documents recording the advice given by the Law Officers (the Attorney-General and Solicitor General) are, by convention, made available to the Law Officers and other Ministers of succeeding Administrations in the interest of continuity of legal advice. By convention, the content of Law Officers' advice and the fact that it has been sought is not disclosed outside government. These conventions are referred to in Paragraphs 22 and 24 of Ministerial Code (published by the Cabinet Office in July 1997).

HEALTH

Multiple Sclerosis

Mr. Amess: To ask the Secretary of State for Health when he expects to issue a new health service circular in respect of multiple sclerosis. [89850]

Mr. Denham: In April we sent advance copies of a draft health service circular on beta-interferon to the MS Society and drug manufacturers. The draft circular was withdrawn as soon as it became clear that the circular had not been interpreted as we had intended. We plan to consult the MS Society, the pharmaceutical industry, the medical profession and health authorities on a revised draft circular. The revised draft circular will make it clear that it relates to the use of beta-interferon for secondary progressive multiple sclerosis, and that existing guidance on the use of beta-interferon for relapsing-remitting multiple sclerosis [EL(95)97] continues to apply.

Nursing and Midwifery Admissions Service

Mr. Healey: To ask the Secretary of State for Health, pursuant to his answer of 7 July 1999, *Official Report*, column *566*, how many students the Nursing and Midwifery Admissions Service placed onto courses in *(a)* 1997–98 and *(b)* 1998–99. [90964]

Mr. Denham: The Nursing and Midwifery Admissions Service does not place students onto courses. It provides a centralised service processing all applications from individuals seeking entry to pre-registration nursing and midwifery diploma programmes. Applications that meet the entry requirements are passed to higher education institutions. Each institution decides whether or not to accept students in accordance with their own recruitment processes.

Each applicant can submit up to and including four applications for different higher education institutions. The number of applicants/applications that the Nursing and Midwifery Admissions Service passed to higher education institutions is shown in the table.

	1997–98	*1998–99*
Applicants	18,296	31,577
Applications	45,414	85,535

Source:
The Nursing and Midwifery Admissions Service

Dentistry

Mr. Gordon Prentice: To ask the Secretary of State for Health what steps he is taking to ensure that dental students on qualification are offered incentives to set up practices in areas of greatest dental need. [90779]

Mr. Denham: Dental graduates who wish to become principals in general dental practice have to undergo a period of vocational training comprising placement at an approved practice and attendance at a locally organised training course. The Committee on Vocational Training collaborates with health authorities on the organisation and funding of the courses and seeks to ensure that they are accessible from most parts of the country. We will explore with the Committee whether greater priority should be given to areas with shortages of NHS dentists.

Incontinence Services

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Bury, North (Mr. Chaytor), 20 May 1999, *Official Report*, column *427*, concerning continence services, what assessment he has made of the extent of compliance with guidance HSG (92) 50 and HSG (95) 8. [91947]

Mr. Hutton *[holding answer 19 July 1999]:* Since Health Service Guidance (95)8 was issued in February 1995 National Health Service Executive Regional Offices have regularly monitored the implementation of local policies and eligibility criteria for continuing care. The most recent progress report was issued in 1997 (Executive Letter (97/62/CI97(24)). This report suggested that there should be three main areas where hea' h and local authorities should target activity—the development of joint investment plans, the development of recuperation and rehabilitation services and multi-disciplinary assessment.

Mr. Burstow: To ask the Secretary of State for Health what estimates he has made of the level of expenditure by the NHS on incontinence services in each of the last five years. [91944]

Mr. Hutton *[holding answer 19 July 1999]:* Information on continence services is not collected centrally and no such estimates have been made. Local health authorities are responsible for commissioning continence services to meet the needs of their local population. The National Health Service Executive is reviewing continence service policy and plans to issue updated guidance shortly.

Mr. Burstow: To ask the Secretary of State for Health when he expects to issue updated guidance on continence services. [91945]

Mr. Hutton *[holding answer 19 July 1999]:* Updated guidance is being developed in the light of the current review of continence policy services. We hope to issue this shortly.

Beta-interferon

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the clinical guidelines on the use of beta-interferon recently published by the Association of British Neurologists. [91851]

Mr. Denham *[holding answer 19 July 1999]:* The Association of British Neurologists (ABN) acknowledge the evidence that the efficacy of beta-interferon is only partial, moderate and not curative, and that their guidelines do not address issues of cost effectiveness.

The Department is likely to ask the National Institute for Clinical Excellence (NICE) for advice on the place of beta-interferon among the range of interventions and services available for multiple sclerosis sufferers. NICE would be expected to look at all relevant sources of evidence, which would naturally include the ABN guidelines.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Lake District Traffic

Miss Geraldine Smith: To ask the Secretary of State for the Environment, Transport and the Regions what measures he is taking to reduce traffic in the Lake District. [90375]

Ms Glenda Jackson: The Government are funding the Lake District transport package to promote the use of public transport. Cumbria County Council was allocated £957,384 for 1998–99 in Rural Bus Services Grant. It has also been allocated the same amount for 1999–2000. It is important for the local economy that sustainable tourism is encouraged. The Government believe that integrated transport, with attractive public transport options, is the key to managing unacceptable car growth.

Great Leighs Bypass

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the criteria used to reject the Essex County Council local highway authority's 1999–2000 bid for capital funding for the Great Leighs bypass; and if he will make a statement. [90542]

Ms Glenda Jackson *[holding answer 12 July 1999]:* In the 1999–2000 local transport capital settlement, this Department was able to accept only five local transport major schemes. These included innovative public transport schemes where early acceptance was needed to lever in substantial financial contributions from other sources, the urgent replacement of a bridge on a vital route, and a regeneration scheme linked to a coalfields area.

Home Building

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions how many new homes were built *(a)* on brownfield, *(b)* greenfield sites and *(c)* in total in the United Kingdom in 1998. [91319]

Mr. Raynsford: It is provisionally estimated from data provided by local authorities and the National House-Building Council that 179,000 dwellings were completed in the UK during 1998. Information on the numbers of houses built on "brownfield" and "greenfield" sites is not available from this source.

Information on the proportion of new homes built on previously developed land in England is available from the Department's Land Use Change Statistics. The latest figures show that, in 1996, 56 per cent. of new dwellings were built on previously developed land (including new dwellings provided from the conversion of existing buildings, which account for 3 percentage points), and 44 per cent. were built on land that was not previously developed.

Figures for Scotland and Wales are matters for the respective Assemblies.

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions how many new houses were built on *(a)* greenfield sites and *(b)* brownfield sites in Lancashire in 1998. [91399]

Mr. Raynsford: Information on numbers of houses built on "brownfield" and "greenfield" sites is not available. Information on the proportion of new homes built on previously developed land is available for Government Office Regions, but not for counties. Latest figures from the Department's Land Use Change Statistics show that, in 1994, 57 per cent. of new dwellings were built on previously developed land in the North West, and 43 per cent. were built on land that was not previously developed. These figures exclude new dwellings provided from conversion of existing buildings, for which reliable information is not available below national level.

Cycle Routes

Mr. Lock: To ask the Secretary of State for the Environment, Transport and the Regions what guidance he has issued for highways engineers on developing cycling facilities as part of trunk road schemes. [91292]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. David Lock, dated 20 July 1999:

The Parliamentary Under Secretary of State, Glenda Jackson, has asked me to reply to your recent parliamentary question, about incorporating cycling facilities as part of trunk road schemes.

Guidance on developing cycling facilities as part of trunk road schemes is incorporated across the sixteen volumes of the Design Manual for Roads and Bridges. In addition, Local Transport Notes and Traffic Advisory Leaflets, designed for use on local roads, also provide valuable guidance for some trunk road schemes. All documents are available in the House of Commons Library. Highway engineers are aware of the need to provide for crossings of trunk roads by the National Cycle Network.

I hope this is helpful.

Abandoned Homes

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of homes in England that have been abandoned by their owners; and if he will make a statement. [91401]

Mr. Raynsford: This information is not collected centrally; however, the Government are committed to sustainable home ownership. Everyone with a mortgage or applying for a mortgage should consider carefully how they would cope if they experienced a drop in income. We are working with the mortgage lending and insurance industries to bring about better mortgage payment protection insurance, and encouraging lenders to provide more mortgages with flexible repayment arrangements.

We expect local authorities in their housing strategies, to take into account any problems of abandonment in their area, particularly in areas of low demand, where there may be a surplus of housing.

As part of the work of Social Exclusion Unit's report on neighbourhood renewal, a Policy Action Team was set up to look at the scale and spread of the problems of low demand and unpopular housing. Their work is being informed by a large scale research project commissioned by DETR in order to identify the causes and strategies for tackling low demand. The Policy Action Team will be reporting later this year.

Private Hire Vehicles

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 18 January 1999, *Official Report*, column *304*, on private hire vehicles, what progress has been made in respect of restoring the position which existed prior to the decision in the case in the Queen's Bench Division between C. Benson and Copeland Borough Council concerning the personal use of a private hire vehicle by the spouse of the licence holder. [91295]

Ms Glenda Jackson: The representations on the consultation on options for broadening the eligibility to drive licensed private hire vehicles raised complex legal issues. Once they have been resolved, I will make an announcement.

Home Shopping

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department has commissioned to assess the longer-term implications of home shopping for planning and transport services. [91447]

Ms Glenda Jackson: As I stated in my reply to my hon. Friend on 13 April 1999, *Official Report*, column *54*, we will commission research into the long-term implications of home shopping on our integrated transport policy in general and for planning and transport services in particular. The study will also cover environmental impacts and will be commissioned later this year.

Cleaner Vehicles Task Force

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions what conclusions the Cleaner Vehicles Task Force has arrived at concerning ways of reducing the environmental impact of new vehicles and improving the emissions performance of vehicles in use. [91446]

Ms Glenda Jackson: The Cleaner Vehicles Task Force is publishing its first report today.

The Task Force has developed recommendations that are both practical and cost-effective for reducing the

environmental impact of new vehicles and improving the emissions performance of vehicles in use. The recommendations aim to:

Inform consumers through:

better information on fuel consumption, emissions and noise;

a clear vehicle label showing environmental information;

the promotion of improved maintenance and better driving styles;

encouraging regular emission testing at minimal cost in standard vehicle servicing;

increased low-cost emission testing facilities, and developing self-testing for emissions; and

effective on-board driver information systems to give data on emissions.

Improve enforcement by:

developing road-side emission testing to target the worst polluters effectively;

improving the MOT emissions test; and

developing low emission zones, to improve air quality in urban areas.

Promote technological solutions by:

encouraging retrofitting for existing vehicles;

promoting alternative fuels and the infrastructure to supply them; and

supporting research and development into alternative fuel sources, new power sources and other technologies.

Support fleet operators by:

developing a greener fleet certification scheme;

encouraging the adoption of voluntary targets; and

providing best practice guidance.

A copy of the Task Force's full report has been placed in the Libraries of the House.

Wembley Stadium (Transport Infrastructure)

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the funding arrangements for planned transport infrastructure improvements for Wembley Stadium. [91497]

Ms Glenda Jackson: We are awaiting Brent Council's borough interim transport plan submission due at the end of July. We expect this to include their transport proposals for Wembley Stadium and funding bids.

Red Routes

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions if he has decided to designate *(a)* Vauxhall Bridge Road and *(b)* Belgrave Road as red routes. [91504]

Ms Glenda Jackson: Both Vauxhall Bridge Road and Belgrave Road were designated as red routes in 1992 in the London Priority Route Order 1992 (SI 1992/1372).

River Severn

Mr. Lock: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the *(a)* Government Departments and *(b)* agencies which have statutory responsibility for the safety of the public on public highways adjacent to the River Severn in the Wyre Forest District Council area against dangers that can arise from the river. [91580]

Mr. Meale: The Environment Agency has powers to undertake flood defence works on designated main rivers, including the River Severn and is also responsible for flood warning dissemination in England and Wales. MAFF have policy responsibility for flood defence in England. The National Assembly for Wales has equivalent powers for Wales.

Mr. Lock: To ask the Secretary of State for the Environment, Transport and the Regions (1) what advice *(a)* his Department and *(b)* agencies responsible to his Department have issued for promoting and ensuring the safety of the public using the River Severn in the Wyre Forest District Council area; [91578]

(2) which *(a)* Government Departments and *(b)* agencies have statutory responsibility for promoting and ensuring the safety of the public using the River Severn in the Wyre Forest District Council area. [91579]

Mr. Meale: Neither the Department of the Environment, Transport and the Regions or any of its agencies has statutory responsibilities for promoting and ensuring the safety of the public using the River Severn. The Environment Agency has, however, produced general leaflets on the dangers that rivers can present.

Kapton Wiring

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to investigate the safety issues relating to Kapton wiring in planes; and if he will make a statement. [91541]

Ms Glenda Jackson: The Civil Aviation Authority has no evidence that the use of Kapton wiring in civil aircraft is a safety issue. There has been only one case recorded on the Authority's occurrence database since 1979 where investigations have shown that a breakdown of Kapton wiring may have contributed to an incident (which was not an accident), and that was subsequently found to be the result of a manufacturing fault.

The use of Kapton wiring in aircraft manufacture and maintenance is decreasing as new, improved products have become available.

Construction Industry (Safety)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his Department's policy towards the setting up of elected safety representatives and safety committees within the construction industry. [91717]

Mr. Meale: I refer my hon. Friend to the reply I gave on 25 January 1999, *Official Report*, columns 34–35.

Public Transport (Passenger Behaviour)

Mr. Kaufman: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce legislation to make it a criminal offence to put feet on seats in public transport. [91550]

Ms Glenda Jackson: The regulation of passengers' behaviour on trains is already provided for in legislation which gives railway companies the right to make byelaws. The existing railway byelaws and London Transport byelaws make it a criminal offence for any person to wilfully soil or deface any furniture on a train, and this

would normally catch behaviour such as placing feet on a seat. The train operating companies and London Transport are also in the process of making new byelaws, and have submitted them to the Secretary of State for approval. These include a provision that no person shall soil any part of the railway.

With regard to buses or coaches, the Public Service Vehicle (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 give drivers the power to remove passengers from their vehicle if they are causing a nuisance or intentionally interfering with any equipment fitted to the vehicle. These powers would be sufficient to deal with the problem of passengers putting their feet on bus or coach seats.

New Deal (Young People)

Mr. Bercow: To ask the Secretary of State for the Environment, Transport and the Regions how many individuals his Department has recruited under the New Deal for Young People. [91889]

Mr. Meale: I refer the hon. Member to the answer given by my right hon. Friend the Minster for the Cabinet Office to my hon. Friend the Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*. However, the current number of individuals recruited under the New Deal is eight 18–24 years olds.

Countryside Traffic Strategies

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions if he will instruct the Government regional offices to hold seminars to assist the dissemination of best practice among local authorities in the production of countryside traffic strategies. [91799]

Ms Glenda Jackson: Government Offices have been working closely with Local Authorities in the preparation of local transport plans (LTPs). Provisional LTPs are to be submitted later this month and we are currently considering the most effective way of disseminating the "best practice" which emerges.

The Countryside Commission, now the Countryside Agency, published, in 1997, an advisory booklet entitled "Rural Traffic: Getting it Right" which provides general advice on developing traffic strategies for rural areas. Further advice on good practice will be issued once the results of the studies carried out by the Countryside Agency's Countryside Traffic Measures Group are available. Officials from my Department are participating in these studies.

Sellafield

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions (1) what action he is taking to prevent nuclear contamination to the area surrounding BNFL's reprocessing plant at Sellafield; [91596]

(2) what studies he has commissioned to determine the effect nuclear wastes from Sellafield have had on the public *(a)* generally and *(b)* in Coventry. [91597]

Mr. Meale: Radioactive discharges must be authorised by the Environment Agency under the Radioactive Substances Act 1993. When considering an application for authorisation, the Environment Agency must be satisfied that the possible radiation dose to those members of the public at greatest risk will not exceed levels prescribed by the Government. In addition, the operators must show that the exposure will be as low as reasonably achievable, taking into account economic and social factors.

Radioactive discharges and their effect on the environment are monitored by the nuclear industry under the terms of their disposal authorisations. The Environment Agency and MAFF monitor radioactivity in the environment and in foodstuffs. The Environment Agency conducts monitoring of drinking water, rain water and air quality on behalf of my Department, in addition to the monitoring it undertakes in support of its regulatory functions under the Radioactive Substances Act 1993. The results of this monitoring are regularly published in "Radioactivity in the Environment" by the Environment Agency and in "Radioactivity in Food and the Environment" by the Ministry of Agriculture, Fisheries and Food and the Scottish Environment Protection Agency. Also the National Radiological Protection Board (NRPB) publishes regular reviews "Radiation Exposure of the UK Population".

The latest edition of NRPB's "Radiation Exposure of the UK Population", published in 1993, estimated the average annual doses to the UK population from all sources of ionising radiation as 2,600 micro Sieverts. Of this 0.4 micro Sieverts was estimated to come from discharges of radioactive waste, the majority of which emanates from Sellafield. In a summary publication in 1996, "Living with Radiation", the average dose remained the same but the contribution from discharges had fallen to 0.2 micro Sieverts.

I am not aware of any reason why the effect on the public in Coventry should be different from the effect on the public generally.

Central Railways

Mr. Lidington: To ask the Secretary of State for the Environment, Transport and the Regions (1) what contacts there have been between Ministers in his Department and representatives of or advisers to Central Railways; [91991]

(2) what contacts there have been between officials in his Department and representatives of or advisers to Central Railways. [91990]

Ms Glenda Jackson: This reply covers the period since 1 May 1997. No central record is kept of such contacts but I am aware that representatives of Central Railways have kept my officials informed, by way of meetings and correspondence, of their preparation of a scheme for a railway freight line between Liverpool and the Channel Tunnel. I understand that the last meeting took place last October. All contacts by my officials are without prejudice to consideration of any scheme that may eventually be submitted under the Transport and Works Act 1992. Central Railways have also written to Ministers in this Department enclosing an information brochure about the scheme. I am not aware, however, of any meetings between Ministers in my Department and representatives of Central Railways about the scheme.

Correspondence

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions (1) when the letter from the hon. Member for Thurrock to the Minister for London and Construction relating to the Minister's planned visit to Poland was received in the Department; to whom it was circulated; and for what purposes it was circulated to persons other than the Minister; [91977]

(2) if the letter from the hon. Member for Thurrock to the Minister for London and Construction concerning the Minister's visit to Poland was brought to the Minister's attention prior to his discussion with the hon. Member for Thurrock on 13 July; [91980]

(3) for what reasons the letter sent by the hon. Member for Thurrock to the Minister for London and Construction prior to the Minister's visit to Poland, concerning that visit, was not brought to the Minister's attention; [91979]

(4) what the circumstances were in which his Department's response to the letter from the hon. Member for Thurrock concerning the visit of the Minister for London and Construction to Poland was mislaid; and if he will make a statement. [91978]

Mr. Raynsford: I have now replied to the faxed letter received by the Department on 8 June. The letter was copied to the official in the Department who was dealing with the organisation of the visit to Poland for his information. However, as a result of an administrative error the letter was not brought to my attention until 15 July. I have asked officials to review procedures to ensure that no similar error occurs again.

Brown-field Targets

Mr. Maclean: To ask the Secretary of State for the Environment, Transport and the Regions what action he is taking to achieve the Government's target of 60 per cent. of additional housing to be built on previously developed land; what assessment he has made of Urban Task Force's prediction of the percentage which will be achieved by 2021; and if he will make a statement. [92066]

Mr. Caborn: A range of measures which will help deliver the Government's 60 per cent. target have already been set out in revised Planning Policy Guidance on Housing (PPG3), on which my Department has recently consulted. The Government are still considering the report of the Urban Task Force and their response will be set out in due course in the Urban and Rural White Papers.

Empty Government Homes

Mr. Salter: To ask the Secretary of State for the Environment, Transport and the Regions what steps his Department, the Home Office and the Ministry of Defence are taking to reduce the number of empty Government-owned homes. [92321]

Ms Armstrong: We are determined to reduce the number of empty Government homes, and today I have published revised guidance for Government Departments on how best to tackle their empty properties.

I am concerned that the figures for Government empty homes released today show a small increase. We are determined to bring these figures down.

Our new guidance is concise, user friendly and includes examples of innovative good practice.

I expect all Government Departments, using the revised guidance along with challenging new targets, to make a real reduction in the number of vacant properties.

Details of achievement against targets for 1998–99, and new targets for 1999–2000 are listed in the table.

Copies of the new guidance—"Revised Guidance on Securing the Better Use of Empty Homes"—have been placed in the Library of the House.

Performance figures for 1998–99 and targets for 1999–2000 for the disposal of Government empty homes

	Home Office	*DETR*	*MOD*
Total stock at 1 April 1998	3,189	2,473	64,238
Total stock at 1 April 1999	2,550	1,901	62,420
Total empty stock at 1 April 1998	217	692	13,225
Total empty stock at 1 April 1999	259	480	13,568
Target for percentage empty at 1 April 1999	Less than 5 per cent.	Less than 18 per cent.	To dispose of 1,200 empty homes
Achievement against target	10.2 per cent.	25 per cent.	Disposal of 1,323 empty homes
Target for empty at 1 April 2000	Less than 5 per cent.	Less than 18 per cent.	To dispose of 2,018 empty homes
Target for percentage habitable homes empty for more than 6 months at 1 April 1999	Less than 1 per cent.	Less than 7 per cent.	—
Achievement against target	2.7 per cent.	4.5 per cent.	—
Target for percentage habitable homes empty for more than 6 months at 1 April 2000	Less than 1 per cent.	Less than 3 per cent.	—
Action being taken to dispose of habitable homes empty for more than 6 months	[1]	[2]	[3]

[1] Forty-four retained on security grounds or for use by Prison Chaplains. Thirteen on the market, 9 reallocated, 2 held to accommodate a decant from two blocks of flats that are to be sold with vacant possession, 1 being occupied temporarily for a police operation, 1 being used temporarily to house recruits during refurbishment of Peel Centre Residential blocks.

[2] ½ of all vacant properties are in the process of being sold. Clearer guidance being issued on demolition, selling and refurbishing options. Addressing with vigour the performance of agents (who manage ¼ of HA stock).

[3] The Defence Housing Executive's Chief Executive is committed to reducing the total number of void properties and has set a publicly accountable target to reduce voids by 13 per cent. by 31 March 2002.

Best Value

Gillian Merron: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to set up a body to oversee inspections under the Best Value Regime. [92322]

Ms Armstrong: The Best Value Inspectorate Forum for England will be formally launched tomorrow. This forum will provide an opportunity for the Inspectorates involved in best value to consider strategic issues relating to the inspection of best value authorities in England and will be an effective channel of communication for the Inspectorates with central Government, local authorities and other interested parties, on best value.

Separate arrangements are being made to oversee best value inspection in Wales.

Environment Agency

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions what arrangements are being made to appoint a chairman of the Environment Agency. [92358]

Mr. Meacher: The current chairman of the Environment Agency, Lord De Ramsey, has announced his intention to retire at the beginning of next year.

I have appointed recruitment consultants to assist in identifying suitable candidates to succeed Lord De Ramsey, and the post is being advertised in the national press.

This is a key appointment. The Environment Agency plays a central part in protecting and enhancing the environment in England and Wales. It has major responsibilities for managing and regulating the water environment, and for controlling industrial pollution and wastes. The role of chairman in determining the strategic direction of the Agency, inspiring its staff, and ensuring that it discharges its statutory duties is vital to the continued improvements in the environment which we are seeking.

The successful candidate will need to have the skills, experience, ability and vision to lead a major public sector organisation with a budget of over £600 million per year and over 9,000 employees, and to develop a successful relationship with the wide range of bodies who have dealings with the Agency. I welcome interest from people, from all sectors of the community, who measure up to the special and demanding requirements of this appointment.

Trains (Safety Systems)

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the efficacy of the cup and cone safety system for passenger carriages on trains. [90763]

Ms Glenda Jackson: The Health and Safety Executive has carried out tests of this safety system and is satisfied that it would significantly improve the safety of Mark 1 rolling stock.

The Deputy Prime Minister has announced today the elimination of all Mark 1 rolling stock from the network by the end of 2004. We expect to see the bulk of such trains phased out substantially before then, but any remaining on the network after the end of 2002 will need to be safety modified in order to remain in operation until the end of 2004.

CHURCH COMMISSIONERS

Women's Ordination

Mr. Field: To ask the hon. Member for Middlesbrough (Mr. Bell), representing the Church Commissioners, what is the cumulative cost to date of the financial compensation package for those priests unwilling to accept women's ordination; and if he will estimate the total cumulative cost at the end of the 10 year guarantee period. [91657]

Mr. Stuart Bell: At 31 December 1998 the cumulative gross cost, to be met from the Commissioners' income, under the terms of the Ordination of Women (Financial Provisions) Measure 1993, was £13.5 million. The Commissioners' latest estimate of the total cumulative gross cost to the end of the guaranteed period is approximately £23 million. The figure is based on our current prediction of 400 resignations by 21 February 2004, and estimates for payments up to 21 February 2014.

Actual expenditure up to 31 December 1998 and illustrative costings based on 400 resignations are set out in the following table. It should be noted that from 1 January 1998, these costings include pension contributions towards the new funded clergy pension scheme, approximately £0.49 million in 1998.

Illustration of costs for 400 resignations

£

Year	*Gross costs to be met from CC income*	*Housing capital (funded by CC)*	*Net costs for church*	*Net housing capital (funded by CC)*
1994	2,609,000	5,011,000	904,000	5,011,000
1995	3,282,000	2,094,000	[1]1,841,000	1,745,000
1996	2,886,000	952,000	[1]1,435,000	232,000
1997	2,424,000	636,000	[1]1,099,000	(159,000)
1998	2,363,000	399,000	[1]1,165,000	(788,000)
1999[1]	1,979,000	317,000	1,006,000	(127,000)
2000[1]	1,669,000	231,000	923,000	(231,000)
2001[1]	1,499,000	137,000	972,000	(206,000)
2002[1]	1,248,000	36,000	917,000	(179,000)
2003[1]	996,000	37,000	796,000	(186,000)
2004[1]	729,000	0	626,000	(309,000)

Illustration of costs for 400 resignations

£

Year	Gross costs to be met from CC income	Housing capital (funded by CC)	Net costs for church	Net housing capital (funded by CC)
2005[1]	488,000	0	440,000	(402,000)
2006[1]	334,000	0	314,000	(167,000)
2007[1]	178,000	0	171,000	(435,000)
2008[1]	115,000	0	113,000	(362,000)
2009[1]	98,000	0	97,000	(658,000)
2010[1]	42,000	0	42,000	(684,000)
2011[1]	31,000	0	31,000	(712,000)
2012[1]	25,000	0	25,000	(317,000)
2013[1]	19,000	0	19,000	(330,000)
Total[1]	23,014,000	9,850,000	12,936,000	736,000

[1] Figures are estimates

Notes:

1. The number of resignations shown (400) is a broad estimate based on current assumptions and knowledge of proposed resignations.
2. Actual costs are shown for 1994 to 1998 based on resignations shown, including housing subsidy. A similar pattern of costs has been projected for future years.
3. The figures for 1998 onwards also include pension contributions for resigning clergy paid to the Pensions Board.
4. The figures make allowance for future increases in house prices and stipends.
5. The net figure takes account of such variables as stipends savings (assuming at least a temporary reduction in the payroll), allowance for retirement housing provision which would otherwise have arisen on retirement, and the possibility of some people redeeming loans or leaving rented accommodation once they have obtained alternative employment.

SCOTLAND

Departmental Vehicles

Mr. Burstow: To ask the Secretary of State for Scotland if he will list for *(a)* his Department and *(b)* associated bodies listed in the National Asset Register, how many vehicles are currently (i) owned and (ii) leased; if he will indicate their (A) fuel types and (B) engine cubic capacities; and how many of the vehicles due for replacement by *(a)* his Department and *(b)* associated bodies listed in the National Asset Register will be replaced in (i) 1999–2000, (ii) 2000–01 and (iii) 2001–02 and will be replaced by vehicles using (1) petrol, (2) diesel, (3) natural gas, (4) electric batteries and (5) other; and how much his Department expects to spend in each year on vehicle replacements. [90798]

Dr. Reid *[holding answer 19 July 1999]:* My Department neither owns nor leases vehicles. Ministers use the Government Car Service which is within the responsibilities of the Cabinet Office.

Public Bodies

Mr. Burstow: To ask the Secretary of State for Scotland if he will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if he will indicate in *(c)*(ii) the relevant successor body; what new non-departmental public bodies have been established since 1 May 1997; and how many non-departmental public bodies his Department currently is responsible for. [90794]

Dr. Reid *[holding answer 19 July 1999]:* The information requested is as follows:

(a) Scottish Seed Potato Development Council, August 1997
Scottish Economic Council, April 1998
Scottish Agricultural Consultative Panel, August 1998
Local Government Property Commission for Scotland, September 1998
Secretary of State's Advisory Group on Sustainable Development, March 1999

(b) The Scottish Water and Sewerage Customers Council. Provision for dissolution of this body was made in the Water Industry Act 1999.

(c) (i) Nil.

(c) (ii) Nil.

(d) The Scottish Community Education Council was relaunched as Community Learning Scotland on 1 April 1999.

(e) Bodies remaining unchanged are listed in the current edition of "Public Bodies", a copy of which is available in the Library.

New non-departmental public bodies established since 1 May 1997:

Scottish Further Education Funding Council
Scottish Criminal Cases Review Commission
Scottish Childcare Board
Scottish Advisory Committee on Distinction Awards
Advisory Committee on Lifelong Learning Targets.

My Department is currently responsible for two non-departmental public bodies—the Parliamentary Boundary Commission for Scotland and the Extra Parliamentary Panel—responsibility for the remainder having been transferred to the Scottish Executive on 1 July 1999.

The Government are committed to keeping the number of NDPBs to a minimum and to ensuring that those which remain are open, accountable and effective. Many of the new NDPBs established since 1 May are essential in helping the Government deliver their Manifesto commitments.

LORD CHANCELLOR'S DEPARTMENT

Welsh Language

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department what recent representations he has received regarding the use of the Welsh language in tribunal hearings; and if he will make a statement. [91564]

Mr. Vaz: I have received no representations regarding the use of the Welsh language in tribunal hearings.

Judiciary Independence

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will place in the Library his paper on the Independence of the Judiciary prepared for the 22 Conference of European Ministers of Justice. [90005]

Mr. Vaz: A copy of the Report has been placed in the Library.

Derbyshire Magistrates Courts

Mr. Todd: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the current timetable for the private finance initiative project for Derbyshire's magistrates courts. [91542]

Mr. Vaz: The current timetable is subject to change but it is expected that the Stage Two Invitation to Negotiate will be issued in August 1999. Selection of the preferred supplier is scheduled for early 2000 with contract completion by the end of the financial year 2000–01. The construction timetable will be the subject of negotiation with the preferred supplier.

Official Documents

Mr. Wilshire: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will publish a list of all those official documents of the last Administration which have been seen by *(a)* him, *(b)* other Ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92174]

Mr. Vaz: A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, the Department has been guided by the convention governing access to the papers of a previous Administration, as set out in the then Prime Minister's reply to a written question on 24 January 1980, *Official Report*, columns *305–07*.

CABINET OFFICE

Official Documents

Mr. Wilshire: To ask the Minister for the Cabinet Office if he will publish a list of all those official documents of the last Administration which have been seen by *(a)* him, *(b)* other Ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92181]

Dr. Jack Cunningham: A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, the Department has been guided by the convention governing access to the papers of a previous Administration, as set out in the then Prime Minister's reply to a written question on 24 January 1980, *Official Report*, columns *305–07*.

Central Computer and Telecommunications Agency

Mr. Burgon: To ask the Minister for the Cabinet Office what performance targets he has approved for the Central Computer and Telecommunications Agency for 1999–2000. [92360]

Mr. Kilfoyle: I have approved the following key performance targets for the Central and Telecommunications Agency (CCTA) for 1999–2000.

1. To achieve financial breakeven on an accruals basis;
2. To deliver CCTA services within the Voted provisions;
3. To operate within CCTA Customer Charter at 75 per cent. level;
4. To secure savings that will reduce cost of support services by 5 per cent.;
5. To achieve a 3 per cent. of customer satisfaction evaluations in the top two boxes of a five box scale.

PRIME MINISTER

Official Documents

Mr. Wilshire: To ask the Prime Minister if he will publish a list of all those official documents of the last Administration which have been seen by *(a)* him, *(b)* other Ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92173]

The Prime Minister: A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, my office has been guided by the convention governing access to the papers of a previous Administration, as set out in the then Prime Minister's reply to a written question on 24 January 1980, *Official Report*, columns *305–07*.

SOCIAL SECURITY

Fraud (Merseyside)

Mrs. Curtis-Thomas: To ask the Secretary of State for Social Security what collaborative projects his Department has undertaken with the Merseyside Police Authority to combat fraudulent activities; and if he will make a statement on the outcome of these projects. [90772]

Mr. Timms: This is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Ms Claire Curtis-Thomas, dated 19 July 1999:

The Secretary of State has asked me to reply to your recent question asking what collaborative projects his Department has undertaken with the Merseyside Police Authority on fraudulent activities; and if he will make a statement on the outcome of these projects.

Benefit Fraud in Merseyside is investigated by the Benefits Fraud Investigation Service (BFIS) and Benefit Agency Security Investigation Services (BASIS). Neither are engaged in collaborative projects with Merseyside Police. However, both services do work closely with Merseyside Police on individual cases as operational requirements dictate.

Joint projects also exist to tackle abuse in known areas of benefit fraud such as investigations into taxi drivers, small businesses and the manipulation of girocheques and orderbooks. Although no specific statistics are kept on the partnerships, the fact that these operations are regular and ongoing is a testament to their level of success.

The Benefits Agency (BA) is negotiating a National Memorandum of Understanding with the Association Of Chief Police Officers. This will improve lines of communication, clarify the responsibilities of the police and BA and provide guidelines for co-operation on operational issues.

I hope you find this reply helpful.

Disability Living Allowance

Mr. O'Hara: To ask the Secretary of State for Social Security if he will estimate the cost of *(a)* removing the upper age limit for disability living allowance, *(b)* increasing the upper age limit for disability living allowance to age 70 years and *(c)* increasing the upper age limit for disability living allowance to age 75 years. [90706]

Mr. Bayley: The information requested is in the table.

Estimated costs for 2000–01 of extending the age limit for disability living allowance

£

Change to the upper age limit	*Estimated programme costs*	*Estimated administrative costs*
No upper age limit	2.7 billion	75 million
Age 70 years	300 million	8.5 million
Age 75 years	850 million	25 million

Incapacity and Disablement Benefit

Mr. Clapham: To ask the Secretary of State for Social Security what are the total numbers of *(a)* incapacity benefit claimants and *(b)* disablement benefit claimants in (i) Barnsley, (ii) Rotherham, (iii) Sheffield and (iv) Doncaster; and what is the age profile of the claimants in each case. [91940]

Mr. Bayley: The administration of incapacity and disablement benefit claims is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Michael Clapham, dated 19 July 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking for the total numbers and age profile of Incapacity Benefit and Disablement Benefit claimants in the Barnsley, Rotherham, Sheffield and Doncaster areas.

The information available is shown in the following tables:

Figures for Incapacity Benefit for Local Authority areas are shown in the following table:

Age group	*Barnsley*	*Rotherham*	*Sheffield*	*Doncaster*
16–19	0	0	0	0
20–24	243	101	182	162
25–29	465	344	263	627
30–34	829	404	849	788
35–39	1,132	788	930	849
40–44	1,132	748	950	1,213
45–49	1,900	1,031	1,940	1,758
50–54	2,466	1,860	2,931	2,183
55–59	3,234	2,304	3,133	2,850
60–64	2,728	2,385	3,294	3,315
65+	505	485	546	687

These figures are taken from a 5 per cent. scan of the benefit computer system at 30 November 1998. They are subject to a rating factor to account for missing postcodes, they may exclude a small number of cases held clerically.

Figures for Industrial Injuries Disablement Benefit are not available in the format requested. Data is only available for the Yorkshire and Humber area and are shown below:

Age group	*Yorkshire and Humber*
16–19	18
20–24	154
25–29	540
30–34	856
35–39	1,296
40–44	1,759
45–49	1,968
50–54	2,855
55–59	2,998
60–64	3,404
65–69	3,065
70–74	3,487
75–79	2,737
80–84	1,071
85 and over	599

Figures are based on a 10 per cent. sample of Industrial Injuries Disablement Benefit at 4 April 1998 and include an adjustment for late statistical returns.

The statistical information has been supplied by DSS (Analytical Services Division).

I hope you find this information helpful.

Child Support

Mr. Jim Cunningham: To ask the Secretary of State for Social Security (1) what plans he has to reform the Child Support Act 1991; [91594]

(2) what plans he has to encourage parents to reach amicable agreements with free help and advice provided by the Government, in the matter of child maintenance. [91595]

Angela Eagle: The White Paper "A new contract for welfare: Children's Rights and Parents Responsibilities" (Cm 4349) published on 1 July 1999 sets out our plans to reform the child support system. We are creating a new, customer focused, child support service that will be simple, easy to understand, and ensure that more children receive regular and reliable maintenance.

Parents not on benefit will, as now, be free to make their own arrangements without involving the Child Support Agency, where necessary using the new, simple child support rates as a guideline.

Under the provision of Part III of the Family Law Act 1996 publicly funded mediation is available for disputes relating to children and property arising on divorce or separation. These provisions are being implemented on an area by area basis throughout England and Wales.

Mr. Field: To ask the Secretary of State for Social Security (1) how many Child Support Agency cases were uncleared after *(a)* 78 weeks and *(b)* 104 weeks on 31 March; [92147]

(2) how many, and what proportion of, applications for maintenance to the Child Support Agency dating from after *(a)* 31 March 1997, *(b)* 30 September 1997 and *(c)* 31 March 1998 were uncleared 52 weeks later. [92148]

Angela Eagle: The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my right hon. Friend.

Letter from Mrs. Faith Boardman to Mr. Frank Field, dated 20 July 1999:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Child Support Agency.

The information requested in your questions is not available. Whilst the Agency maintains systems to monitor and report on performance, the specific figures you have asked for would require a scan of our computer system. This would take several weeks to arrange and deflect resources from other important development work.

In 1998/99 the Agency had a Secretary of State's target to have no applications over 52 weeks old by 31 March 1999. All Business Units put in place operational plans that were to guide them towards the achievement of this objective.

The introduction of automated management information systems and the subsequent exercise to check and correct the status of our cases identified that the original estimate of 225,000 backlog cases (i.e. over 52 weeks old) was considerably understated. In fact CSA cleared 324,859 cases, but did not achieve a nil backlog.

This left 47,720 cases outstanding at 31 March 1999.

The Agency's ability to clear all these cases was impacted by "new" cases becoming over 52 weeks old and because those cases outstanding tend to be older, more complex cases which are difficult to progress.

The introduction of Decision Making and Appeals (DMA) in June 1999 will significantly help the Agency to maintain a normal level of work.

I hope this is helpful.

Official Documents

Mr. Wilshire: To ask the Secretary of State for Social Security if he will publish a list of all those official documents of the last Administration which have been seen by *(a)* him, *(b)* other Ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92171]

Mr. Darling: A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, the Department has been guided by the convention governing access to papers of a previous Administration, as set out in the then Prime Minister's reply to a written question on 24 January 1980, *Official Report*, columns *305–07*.

AGRICULTURE, FISHERIES AND FOOD

Dressed Lamb Carcases

Mr. Paterson: To ask the Minister of Agriculture, Fisheries and Food what criteria are used by official veterinary surgeons employed by the Meat Hygiene Service to determine whether wool fibres on the surfaces of dressed lamb carcases, transferred during the slaughtering process, comprise unacceptable contamination; and what quantity of fibre is permitted. [88290]

Mr. Rooker: Official Veterinary Surgeons are required to use their professional judgment to determine whether wool fibres on the surfaces of dressed lamb carcases, transferred during the slaughtering process, comprise unacceptable contamination.

Thames Barrier

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what is the design life of the Thames Barrier; and if he will make a statement. [91403]

Mr. Morley: I refer my hon. Friend to the reply I gave on 2 February 1999, *Official Report*, column *656*. The design life of the Barrier is 60 [illegible]—i.e. to the year 2030. This design life was based on rates of sea level rise predicted in the 1970s, which were higher than those currently anticipated. With normal care and maintenance the Barrier should continue to provide London with a high level of protection from tidal flooding until at least the latter part of the next century. The Environment Agency is considering the wider long-term flood defence needs of London following consultation with interested parties.

Flood Defences (Leicestershire)

Mr. Reed: To ask the Minister of Agriculture, Fisheries and Food how much has been spent by the Environment Agency on improving flood defences in Leicestershire since Easter 1998. [91313]

Mr. Morley: The Environment Agency has a regular programme of work to maintain and improve main river watercourses in Leicestershire. Since Easter 1998, this has involved expenditure of £570,000.

Dairy Farming

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the prospects for the dairy farming sector. [91419]

Mr. Rooker: Dairy farmers face challenging times as a result of reduced milk prices, increasing liberalisation of world markets, and progress on CAP reform. But the dairy farming sector's ability to respond positively to these challenges will be helped by the high level of producer expertise and commitment, favourable farm structure and ideal climate for milk production.

GM Crops

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food under what circumstances licences for the use of glufosinate or glyphosate on herbicide-tolerant genetically modified crops may be granted before the completion of the farm-scale trials with herbicide-tolerant genetically modified crops in 2003. [91414]

Mr. Rooker: No herbicide will be approved for use with genetically modified herbicide-tolerant crops unless a thorough and specific evaluation of the possible effects on people and on the environment has identified no unacceptable risks. Moreover, until a genetically modified herbicide tolerant crop is itself legally on the market in this country I do not expect to grant an approval for use on that crop to any herbicide products containing glufosinate or glyphosate.

Common Fisheries Policy

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer to the hon. Member for Buckingham (Mr. Bercow) of 8 July 1999, *Official Report*, column *626*, on the Common Fisheries Policy, if his statement on the majority of fish discarded being undersize is based upon the *(a)* numbers and *(b)* weight of discard; and what estimate he has made of undersize discards as a percentage of total discards. [91768]

Mr. Morley: Sampling of discards in the North Sea in 1997 by CEFAS indicated that, by number, the majority of discarded cod, haddock and whiting were undersized fish. The actual estimates of the proportions of discarded fish, by number, that were undersized were cod 82 per cent., haddock 57 per cent. and whiting 67 per cent.

By weight the percentages were cod 73 per cent., haddock 46 per cent. and whiting 53 per cent.

Badgers

Mr. Nigel Jones: To ask the Minister of Agriculture, Fisheries and Food how many incidents there have been where his Department's field staff in the randomised badger culling trial have been *(a)* threatened and *(b)* assaulted. [91712]

Mr. Rooker: It would not be appropriate to release this information for operational and security reasons.

The safety of staff is the Department's paramount concern, and we take very seriously any incident where this is put at risk. The Department is committed to supporting prosecutions in the event of damage to property or threats to, and attacks on, staff.

The Government are committed to the field trial as an important part of their comprehensive research and control strategy to tackle TB in cattle. The strategy, including the trial, is based on the best independent scientific advice. The aim is to place future TB policy on an effective and sustainable scientific footing. Disruption of the trial risks delaying its results and so helps neither badgers nor cattle.

Mr. Nigel Jones: To ask the Minister of Agriculture, Fisheries and Food for what reasons badger culling in the randomised culling trial has not started in the proactive area of the triplet in the Forest of Dean. [91706]

Mr. Rooker: A range of work is being carried out in the four triplets so far identified. For operational and security reasons it would not be appropriate to give details of specific operations.

Mr. Nigel Jones: To ask the Minister of Agriculture, Fisheries and Food when badger culling in the Krebs Trial started in the Hartland reactive area of the North Devon triplet. [91707]

Mr. Rooker: The closed season for the Krebs/Bourne field trial ended on 30 April. Since then, culling has resumed in some areas. For operational and security reasons, it would not be appropriate to give details.

Mr. Nigel Jones: To ask the Minister of Agriculture, Fisheries and Food how many new staff have been *(a)* sought and *(b)* appointed for the randomised badger culling trial; and what procedures have been established to ensure the training of new staff. [91705]

Mr. Rooker: Approximately 60 new staff are being appointed to work on the trial, 48 are already in post and others will start work shortly. All new staff receive comprehensive training which includes a period of supervised working alongside experienced colleagues.

Bovine Tuberculosis

Mr. Nigel Jones: To ask the Minister of Agriculture, Fisheries and Food how many cattle were slaughtered in 1997 and 1998 after testing positive in the tuberculin skin tests; and how many were found not to be infected on post mortem and culture examination. [91711]

Mr. Rooker: The information for 1997 was published on page 4 of Animal Health 1997, the annual report of the Chief Veterinary Officer. A copy was placed in the Library. The report for 1998 has not yet been published.

Mr. Nigel Jones: To ask the Minister of Agriculture, Fisheries and Food what research his Department is conducting into cattle to cattle transmission of bovine tuberculosis. [91725]

Mr. Rooker: The Government are conducting a wide programme of research, based on the recommendations in the Krebs Report and advice from the Independent Scientific Group on cattle TB chaired by Professor John Bourne. Specifically on cattle to cattle transmission the recommendations were:

(i) analysing existing information (including cattle testing data and old TB49 incident management reports) to identify risk factors;

(ii) deploying a new epidemiological questionnaire (TB99) to provide data which will assist in improving procedures for managing TB incidents and to help determine risk factors associated with them;

(iii) working on the development of a blood test based on gamma interferon in order to improve the detection of infected cattle;

(iv) developing the tools for improving the identification of different strains of *m bovis* to provide information on source of infection and route of transmission, and for application to other cattle data; and

(v) implementing a number of projects related to the development of a cattle vaccine that include work on the pathogenesis on infection.

The Independent Scientific Group believes, and the Government agree, that cattle to cattle transmission,

including the pathogenesis of the disease in cattle, is an area which merits further consideration as funds become available.

Sulphuric Acid

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food under what circumstances farmers are permitted to spray sulphuric acid on potato fields. [91733]

Mr. Rooker: When applied to potatoes for the purpose of desiccating haulms, sulphuric acid falls within the definition of a pesticide. Pesticides may be used only if they are approved by Ministers following assessment of their impact on human health and the environment. The use of sulphuric acid on potato crops has been approved subject to a number of restrictions and requirements, of which the main ones are:

only 77 per cent. clean "sulphur burnt" sulphuric acid may be used;

application is permitted only between 1 May and 15 November;

the maximum dose permitted is 340 litres/hectare (800 litres per hectare for potatoes grown for canning);

a written COSHH assessment must be made before use. Operator exposure must be controlled by means of personal protective equipment and/or engineering controls;

application must be by operators holding a recognised certificate of competence in the use of the relevant equipment;

at least 24 hours written notice must be provided to immediate neighbours and notices must be posted on adjacent roads and paths and kept in place for at least 96 hours after treatment. Unprotected persons must be kept out of treated areas for at least 96 hours following treatment.

Beef Export Ban

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food if the EU Commission has agreed to lift the beef export ban from 1 August. [91898]

Mr. Rooker: The European Commission has agreed that exports of boneless UK beef produced under the Date-based Export Scheme (DBES) may start from 1 August. The Commission announced this on 14 July, and my right hon. Friend the Minister of Agriculture, Fisheries and Food reported it to the House in his statement of 14 July 1999, *Official Report*, column 405–16.

Non-food Crops

Mr. Jim Cunningham: To ask the Minister of Agriculture, Fisheries and Food what action he is taking to promote long-term development of non-food crops; and what assessment he has made of the potential for development of non-food crops in the UK. [91589]

Mr. Rooker *[holding answer 19 July 1999]:* We believe there is considerable potential to develop the use of non-food crops in the UK. The Ministry's Agri-Industrial Materials Branch promotes the use of crop derived raw materials at workshops and other events and through its dedicated Website. The Ministry spends around £1.1 million per annum on strategic research on non-food crops with a number of projects looking at the potential for these renewable raw materials. Most recently the Ministry's Central Science Laboratory has led an EU project on the opportunities and constraints for non-food crops and the report will be published in the autumn. We are currently examining the scope to support the establishment of energy crops under the new Rural Development Regulation.

WALES

Official Documents

Mr. Wilshire: To ask the Secretary of State for Wales if he will publish a list of all those official documents of the last Administration which have been seen by *(a)* him, *(b)* other Ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92168]

Mr. Michael: A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, the Welsh Office has been guided by the convention governing access to the papers of a previous Administration as set out in the Prime Minister's reply on 24 January 1980, *Official Report*, columns *305–07*.

FOREIGN AND COMMONWEALTH AFFAIRS

European Union

17. **Mrs. Butler:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to meet his European counterparts to discuss institutional reform of the European Union. [90473]

33. **Dr. Julian Lewis:** To ask the Secretary of State for Foreign and Commonwealth Affairs which institutional questions are on the agenda of the next IGC; and if he will make a statement. [90490]

Ms Quin: The Cologne European Council on 3–4 June decided that an Inter-Governmental Conference should begin in early 2000 to prepare the Union's institutions for enlargement.

Preparations for the IGC are now beginning. We expect the Finnish Presidency to hold meetings at both official and ministerial level in the coming months.

EU Enlargement

19. **Dr. Whitehead:** To ask the Secretary of State for Foreign and Commonwealth Affairs in what measures the UK has participated to assist candidate members of the EU to meet the terms of environmental directives prior to entry. [90475]

Ms Quin: The UK fully supports the important goal of helping all the applicant countries meet the EU's environmental standards, and we are working to achieve this through projects for the Know How Fund, through the EC's Twinning Scheme and through contributions to PHARE and other funding programmes.

22. **Mr. Russell Brown:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to meet his European counterparts to discuss the enlargement of the European Union. [90

Ms Quin: As I mentioned in the House earlier today, enlargement is a key priority of the Government and of the European Union. It, therefore, is a constant feature of all my contacts with my colleagues from EU member states and applicants. Our next full discussion will be at the Foreign Ministers' Informal Meeting in Finland on 4–5 September.

Kashmir

21. **Mr. Gordon Prentice:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his counterparts in Pakistan and India concerning the situation in Kashmir. [90478]

28. **Mr. Flight:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Kashmir. [90485]

36. **Ms Moran:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the United States Government on the conflict in Kashmir. [90494]

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions the Government have had with representatives of the Indian and Pakistani Governments about the current military action over Kashmir. [90481]

Mr. Hoon: I refer hon. Members to the answer given earlier by my right hon. Friend the Foreign Secretary to my hon. Friend the Member for Slough, (Fiona Mactaggart), *Official Report*, columns 956–57.

Gibraltar

23. **Mr. Fabricant:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current state of bilateral relations between Britain and Spain over Gibraltar. [90480]

Ms Quin: Our bilateral relations with Spain are generally good. We work together on a wide range of EU, NATO and other issues and want our relations to continue to improve. But we have made clear to Spain on several occasions that recent actions affecting Gibraltar, notably at the border, are unacceptable and counterproductive. We will continue to defend Gibraltar's interests while looking for ways to ease tension and increase confidence through dialogue and co-operation.

Kosovo

25. **Dr. Palmer:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Kosovo. [90482]

Mr. Tony Lloyd: NATO'S key objectives have been achieved. There are now 33,000 KFOR troops in Kosovo, under the command of General Sir Michael Jackson. KFOR's objective is to provide robust and even-handed support for all the citizens of Kosovo regardless of ethnic, religious or cultural background. The Secretary-General of the UN has made appointments to the key positions to the UN Mission in Kosovo whose work is underway. The UK will continue to play a leading role in support of both KFOR and UNMIK.

POWs (Japan)

26. **Mr. Oaten:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to discuss the issue of former prisoners of war with the Japanese Government. [90483]

Mr. Hoon: The view of successive UK and Japanese Governments is that the issue of compensation under the San Francisco Peace Treaty has been settled.

We regularly discuss with the Japanese ways to promote reconciliation.

UN General Assembly

27. **Mr. David Atkinson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is on parliamentary participation in the work of the United Nations General Assembly. [90484]

Mr. Tony Lloyd: We welcome and encourage parliamentary interest in the work of the United Nations (UN) and its organs. To this end, we organise and fund an all-party visit by Members of Parliament to the UN during the General Assembly every year. This provides an opportunity for participants to exchange views with senior UN representatives and to bring their insights back to their parliamentary work in London. We also support the strengthening of the ties between the Interparliamentary Union and the UN under their 1996 Co-operation Agreement; and between the Council of Europe and the UN.

Middle East

29. **Mr. Gapes:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the prospects for peace in the middle east. [90486]

32. **Mr. Burden:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of the middle east peace process since the general election in Israel. [90489]

Mr. Hoon: I refer my hon. Friends to the answer given earlier today by my right hon. Friend the Foreign Secretary to my hon. Friend the Member for Morley and Rothwell (Mr. Gunnell), *Official Report*, column 960.

Palestine National Authority

30. **Mr. Jim Murphy:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to assist the Palestine National Authority to develop the economy in its territory. [90487]

Mr. Hoon: We support the Palestinian economy with a programme of bilateral aid and our contribution to EC aid programmes. We are providing £50 million in bilateral aid over the next three years. Aid projects include the development of health and infrastructure facilities, support for refugees and technical assistance for economic negotiations. Our total bilateral aid since the signature of the Oslo Accords amounts to over £122 million. In addition, we expect to contribute a further £55 million through EC aid programmes in the next five years.

Cyprus

31. **Sir Sydney Chapman:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will report progress on initiatives to re-unite the island of Cyprus. [90488]

Ms Quin: I refer the hon. Member to the answer I gave earlier in the House today to my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett), *Official Report*, column 966.

UK/US Treaties

35. **Mr. Baker:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the existing bilateral treaties between the United Kingdom and the United States of America. [90492]

Mr. Tony Lloyd: There are currently over 500 bilateral treaties with the United States, covering a wide range of subjects. One of the earliest is entitled, "Provisional Articles of Peace with the United States of America", which was signed in Paris on 30 November 1782. The most recent treaty is the "Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland on behalf of the Turks and Caicos Islands and the Government of the United States of America relating to investment incentives", which was signed in Washington on 20 April 1999. Bilateral treaties cover a diverse range of subjects including the final suppression of the African slave trade, visas, the carriage of ammunition, the use of military facilities on Ascension Island and drug trafficking.

Western Sahara

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to meet *(a)* the Government of Morocco and *(b)* the POLISARIO to discuss the implementation of the UN Peace Plan for a Referendum in Western Sahara. [90439]

Mr. Hoon: I have no immediate plans to meet with either the Government of Morocco or the Polisario. However, FCO officials regularly meet with both sides to discuss the way forward in the Western Sahara.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government intend to take to secure the implementation of the UN Peace Plan for a Referendum in Western Sahara. [90437]

Mr. Hoon: We fully support the UN's efforts to hold a referendum in the Western Sahara. We keep pressure on both parties to adhere to the UN Secretary-General's deadlines both bilaterally and at the UN.

Departmental Services

Mr. Swinney: To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements he has made for the provision of (i) IT support, (ii) stationery and (iii) hospitality services for his Department; and what percentage of each is contracted from outside bodies. [90569]

Mr. Hoon *[holding answer 13 July 1999]:* FCO provision for IT support, stationery and hospitality for the Financial Year 1999–2000 is as follows:

IT support

£2.12 million, which provides 24 hour IT support and network management to more than 280 overseas missions and to the FCO Departments. Contract expenditure amounts to £1.12 million or 53 per cent. The remainder covers internal costs.

Stationery

£1.7 million. All stationery budgets at home and overseas are devolved. A centrally negotiated call-off contract is used. All stationery is contracted out.

Hospitality[1]

£2.286 million. All catering services are contracted out though wine and equipment are provided from the Government Hospitality cellar. All overseas Hospitality Budgets are devolved to Posts. No figures are held centrally.

[1] This figure includes the expenditure by the Government Hospitality Fund which provides for State Visits, Guests of Government and functions for all Government Departments.

Yugoslavia

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made in freezing the assets of members of the Milosevic regime; and if he will make a statement. [91240]

Mr. Tony Lloyd: EC Regulation 1294/99 concerning a freeze of funds and a ban on investment in relation to the FRY was adopted on 15 June and came into force on 19 June. The Bank of England issued a notice to banks and other institutions on 22 June giving details of the Regulation. Corresponding UK Regulations came into force on 25 June. All accounts identified as belonging to individuals and companies covered by the Regulation have been blocked.

In addition, the Government have acted upon a request from the International Criminal Tribunal on the Former Yugoslavia to freeze the assets of Milosevic and four associates in respect of whom warrants and orders of arrest were issued on 24 May.

Departmental Vehicles

Mr. Burstow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list for *(a)* his Department and *(b)* associated bodies listed in the National Asset Register, how many vehicles are currently (i) owned and (ii) leased; if he will indicate their (1) fuel types and (2) engine cubic capacities; how many of the vehicles due for replacement by (A) his Department and (B) associated bodies listed in the National Asset Register will be replaced in (x) 1999–2000, (y) 2000–1 and (z) 2001–2 by vehicles using (a1) petrol, (b2) diesel, (c3) natural gas, (d4) electric batteries and (e5) other; and how much his Department plans to spend in each year on vehicle replacements. [90691]

Mr. Hoon *[holding answer 19 July 1999]:* 1. The FCO and associated bodies have the following owned and leased vehicles; details of the fuel type and engine capacity are included where they are known.

2. The FCO has 1,288 vehicles overseas, of which 29 are leased.

3. 543 vehicles use petrol and 362 use diesel; the remainder are unknown as more detailed information about vehicles purchased by FCO Posts overseas is not available. In each case, the type of fuel chosen will depend on the type of vehicle required and the availability of fuel types in each country at the time of purchase. Specific details of engine cubic capacity are not known in full, but is on average 2.5 or 3.5 litres.

4. Planning for the replacement of vehicles has now been devolved to Commands. It is disproportionate in the time available to produce the information for the purchase of vehicles for overseas Missions.

5. The FCO's home fleet has 45 vehicles in total, of which 32 are diesel, the remainder is petrol. The replacement programme for the next three years is as follows: 1999–2000, four vehicles; 2000–01 and 2000–02 will be dependent upon budgetary allocation.

6. The home fleet will replace two vehicles with duel fuel and will consider this further when a decision to purchase another vehicle is made.

Public Bodies

Mr. Burstow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if he will indicate in *(c)*(ii) the relevant successor body; what new non-departmental public bodies have been established since 1 May 1997; and how many non-departmental public bodies his Department currently is responsible for. [90680]

Mr. Hoon *[holding answer 19 July 1999]: (a)* None.

(b) The FCO is considering with the Commonwealth Institute a plan for the Institute to become a company limited by guarantee, while remaining a charity. Both sides are working to an early resolution of outstanding issues.

(c) (i) None.

(c) (ii) None.

(d) None.

(e) The FCO is responsible for 12 non-departmental public bodies. These are:

Executive NDPBs

Commonwealth Institute

British Association for Central and Eastern Europe

Marshall Aid Commemoration Commission

British Council

Britain-Russia Centre

Great Britain-China Centre

Westminster Foundation for Democracy

Advisory NDPBs

Wilton Park Academic Council Government Hospitality Fund Advisory Committee for the Purchase of Wine Diplomatic Service Appeals Board

Tribunals

Foreign Compensation Commission

Intelligence Service Tribunal.

The Government are committed to keeping the number of NDPBs to a minimum and to ensuring that those which remain are open, accountable and effective.

Ambassadors for British Business

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the (i) agenda and (ii) purpose of the ambassadors for British Business meeting with Ministers in July 1998; who attended; what documentation was available; what briefing material was provided; and if he will list those occasions *(a)* when the ambassadors have met in an official capacity and *(b)* where they have reported back, with an estimate of the total trade agreements reached consequentially. [91840]

Mr. Hoon: My right hon. Friend the Foreign Secretary met 12 ambassadors for British Business in July 1998. The aim was to review progress and consider how the scheme could be developed, to hear the views of the Business ambassadors on promoting Britain's image overseas and to underline that the scheme should be used to boost inward investment as well as British business overseas. There was no formal agenda. No briefing material or documentation was provided for the Business ambassadors for the meeting.

There is no requirement for the ambassadors for British Business to submit reports following their overseas engagements. The ambassadors for British Business are not involved in negotiating trade agreements.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those Ambassadors for British Business who also serve on other Government working groups, broken down by group. [91848]

Mr. Hoon: The information that is readily available is as follows:

Sir David John
- FCO Panel 2000
- Member of Board of British Trade International

Lord Marshall of Knightsbridge
- FCO Panel 2000
- Government Task Force on the Industrial Use of Energy

Sir Iain Vallance
- Scottish Business Forum
- Board of Scottish Enterprise

Lord Paul
- FCO Panel 2000
- Foreign Policy Centre Advisory Council
- Indo-British Partnership

Adair Turner
- FCO Business Panel

Sir David Alliance
- British Overseas Trade Group for Israel

Sir Richard Sykes
- Central R&D Committee for the NHS
- National Committee of Inquiry into Higher Education
- Council for Science and Technology
- Trade Policy Forum

Iain Dale
FCO Business Panel
Southern Asia Advisory Group
British Council "BOND" scheme

Nicholas Scheele
Foresight Manufacturing Committee (OST)

Sir Trevor Chinn
Commission for Integrated Transport
Cleaner Vehicles Task Force

Sir Richard Greenbury
Israel-British Business Council

David Brown
University for Industry Board of Directors
Vocational Qualifications and Occupational Standards Committee
Spectrum Management Advisory Group
Industrial Development Advisory Board
ITEC Skills Strategy Group
Information Age Partnership Policy Group

Lord Haskins
Better Regulation Task Force
New Deal Task Force
Yorkshire and The Humber Regional Development Agency

Paul Smith
Creative Industries Task Force

Sir Patrick Gillam
British Business Council

John M. Neill
Manufacturing Panel

Martin Sorrell
FCO Panel 2000.

Democratic Republic of Congo

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent meetings he has had with visiting Ministers from the Democratic Republic of Congo; and if he will make a statement on relations with that country. [91829]

Mr. Tony Lloyd: I met the then Foreign Minister for the Democratic Republic of the Congo in December 1998, and this year have met the Ministers of Finance and Human Rights during their visits to Britain. I visited Kinshasa in February 1999 and met President Kabila and other Ministers. We enjoy normal diplomatic relations with the DRC. Britain welcomes the signature of a ceasefire agreement in Lusaka on 10 July by the DRC and other countries concerned. We stand ready with the rest of the international community to help consolidate the peace.

Michael Ashcroft

Mr. Campbell-Savours: To ask the Secretary of State for Foreign and Commonwealth Affairs if Mr. Michael Ashcroft has used a diplomatic passport for entry to the United Kingdom and enjoyed diplomatic immunity within the UK in the last five years *(a)* when declaring himself to be an Ambassador on entry and *(b)* when entering not having so declared himself. [92070]

Mr. Tony Lloyd: Records are not normally kept of visits to the UK by diplomatic passport holders and we have none of Mr. Ashcroft having entered the UK using a diplomatic passport. Nor do we have any record of Mr. Ashcroft having sought immunity at any time over the last five years.

Diplomatic Passports

Mr. Campbell-Savours: To ask the Secretary of State for Foreign and Commonwealth Affairs what rules govern the use of overseas accredited diplomatic passports by UK nationals. [92071]

Mr. Tony Lloyd: The rules governing the use of foreign diplomatic passports by UK or other nationals is a matter for the overseas issuing authority.

British diplomatic passports are issued only to officers (and their spouses) serving overseas as accredited diplomats. They should be used only for journeys into and out of countries to which holders have been accredited.

Holocaust Remembrance Day

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his Department's involvement in the proposed Government committee on Holocaust Remembrance Day. [92159]

Mr. Tony Lloyd: I refer my hon. Friend to the answer given by my right hon. Friend the Home Secretary on 19 July 1999, *Official Report*, column *400*.

Iraq

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what forms of telecommunications in Iraq will be permitted to be restructured under the extension of the oil-for-food programme. [92157]

Mr. Hoon: It is for the Government of Iraq to propose projects and equipment in the telecommunications sector as in all sectors for funding under the oil-for-food programme. The UN Secretary General approved Iraq's distribution plan for the sixth phase of the programme in April, subject to the caveat that each application will require the approval of the Iraq sanctions committee. We would be prepared to consider applications for telecommunications equipment directly related to the humanitarian programme.

Chinese Embassy, Belgrade

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the stance of the United Kingdom delegation to the UN Security Council on 14 June, with reference to the debate over the Chinese Embassy bombing in Belgrade; and what was the United Kingdom vote on the relevant resolutions. [92156]

Mr. Tony Lloyd: We understand Chinese anger and grief at NATO's accidental bombing of the Chinese Embassy in Belgrade. My right hon. Friends the Prime Minister and the Foreign Secretary have both made clear to the Chinese Government our deep regret at this tragic event. These sentiments were underlined in the Presidential Statement of the UN Security Council, issued on 14 May. There have been no Security Council resolutions on the issue.

International Criminal Court

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries

which have ratified the Rome Agreement to set up the International Criminal Court, indicating in each case the date of ratification. [92162]

Mr. Tony Lloyd: Three countries have to date ratified the Rome Statute of the International Criminal Court: Senegal (on 2 February 1999); Trinidad and Tobago (on 6 April 1999); and San Marino (on 13 May 1999).

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs when the legislation for British ratification of the International Criminal Court will be published. [92161]

Mr. Tony Lloyd: Legislation to enable the UK to ratify the Rome Statute of the International Criminal Court will be introduced as soon as the parliamentary timetable permits.

British Council

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 12 July 1999, *Official Report*, column *55*, what projection he has made of the estimated loss of revenue over the next three years as a result of the withdrawal of DFID contracts from the British Council. [92164]

Mr. Hoon: The British Council estimates that the value of DFID contracts it will implement will decline from £56.7 million in 1998–99 to £25.8 million in 2001–02, a fall of £30.9 million. The revenue will decrease form £11.0 million to £4.9 million, a reduction of £6.1 million.

In addition, based on trends in the decline of the number of trainees, the value of the Technical Co-operation Contract will decrease from £19.4 million in 1998–99 to £6.8 million. The revenue will decrease from £3.7 million to £1.3 million, a drop of £2.4 million.

In total revenue will decrease from £14.7 million in 1998–99 to £6.2 million, a drop of £8.5 million.

Human Rights

Rev. Martin Smyth: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions he is taking to protect the citizens of countries whose security services are guilty of crimes against them. [90799]

Mr. Tony Lloyd: Various international human rights instruments, most notably the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Convention against Torture, contain provisions designed to protect individuals from abuse by public authorities, including security services. We consistently urge all Governments to ratify and implement these instruments. More generally, we are able to provide practical assistance to strengthen understanding of and respect for human rights among public officials.

Official Documents

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish a list of all those official documents of the last Administration which have been seen by *(a)* him, *(b)* other Ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92178]

Mr. Tony Lloyd: A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, the Department has been guided by the convention governing access to the papers of a previous Administration, as set out in the then Prime Minister's reply to a written question on 24 January 1980, *Official Report*, columns *305–07*.

War Crimes Tribunals

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the total cost to date of the tribunals on *(a)* Rwanda and *(b)* the former Yugoslavia. [92163]

Mr. Tony Lloyd: The International Criminal Tribunals for Rwanda and the former Yugoslavia are mainly funded by assessed contributions from member states of the United Nations. The cost to date of assessed contributions is as follows:

International Criminal Tribunal for Rwanda

Year	*$ million*
1995	2.2
1996	24.5
1997	35.7
1998	50.4

International Criminal Tribunal for the former Yugoslavia

Year	*$ million*
1 May 1994–31 December 1995	35.8
1996	30.4
1997	36.4
1998	59.4

In addition, the International Criminal Tribunals are also funded by ad hoc donations from member states and other contributors to the Tribunals' Trust Funds as follows:

International Criminal Tribunal for Rwanda

Year	*$ million*
1995	0.2
1996	0.8
1997	1.0
1998	2.4

' Estimate

International Criminal Tribunal for the former Yugoslavia

Year	*$ million*
1 May 1994–31 December 1995	0.09
1996	1.7
1997	4.0
1998	4.4

All figures are actual unless otherwise stated. The Tribunals also receive donations in-kind.

Written Answers to Questions

Wednesday 21 July 1999

ATTORNEY-GENERAL

Director of Public Prosecutions (Annual Report)

Dr. Palmer: To ask the Attorney-General when the Director of Public Prosecutions intends to publish his Annual Report. [92528]

The Attorney-General: The Director of Public Prosecutions has today published his Annual Report and copies have been placed in the Libraries of both Houses.

CULTURE, MEDIA AND SPORT

BBC (Funding)

Mr. Dismore: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer to my hon. Friend the Member for Enfield, North (Ms Ryan) of 12 January 1999, *Official Report*, columns *131–32*, on the review of future funding of the BBC, when he will publish the findings of the review panel. [92693]

Mr. Chris Smith: I expect to receive the panel's report at the end of July and will publish it as soon as possible thereafter. Copies will be sent to hon. Members in their constituencies and placed in the Libraries of the House.

Publication of the report will mark the start of a period of public consultation which will run until 1 November 1999. I will reflect on the evidence gathered during that consultation with a view to taking decisions on the recommendations by the end of the year.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Rail Travel

Miss Geraldine Smith: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government are taking to encourage and promote rail travel. [90372]

Ms Glenda Jackson: Promotion of the use of the rail network will be one of the main objectives of the Strategic Rail Authority, to be established by the Railways Bill which received its second reading on 19 July. Meanwhile the shadow Strategic Rail Authority has been in operation since 1 April and is making a head start on the strategic planning which the industry needs. We have made three key rail appointments, which look to the future of railway industry.

February's National Rail Summit produced commitments from the industry to deliver year on year improvements in terms of new drivers, new trains and better performance.

In addition we have established two new funds, the Infrastructure Investment Fund and the Rail Passenger Partnership scheme as well as providing extra funds for the freight facilities grant.

Bus Lanes

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to allow motorcycle couriers to use bus lanes in London. [91488]

Ms Glenda Jackson: We currently have no plans to allow motorcycle couriers to use bus lanes in London. Two pilot projects have been conducted in Bristol and Reading on the use of bus lanes by powered two wheelers. These were a useful source of information about the traffic and safety effects on powered two wheelers. But there was no monitoring of the situation before implementation and there are unanswered questions about their impact on pedal cyclists and the abuse of bus lanes by other drivers. We would, therefore, welcome proposals from local authorities interested in conducting properly monitored pilot studies of the use of bus lanes by motorcycles to help inform decisions on whether there is a case for motorcyclists to be allowed to use bus lanes.

A1 (Upgrading)

Mr. Peter Atkinson: To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* the properties purchased alongside the A1 road between Scotch Corner and Rainton in Yorkshire to allow for the upgrading of the road to motorway standards and *(b)* the total cost of the properties; what plans he has for these properties; and what is the future of the upgrading scheme. [90792]

Ms Glenda Jackson *[holding answer 14 July 1999]:* The Highways Agency has bought and sold the following 26 properties and pieces of land:

Property/land	*Bought*	*Sold*
Street House	21 July 1992	22 December 1997
The Georgian House	28 January 1993	25 November 1998
Roxby House	1 February 1994	22 January 1999
Leases Farm	12 May 1994	26 February 1999
Hopetown Farm Buildings	28 July 1994	22 January 1999
Hopetown House	6 July 1996	31 October 1996
Thoroughway House	31 October 1994	14 November 1997
Leases Grange	27 November 1995	18 November 1998
The Croft	11 July 1996	29 March 1999
New Inn Farm	31 December 1996	28 May 1998
Land at Little Holtby	6 June 1996	1 June 1998
The Shawgills	26 August 1993	20 March 1998

Property/land	Bought	Sold
Land at Station Road	29 January 1993	20 May 1999
The Little Bistro	3 June 1994	23 March 1999
St. Annes Cross	25 January 1995	29 May 1998
Scurragh House	24 August 1995	27 March 1998
Gatherley Villa	14 November 1995	27 March 1998
South Lodge	15 June 1992	27 March 1998
Firholme Farm	18 November 1998	retained
Lodge Farm	11 October 1995	not yet sold (but offer accepted)
Leases Hall	24 August 1994	not yet sold (but offer accepted)
Leases Tip	23 August 1994	for sale
Bedale Hunt Inn	28 August 1992	for sale
Brookside	24 September 1992	retained in part (sale of remainder being negotiated)
Land South of Station Road	30 March 1999	retained
Land at Catterick South Junction	1 September 1989	retained

This is at a total cost of some £5 million in connection with earlier proposals for improvements along the A1 between Dishforth and Scotch Corner.

The improvement schemes were withdrawn from the Trunk Road Programme in 1996. Other than properties directly affected by the extant Orders for the Leeming to Scotch Corner scheme, the Highways Agency is selling the land and properties which it was required to buy under blight provisions for the schemes.

Buses

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions if he will list annual bus ridership figures from 1992 to 1998 in *(a)* Greater London, *(b)* Tyne and Wear, *(c)* Merseyside, *(d)* Greater Manchester, *(e)* South Yorkshire, *(f)* West Yorkshire, *(g)* West Midlands and *(h)* the rest of England. [91406]

Ms Glenda Jackson: Across England as a whole bus patronage rose by one per cent. over the year 1996–97 to 1997–98. Bus ridership, measured as bus passenger journeys, is shown in the table. Data appear in tables 10 and 16 of the Transport Statistics Report "Focus on Public Transport Great Britain: 1999 edition", published by The Stationery Office. Data for 1998–99 will not be available until later this year.

Local bus services: passenger journeys by area

million

	1992–93	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Greater London	1,129	1,117	1,167	1,205	1,242	1,294
Tyne and Wear	189	182	170	168	165	161
Merseyside	178	166	168	165	163	153
Greater Manchester	252	236	226	224	212	211
South Yorkshire	176	166	163	158	150	144
West Yorkshire	231	232	222	219	207	200
West Midlands	356	355	381	358	349	368
Rest of England	1,307	1,274	1,277	1,265	1,265	1,248

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what will be the cost of installing the planned 360 on-bus cameras for the enforcement of bus lanes in London. [91487]

Ms Glenda Jackson: The London-wide expansion of the Traffic Director/Metropolitan Police to use cameras to enforce bus lanes was announced last year. Every bus lane in London will be covered by March 2003. The scheme is estimated to cost £10 million. This includes around 325 on-bus and 35 portable roadside cameras and associated common costs such as signing, computer hardware and software (including development) and type approvals.

Wembley

Mr. Gardiner: To ask the Secretary of State for the Environment, Transport and the Regions what capital sums English Partnerships has allocated to the Wembley Task Force in 1999. [91703]

Mr. Raynsford: None. Should the proposed Task Force identify any projects where support for physical regeneration may be required then it is for English Partnerships to consider each project proposal on its merits, against London-wide priorities, and in light of the resources available to the Agency. The Task Force will be seeking to maximise private sector investment in to the area on the back of the significant investment already made by the public sector.

Mr. Gardiner: To ask the Secretary of State for the Environment, Transport and the Regions what plans the Wembley Stadium Development Monitoring Committee has to consult and involve *(a)* Brent Council and *(b)* local stakeholders. [91704]

Mr. Raynsford: The Wembley Monitoring Committee is there to ensure effective co-ordination across Government and their agencies in respect of the national stadium project, to consider issues arising and agree handling. As the local planning authority, it is not appropriate for Brent to be part of that Committee. We are, however, maintaining close contact with Brent and

my right hon. Friends the Secretary of State for Culture Media and Sport and the Minister for the Regions, Regeneration and Planning (Mr. Caborn), met the Leader of Brent Council last week. The local community will, of course, be consulted as part of the planning process.

London Underground

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what responsibility the Minister for Transport takes for operational performance of London Underground Ltd. [91484]

Mrs. Liddell *[holding answer 15 July 1999]:* The responsibilities of the Secretary of State and his Ministers for the operational performance of London Underground Ltd. are laid out in the London Regional Transport Act 1984, as amended.

Departmental Travel

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to reduce the use of official cars by officials in *(a)* his Department, *(b)* executive agencies of his Department, *(c)* his Department's-sponsored non-departmental public bodies, including regional development agencies and *(d)* the Government Offices for the Regions. [91452]

Ms Glenda Jackson *[holding answer 15 July 1999]:* Green Transport Plans covering our Headquarters buildings, Executive Agencies and Government Offices aim to reduce the environmental impact of the journey to work and travel on official business.

In addition, our travel and subsistence rules have been revised, with now only a single mileage rate to encourage the use of public transport rather than rates based on car engine size. Claims also have to verify that the most cost effective means of transport was used and the use of a car is considered only where public transport was not a viable option.

Further Green Transport Plans will be in place, in line with the Government target, for all other key Departmental buildings, i.e. those where it is the major occupier and has over 50 staff, by March 2000.

Fuel Storage Tanks

Mr. Hilary Benn: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to require the owners and operators of fuel storage tanks *(a)* to ensure that drain cocks on such tanks are fitted with a lockable device to prevent accidental spillage and *(b)* to ensure that operating procedures are in place to ensure that such devices are used. [91777]

Mr. Meale: The Environment Agency's Pollution Prevention Guidelines (PPG2) on above ground oil storage tanks recommends that all tanks should have valves or cocks with lockable or removable hand wheels to prevent accidental spillage. The Guidelines (PPG11) also state that a routine programme of inspection and maintenance should be established.

The Government are considering whether further measures to prevent water pollution from industrial, commercial and institutional (residential and non-residential) oil storage installations are needed. We expect to make an announcement shortly.

Countryside Agency

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions how much money his Department has provided to the Countryside Agency for the development of quiet lanes. [91800]

Mr. Meale: The Countryside Agency has allocated £253,000 of its grant in aid for this financial year to the Quiet Roads initiative. This will bring the total spent on the initiative since it was launched by the Countryside Commission two years ago to £450,000.

Water Companies

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to amend the programme of work which water companies are being requested to carry out on the environment during the period 2000 to 2005 following the recent adjustment to the cost of capital made by the Director General of Water Services for the 1999 periodic review. [91798]

Mr. Meale: The Government's guidance to the Director General on the environmental and water quality improvements to be delivered by 2005 was published under the title "Raising the Quality" in September 1998. More detailed proposals for individual company programmes were announced on 1 March 1999.

These programmes and the cost of capital will both be factors which the Director General takes into account in the draft price determinations he plans to announce on 27 July.

Affordable Homes

Mr. Key: To ask the Secretary of State for the Environment, Transport and the Regions how many affordable homes to rent were developed in *(a)* 1997 and *(b)* 1998 in (i) Salisbury district, (ii) North Dorset district, (iii) New Forest district, (iv) Kennet district and (v) Test Valley district. [91794]

Mr. Raynsford: The additional rented social lettings provided in these districts in 1997–98 and 1998–99 by registered social landlords, with support from the Housing Corporation's Approved Development Programme (ADP) and Local Authority Social Housing Grant (LASHG), were as follows:

District	*1997–98*	*1998–99*
Salisbury	121	95
North Dorset	93	51
New Forest	124	148
Kennet	218	138
Test Valley	57	68

These additional social lettings come from new build, the purchase and rehabilitation of existing property and from empty properties brought into use for temporary

social housing. The ADP and LASHG also support the provision of homes for shared ownership and incentive schemes which assist social tenants to move into home ownership and vacate their lettings for others in housing need.

According to information provided to the Department by local authorities, there was no new building of council housing in these districts in 1997–98 and 1998–99 (other than that provided by LASHG).

Local Government Act 1988

Mr. Lepper: To ask the Secretary of State for the Environment, Transport and the Regions how many people have been prosecuted in each year since 1988 under section 28 of the Local Government Act 1988. [91868]

Mr. Meale: No local authority to date has been taken to court for breach of section 28 of the Local Government Act 1988. I should clarify that the restrictions in the section apply to the actions of local authorities, not individual people.

Waste Strategy, London

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what research he has commissioned on a waste strategy for London; what were the results of that research which has been completed; and if he will make a statement. [91781]

Mr. Meale: My Department has not commissioned any such research.

Driving Tests

Mr. Martlew: To ask the Secretary of State for the Environment, Transport and the Regions (1) what is the waiting time for a practical car driving test in Carlisle; and if he will make a statement; [91442]

(2) what is the target waiting time for a practical car driving test set by the Driving Standards Agency. [91443]

Ms Glenda Jackson: *[holding answer 19 July 1999]:* The current waiting time for driving tests is nine weeks in Carlisle. The Driving Standards Agency has brought in two extra examiners to help reduce the waiting time locally.

The Agency's service targets for test delivery are that the national average waiting time will not exceed six weeks, and that appointments will be available within 10 weeks at 99 per cent. of permanent driving test centres.

Central Railways

Mr. Lidington: To ask the Secretary of State for the Environment, Transport and the Regions what meetings have taken place between Special Advisers in his Department and representatives of or advisers to Central Railways. [91989]

Ms Glenda Jackson *[holding answer 20 July 1999]:* None.

North West Development Agency

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions which persons acted as independent assessors in the sift and interview of candidates for appointment to the Board of the North West Development Agency. [91473]

Mr. Meale: Dr. Joan Firth acted as independent assessor in the sift and interviews of candidates for appointment to the Board of the North West Development Agency.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what potential conflicts of interest were taken into account when appointments were made to the Board of the North West Development Agency. [91474]

Mr. Meale: The Department of the Environment, Transport and the Regions asked all candidates for appointment to complete a questionnaire, giving details of any companies or partnerships of which they were or had been a director or partner during the past 10 years. Candidates were specifically asked to declare any facts that they felt might be raised in public in the future in relation to their suitability to hold the appointment, particularly anything that could be presented as a conflict of interest.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list the names of individuals and other bodies who nominated persons to the Board of North West Regional Development Agency; [91470]

(2) in what journals a general advertisement was placed seeking nominations to the Board of North West Regional Development Agency [91469]

Mr. Meale: Nominations were invited from regional stakeholders. I list here the names of those individuals and bodies who nominated people. A press release was issued to the regional press saying that Regional stakeholders had been invited to make nominations. In addition an advertisement inviting applications for board membership of all DETR's NDPBs was placed in *The Sunday Times*, *The Guardian* and the *Journal* (ethnic press).

Nominations for the RDA Board were received from the following organisations/individuals:

Action with Communities in Rural England
Angela Eagle MP
Association of Colleges
Bank of England North West (Manchester Agency)
Bank of England North (Liverpool)
Ben Chapman MP
Bolton City Challenge
Bolton Metro
Brian Iddon MP
Brian Simpson MEP
British Chamber of Commerce
British Pakistani and Kashmiri Councillors Forum—North West
Business in the Community
Cabinet Office, Public Appointments Unit
Central Lancashire Development Agency
Cllr John West
Confederation of British Industry (CBI)
Co-operative Retail Services Ltd.
Co-operative Union Ltd.
Cumbria County Council
Department for Culture, Media and Sport

Department of Trade and Industry
DfEE
East Lancashire Chamber of Commerce
Engineering Employers' Federation
Enterprise plc
Environment Agency
Federation of Small Businesses
Forum of Private Business
Gerry Fitzhenry
Home Office
Hurlston Management Ltd.
Ian Stewart MP
Jane Kennedy MP
Lancashire Council of Mosques
Lancashire County Council
Lindsay Hoyle MP
Lord (Lewis) Carter
Lorna Fitzsimons MP
Louise Ellman MP
LWS Waste Services
Manchester Chamber of Commerce and Industry
Merseyside Development Corporation
Ministry of Agriculture, Fisheries and Food
Mrs. A. Rea
National Farmers Union
Nicholas R. Winterton MP
North West Council for Training and Enterprise
North West Region Co-operative Enterprise Ltd.
North West Regional Association
North West Tourist Board
Prof. Martin Harris CBE, on behalf of the Vice-Chancellors NW Universities
Partnership Projects Ltd.
Paul Goggins MP
Prof. John Last CBE
Richard Corbett MEP
Roy Phillips
Rural Development Commission
TEC National Council
The National Trust
The NW Federation for Sport, Recreation and Conservation
The right hon. Margaret Beckett
The Rural Development Commission
Tim Collins CBE, MP
United Kingdom Co-operative Council
United Utilities PLC
West Cumbria Partnership
Wigan MBC
Zeneca Group plc.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions if he will instruct the North West Development Agency to carry out an internal inquiry into the change in the costs of mileage allowances arising out of the transfer of English Partnership offices from Cockermouth to Penrith. [91464]

Mr. Meale: No. This is an operational matter for the North West Development Agency.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what the location is of the office in his Department which held the data relating to nominations to the Board of the North West Development Agency. [91471]

Mr. Meale: The data relating to nominations to the Board of the North West Development Agency are held by the Government Office for the North West, located in Sunley Tower, Piccadilly Plaza, Manchester.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what estimate has been made of the freehold value of English Partnerships' offices in Cockermouth on the basis of English Partnerships remaining as a tenant. [91472]

Mr. Meale: Issues relating to accommodation are a matter for the North West Development Agency. The English Partnerships office at Cockermouth transferred to the Agency on 1 April 1999. I understand that the portfolio of premises, including the offices at Lakeland Business Park, is valued annually by independent valuers. The most recent valuation took place on 31 March and reflected the occupation of the premises by Agency staff. For commercial reasons the precise detail of the annual valuation is confidential.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions which organisation will receive the moneys raised from the sale of English Partnerships' offices at Home Wood in Cockermouth. [91457]

Mr. Meale: I understand that Home Wood is now known as Lakeland Business Park. It was transferred from English Partnerships to the North West Development Agency (NWDA) on 1 April 1999. The estate at Lakeland Business Park consists of a number of office blocks, one of which is occupied by NWDA staff. The premises at Lakeland Business Park are owned by the NWDA and any proceeds from the sale of those premises would come to the Agency subject to the Department of Environment, Transport and the Regions' accounting regulations. The premises, however, are not currently programmed for disposal.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 6 July 1999, *Official Report*, column *447*, what estimate has been made of the letting value of the English Partnerships offices in Cockermouth. [91458]

Mr. Meale: Issues concerning accommodation are a matter for the North West Development Agency. I understand from the Agency that the current rental estimate for the premises at Cockermouth is £4.50 per square foot.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions if all offices to be occupied by the North West Development Agency have or are to have BREAM ratings. [91459]

Mr. Meale: Issues relating to accommodation are a matter for the North West Development Agency. I understand that it is the Agency's policy to ensure that all new offices will obtain a BREAM rating.

The Agency is currently either occupying premises which it has inherited or occupying existing premises on a temporary basis. The premises at Mercury Court in Liverpool, Lakeland Business Park in Cumbria, New Town Hall in Warrington and Mulfield House in Birchwood, Warrington, do not have a BREAM rating.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what were the annual *(a)* office-related costs and *(b)* total of salaries and estate-related costs for the English Partnerships offices in Cockermouth for each of the last two years. [91460]

Mr. Meale: The annual figures for English Partnerships Cockermouth were as follows:

£

	1997–98	*1998–99*
Salaries	357,000	322,000
Other office related	157,000	170,000
Estate related	353,000	343,000

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions if he will establish an independent inquiry into the change in the costs of mileage allowances arising from the transfer of English Partnerships' offices from Cockermouth to Penrith. [91463]

Mr. Meale: No. This is an operational matter for the North West Development Agency.

Aarhus Convention

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list the changes to procedures adopted by his Department and its agencies following the Government's signing of the Aarhus Convention on Access to Environmental Information; [91817]

(2) what plans he has to ratify the Aarhus Convention on Access to Environmental Information; and if he will make a statement. [91816]

Mr. Meale: We intend to ratify the UNECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the 'Aarhus Convention') as soon as we have all the necessary measures in place to implement its provisions.

Like most of the other European Union member states, the UK expects to be in a position to ratify by the end of 2000. To date, only the Republic of Moldova has ratified.

Implementation of the Convention is through a mixture of administrative actions and legislative measures. In a great many respects, the UK already fulfils the provisions of the Convention. However, new legislation will be required to implement some of the provisions on environmental information and the consultation paper on the draft Freedom of Information Bill stated that current environmental information regime would be revoked and replaced with provisions in the Bill.

In the past year, we have continued to promote activities relevant to the Convention. For example, the Environment Agency issued a consultation paper on its proposals for extended public consultation on selected licence applications on 16 July, draft Planning Policy Guidance Note 12 on Development Plans promotes active public participation in the preparation of a development plan and the Environment Agency has published a new Pollution Inventory on the internet.

Non-UK Driving Licences

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of people who have been driving regularly in the United Kingdom with non-UK driving licences in each of the last five years. [92023]

Ms Glenda Jackson: This information is not collected.

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions how many and what proportion of road accidents have involved people driving with non-UK driving licences in each of the last five years. [92022]

Ms Glenda Jackson: No information is collected nationally on the country of issue of licences held by drivers involved in road accidents.

Rail Use (London)

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of passengers using rail transport *(a)* to commute into London and *(b)* to travel around London in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 and (iv) 1998–99. [92398]

Ms Glenda Jackson: The estimated number of people from 1995 onwards entering central London by rail during the morning peak period between 7 am and 10 am on an average weekday is as follows:

Thousand

	Surface rail[1]	*LUL and DLR only*
1995	395	348
1996	399	361
1997	435	373
1998	447	395

[1] Includes transfers to LUL and DLR

The estimated numbers of annual passenger journeys by rail in London from 1995–96 onwards are as follows:

Million

	Surface rail[1]	*LUL*	*DLR*
1995–96	761	784	15
1996–97	800	772	17
1997–98	846	832	21
1998–99	892	866	29

[1] Surface rail data covering the London area are not available—these figures refer to passenger journeys in the former Network South East area.

Development Agencies

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what guidance has been provided to members of development agencies as to circumstances in which conflict of interest might exist and the action which should be taken when such guidance is ignored. [91465]

Mr. Meale: The letters of appointment sent to members of the North West Development Agency provided guidance on potential conflicts of interest and the responsibility to declare any such interests.

The Codes of Conduct, which have been drawn up by the agencies in accordance with guidance produced by the Cabinet Office, cover the issue of members' interests. Agencies are required to maintain a Register of Interest of their members. Board members have attended a training course on their roles and responsibilities as members of non-departmental public bodies. The issues of conflicts of interest and propriety were among the issues covered.

INTERNATIONAL DEVELOPMENT

Bosnia

Mr. Cohen: To ask the Secretary of State for International Development what assessment she has made of the level of misuse of international aid sent to Bosnia; and if she will make a statement. [91719]

Mr. Foulkes: We have made no assessment of the level of misuse of international aid to Bosnia, although we monitor the general effectiveness of international development programmes to which we contribute. We have no evidence to suggest that international aid is being misused in Bosnia.

Somalia

Mr. Alan Campbell: To ask the Secretary of State for International Development (1) what steps her Department has taken to promote the inclusion of Somalia within the ACP group of countries for development purposes; [91928]

(2) what steps her Department has taken to raise the issue of Somalia with the European Union and ACP group of states in negotiations on the successor to the Lomé Convention. [91927]

Mr. Foulkes: Somalia is an ACP member. I refer my hon. Friend to the answer I gave to the hon. Member for Argyll and Bute (Mrs. Michie) on 14 July 1999, *Official Report*, column *224*.

New Deal (Young People)

Mr. Bercow: To ask the Secretary of State for International Development how many individuals his Department has recruited under the New Deal for Young People. [91896]

Mr. Foulkes: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to the hon. Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*.

Two New Deal appointees are expected to join the Department by the end of July. We also expect to submit approximately six further vacancies to the Employment Service in the remainder of 1999 with a continuing annual programme of 10 to 12 New Deal appointments thereafter.

Appointments (Quangos)

Mr. Singh: To ask the Secretary of State for International Development how many appointments to quangos she made between *(a)* 1 June 1997 and 31 May 1998 and *(b)* 1 June 1998 and 31 May 1999; and in each case of those how many were members of Britain's (i) Asian and (ii) ethnic minority communities. [92140]

Mr. Foulkes: Between 1 June 1997 and 31 May 1998 my right hon. Friend the Secretary of State made 41 appointments to quangos. Six of the appointees were members of Britain's ethnic minority communities, of whom five were from the Asian community.

The number of appointments made for the period 1 June 1998 to 31 May 1999 was 15, of which none were from the ethnic minority communities.

We are committed to achieving by the end of 2002 a target of 10 per cent. of the public appointments for which we are responsible to be held by members of the ethnic minority communities.

Official Documents

Mr. Wilshire: To ask the Secretary of State for International Development if she will publish a list of all those official documents of the last Administration which have been seen by *(a)* her, *(b)* other Ministers in her Department, *(c)* special advisers in her Department and *(d)* non-career civil servants appointed since May 1997 in her Department. [92177]

Mr. Foulkes *[holding answer 20 July 1999]*: A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, the Department has been guided by the convention governing access to the papers of a previous Administration, as set out in the then Prime Minister's reply to a written question on 24 January 1980, *Official Report* columns *5–7*.

Kosovo

Dr. Tonge: To ask the Secretary of State for International Development by what criteria the Government will decide what proportion of the costs incurred by her Department during the Kosovo crisis between and including March and July will be met from Treasury Contingency Reserve and what proportion from her Department's budget; and if she will make a statement. [92230]

Mr. Foulkes: The Government have already decided that £30 million of the £56 million cost incurred by DFID on the Kosovo crisis between and including March and July should come from the Reserve.

Gender Impact Assessment

Jackie Ballard: To ask the Secretary of State for International Development if she will list the subject of each gender impact assessment drawn up by her Department since June 1997, indicating in each case whether the outcome has been *(a)* put out to consultation and *(b)* published. [92003]

Mr. Foulkes: Gender impact is routinely assessed in each Evaluation Study commissioned by DFID's Evaluation Department. These studies are put out in draft for comment among persons associated with the project or programme under evaluation, and are routinely published in hard copy and on DFID's Internet Website. A global evaluation of DFID's work in promoting gender equality will be commissioned later this year.

Evaluation studies completed and published since June 1997 include:

Natural Resources Research
- Pheromones Research and Development
- Whole Crop Harvester
- DDT Impact Zimbabwe
- RNR Research Synthesis

Emergency Relief/Rehabilitation
- Emergency Aid Synthesis

Higher Education
- Higher Education Synthesis

Good Governance (DAC)
- Institutional Strengthening
- Privatisation and Divestiture

Population
- Kenya Population III
- Population Synthesis

Small Enterprise Development
- Kenya BASE K-REP Juhudi Credit
- Kenya BASE Enterprise Initiatives
- BRAC Small Enterprise Development
- Slovakia Enterprise Education
- Russia Business Planning Agency
- Small Enterprise Development Synthesis

Privatisation
- Assistance to Russia Privatisation

EU Programmes (joint multi-donor)
- ACP/ALA/MED Regions and ECHO

Studies in hand include:

Primary Education
- Kenya SPRED
- India APPEP
- Indonesia ALPS
- Primary Education Synthesis

Health Management
- Pakistan ADB3
- Caribbean Health
- Health Management Research Programme
- Health Sector Reform Synthesis

Environment
- Environment Synthesis (including four Country Studies)

Poverty
- Poverty Synthesis (including four Country Studies)

Police
- Namibia
- Indonesia
- Uganda
- Police Synthesis

Sustainable Agriculture

Revenue

Public Sector Reform

HOME DEPARTMENT

Criminal Offences (Sentences)

Mr. Jack: To ask the Secretary of State for the Home Department if he will publish a consolidated list of criminal offences together with the minimum and maximum lengths of sentences which attach to each type of offence. [91668]

Mr. Boateng: No consolidated list of criminal offences currently exists and to produce one would be an expensive and time-consuming exercise with limited benefits. I therefore have no plans to do so.

Cyclists

Mr. Kaufman: To ask the Secretary of State for the Home Department if he will make a statement on the enforcement of the law in relation to pedal cyclists who ride *(a)* through red lights and *(b)* on pavements. [91562]

Kate Hoey: Enforcement of the law in respect of cycling offences is an operational matter for individual chief officers of police. The hazards caused by cyclists who ride through red lights and who cycle inconsiderately on the pavement are recognised by chief officers and appropriate action is taken where such offences are detected. In order to assist the police, we are introducing, from 1 August, a fixed penalty for the offence of cycling on the pavement. Chief officers recognise that the fixed penalty will need to be used with a considerable degree of discretion and it cannot be issued to anyone under the age of 16. But it will provide the police service with a direct and simple means of dealing with inconsiderate cycling.

Sexual Harassment (Prison Service)

Mr. Gordon Marsden: To ask the Secretary of State for the Home Department how many allegations of sexual harassment have been made by female employees in Her Majesty's Prison Service in each of the last five years for which records are available. [91553]

Mr. George Howarth: Records have only been compiled centrally since 1998. These consist of cases notified to Prison Service headquarters by equal opportunities officers. The recorded information is given in the table:

Year	*Number of allegations*
January–December 1998	31
January–June 1999	5

Mr. Gordon Marsden: To ask the Secretary of State for the Home Department how many cases of sexual harassment in Her Majesty's Prison Service have been settled by employment tribunals in each of the last five years for which records are available. [91551]

Mr. George Howarth: The table provides information about all cases, including sexual harassment, brought under the Sex Discrimination Act 1975 which were settled either by negotiation or by Tribunal decision.

Year	Industrial/employment tribunals
1995	3
1996	5
1997	5
1998	6
1999	0

Home Office Headquarters

Mr. Lidington: To ask the Secretary of State for the Home Department if he will make a statement on the *(a)* objectives and *(b)* progress of the planned re-location of Home Office headquarters from Queen Anne's Gate. [92195]

Mr. Straw: The objectives of the Home Office Central London Accommodation Strategy Private Finance Initiative project are to provide accommodation which meets Home Office and Prison Service long-term requirements for headquarters accommodation in central London; meets operational and business requirements; supports the Home Office modernisation programme; provides a healthy, safe and secure working environment for staff; and complies with Home Office and wider Government environmental policies.

An invitation to submit best and final offers was issued to three bidders in August 1998. Their bids were received in November 1998. None of these bids were acceptable and it is now proposed to invite further best and final offers based upon a revised statement of requirements. Bidders have been told that we expect to do this in September. The new accommodation is likely to be ready for occupation no earlier than 2004.

Prior Convictions

Mr. McNamara: To ask the Secretary of State for the Home Department under what circumstances police may make public a defendant's prior convictions in cases where anonymity has been granted in a criminal trial. [92109]

Mr. George Howarth: The rules of evidence governing the admissibility in criminal proceedings of a defendant's criminal record apply regardless of whether anonymity has been granted in those proceedings.

The law on previous misconduct is currently under consideration by the Law Commission. The Law Commission issued a consultation paper on this subject in July 1996 and their final report is expected early next year.

European Year Against Racism

Mr. McNamara: To ask the Secretary of State for the Home Department if he will list the membership of the National Co-ordination Committee for the 1997 European Year Against Racism; what reports he has received on the Committee's work; and if he will place copies in the Library. [91536]

Mr. Mike O'Brien: Permanent members of the National Co-ordination Committee for the 1997 European Year Against Racism are:

Permanent Members of National Co-ordination Committee for 1997 European Year Against Racism

Membership	Department/Organisation
Timothy Kirkhope	Parliamentary Under Secretary of State (Home Office)
Baroness Flather	
Michael Gillespie	Home Office
Trevor Hall	Home Office
Caroline Rowe	Home Office
Julie Clouder	Home Office
Graham Bann	Race for Opportunity
Marilyn Macy	Department for Education and Employment
Paul Brice	Department of Health
Will Haire	Northern Ireland Office
Gerald Laufer	Department of the Environment, Transport and the Regions
Sukhdev Sharma	Commission for Racial Equality
Colin Hann	Commission for Racial Equality
Sukhvinder Stubbs	Runnymede Trust
Kay Carberry	Trades Union Congress
Loraine Martins	Sia
Brian Pearce	Interfaith Network
Alison Wheeler	Association of Metropolitan Authorities
Robin Mayho	Association of County Councils
Joslyn Fisher	Association of District Councils
Gordon Mitchell	Welsh Local Government Association
John Preston	British Phonographic Industry
Julie Mellor	CBI
Richard Flint	Heart of England TEC
John Jordan	Convention of Scottish Local Authorities

The Report from the Commission of the European Communities on 'The Implementation of the European Year Against Racism (1997)' was issued in Brussels on 3 June 1999, and received here shortly afterwards.

Copies of the report and a covering Explanatory Memorandum are available in the Library.

Community Relations Unit

Mr. McNamara: To ask the Secretary of State for the Home Department if he will list the principal functions of the Community Relations Unit and set out its priorities for 1999 and 2000. [91535]

Mr. Mike O'Brien: The aims of the Race Equality Unit (formerly the Community Relations Unit) for 1999–2000 are to promote race equality and to increase ethnic minority representation in the public sector. This includes:

developing, implementing and monitoring race equality employment targets for the Home Office Services;

launching a new grant scheme to promote race equality;

contributing to and, where appropriate, giving a lead on race equality issues internationally;

developing policy on religious discrimination and other faith issues;

support for the Home Secretary's Race Relations Forum which provides ethnic minorities with an effective voice at the heart of government;

reviewing the effectiveness of the criminal law in race relations; and

supporting the reception of refugees including the Kosovan Humanitarian Evacuation Programme.

Albania

Mr. Steen: To ask the Secretary of State for the Home Department how many *(a)* British passports and *(b)* visitor's permits have been issued to (i) male and (ii) female Albanians in each of the last two years; what estimate he has made of the number of Albanians who are in this country illegally; and if he will make a statement. [92217]

Mr. Mike O'Brien: The available information is on grants of British citizenship and the issue of non-settlement entry clearance at the British Embassies in Tirana, or in Rome and Istanbul which were the designated entry clearance issuing posts for applicants resident in Albania before the British Embassy in Tirana provided full entry clearance-issuing facilities in 1999. The data are given in the table. No information is readily available on the gender of the applicants.

There is no estimate of the total number of Albanian nationals currently living in the United Kingdom who have no lawful right to be here.

Year of grant	*1997*	*1998*
Albanian nationals granted British citizenship	3	9
Albanian nationals granted non-settlement entry clearance issued at the British Embassies in Tirana, Rome and Istanbul	639	1,240

All issues, not necessarily to Albanian nationals

Animal Experiments

Mr. David Taylor: To ask the Secretary of State for the Home Department what are the terms of reference given to the inquiry into procedures at Harlan UK's breeding establishment in North West Leicestershire; how many inspectors are engaged in the inquiry; and what is its planned timescale. [91814]

Mr. George Howarth: I have asked the Animals (Scientific Procedures) Inspectorate to investigate all the allegations made against this establishment by the British Union for the Abolition of Vivisection (BUAV) in so far as they relate to possible contraventions of the Animals (Scientific Procedures) Act 1986; the terms and conditions of licences and certificates issues under the 1986 Act; and the Codes of Practice issued under section 21(2) of the Act. I have asked that, should any other indications of possible contraventions be uncovered during the course of the investigation, these be investigated too. The investigation is not restricted to any particular part of the establishment or to the material contained in the BUAV's report or compilation video tape recording.

One Superintending Inspector is heading the investigation. He is being assisted, as necessary, by other members of the Inspectorate and by other civil servants in the Animal Procedures Section at the Home Office.

I have not set a time limit on the investigation. We are still waiting to receive from the BUAV the evidence that they collected, and the amount of time needed will depend on what this material shows and the other findings that emerge from the investigation. I expect, however, that it could take two to three months to complete. I will receive reports at appropriate points during the investigation and any immediate action needed to protect animal welfare will be taken.

NORTHERN IRELAND

Ministerial Meetings

Mr. Matthew Taylor: To ask the Secretary of State for Northern Ireland how many times Ministers in her Department have held meetings with Ministers and officials of the Irish Government since 1 January, indicating the dates and locations of each meeting, the Ministers involved and the names of the Irish Ministers and officials at each meeting. [90410]

Mr. Paul Murphy: I have met Irish Ministers very frequently throughout the Talks Process. Other meetings held by Northern Ireland Office Ministers since 1 January 1999 were:

Date	*Location*	*Minister*	*Irish minister*
13 January	Dublin Castle	Lord Dubs	Mr. Noel Dempsey TD Mr. Bobby Molloy TD
3 February	Department of Education and Science, Dublin	Mr. McFall	Mr. Michael Martin TD and three officials
17 March	Armagh	Lord Dubs	Mr. Jim McDaid TD
26 March	President's Hall, Dublin	Lord Dubs	Dr. Michael Woods TD
1 April	Aghalane Bridge	Lord Dubs	Mr. Noel Dempsey TD
21 April	Kings Hall, Belfast	Lord Dubs	Mr. Noel Davern TD
22 April	Department of Justice, Equality and Law Reform, Dublin	Mr. Ingram	Mr. J. O'Donoghue TD and four officials
23 April	Slieve Donard Hotel, Newcastle	Lord Dubs	Mr. Noel Davern TD
29 April	Ballyconnell, Co. Cavan	Lord Dubs	Taoiseach
4 May	Conard Hotel, Dublin	Mr. McFall	(1) Dr. Tom Moffett TD (2) Mr. Brian Cowen TD and five officials
17 May	Enniskillen College	Lord Dubs	Mr. Noel Davern TD and one official
17 June	Lancaster House, London	Lord Dubs	Lord Donoghue Mr. Joe Walsh TD

RUC

Mr. McDonnell: To ask the Secretary of State for Northern Ireland when she plans to publish the 1998-99 report on the Royal Ulster Constabulary by Her Majesty's Inspector of Constabulary. [92526]

Mr. Ingram: Copies of the 1998-99 Inspection Report, which is the fourteenth RUC Inspection Report to be published, have today been placed in the Library.

Her Majesty's Inspector's overall remit is to examine police operational efficiency and effectiveness and offer

his independent and professional recommendations. I am sure the Independent Commission on Policing will be interested to note the recommendations and I am extremely pleased to see that Her Majesty's Inspector is optimistic about the future of policing in Northern Ireland, as indeed I am myself.

This report covers a number of areas relating to matters such as RUC planning strategies, consultation arrangements, performance management, and community relations. The Chief Constable will now consider these issues and in due course the Police Authority will publish any comments either the Chief Constable or the Authority may have.

Construction Service

Mr. McNulty: To ask the Secretary of State for Northern Ireland what performance targets have been set for the Construction Service in 1999–2000. [92527]

Marjorie Mowlam: For 1999–2000, the following performance targets have been set for Construction Services:

Quality of Service

1. To achieve a 90 per cent. compliance in customer assessments of Agency performance against Service Level Agreements.
2. To obtain a 90 per cent. positive response in customer assessments on project work.
3. To place 80 per cent. of orders in response to requests for reactive maintenance work within 7 days.
4. To place 75 per cent. of orders in response to requests for supplies work within 7 days.
5. To respond to 85 per cent. of customer advisory inquiries within 6 weeks.

Efficiency

6. To achieve 3 per cent. efficiency gains on running cost expenditure.
7. To ensure that actual costs as a percentage of agreed target costs on project work do not exceed the agreed percentage.
8. To ensure that staff costs as a percentage of construction spend for maintenance work do not exceed the agreed percentage.
9. To ensure that staff costs as a percentage of construction spend for supplies work do not exceed the agreed percentage.

Financial Performance

10. To maintain expenditure within cash limits and to approved budgetary plans.
11. To recover the full cost of Agency Operations from customers with a tolerance of ±2 per cent.

CCTV

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will publish the guidelines, procedures and rules governing the town centre CCTV challenge competition; what criteria will be used to make financial allocations; and if the scheme is subject to policy appraisal fair treatment guidelines. [91531]

Mr. Paul Murphy: The Police Authority for Northern Ireland issued a detailed guidance document on the bidding process when the first Northern Ireland Town Centre CCTV Challenge Competition was launched on 24 June 1999. This document sets out the procedures for submitting a bid and details the criteria against which all bids will be assessed. The guidance document has been widely circulated to interested parties across Northern Ireland and further copies may be obtained by contacting the Authority. As demonstrated by the announcement in March last year of the new Targeting Social Need initiative, the Government remain committed to securing equality of opportunity and equity of treatment for all the people of Northern Ireland. The rules of this competition have been developed in line with this policy and the awarding of funds will also be so governed.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what measures she has taken to ensure that victims of sectarian crimes of violence and their relatives are consulted and encouraged to become involved in local partnerships receiving funding through town centre CCTV challenge competitions. [91530]

Mr. Ingram: Details of the Northern Ireland Town Centre CCTV Challenge Competition have been widely disseminated throughout Northern Ireland by way of both television coverage and local press articles. All members of the community have been equally encouraged to participate in the establishing of local partnerships which will clearly benefit from being as inclusive as possible. Membership of the partnerships is open to anyone with an interest to contributing to the crime reduction effort in their local area.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what rules govern the use of recordings made as a result of town centre CCTV cameras; and what safeguards are available to protect against *(a)* the unauthorised use of a recording and *(b)* the abuse of an authorised use. [91533]

Mr. Ingram: Any CCTV scheme funded as a result of a bid in the Northern Ireland Town Centre CCTV Challenge Competition must be governed by a Code of Practice. The development of such a Code is a critical element of the bidding procedure and is required to take account of generally recognised standards and safeguards relating to the use of CCTV.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will require the Police Authority to make public police objections to partnerships seeking funding through the town centre CCTV challenge competition; at what level of command the decision to make an objection must be taken; and what body will assess in the first instance that an objection meets the requirement of reasonableness. [91532]

Mr. Ingram: Individual partnerships will receive a full report on any police objections to proposed town centre CCTV schemes. The decision to make an objection to a proposal should be taken at Superintendent level or higher. Partnerships unhappy with the police view of their proposal may wish to raise this matter with the Police Authority for Northern Ireland.

Sectarian Violence

Mr. McNamara: To ask the Secretary of State for Northern Ireland what studies her Department has commissioned on the age, gender and social and economic profile of the perpetrators of sectarian assaults. [91534]

Mr. Ingram: To date the Government have not commissioned studies on this issue.

SCOTLAND

Genetically Modified Fish

Joan Ruddock: To ask the Secretary of State for Scotland if he will list the notifications under the Genetically Modified Organisms (Contained Use) Regulations 1992 (as amended) for work on genetically modified fish to be undertaken in Scotland. [88730]

Mr. Macdonald *[holding answer 28 June 1999]:* None. Activities involving genetically modified animals and plants need to be notified if they fail to meet criteria for safety to human health specified in the Regulations.

Joan Ruddock: To ask the Secretary of State for Scotland what information he has assessed about biotechnology research involving *(a)* the transfer of fish genes into other organisms and *(b)* genes into fish. [89024]

Mr. Macdonald *[holding answer 29 June 1999]:* The only information assessed related to a premises notification submitted in 1994 under the Genetically Modified Organism (Contained Use) Regulations 1992 and related to work on transgenic fish undertaken at Otter Ferry Salmon Ltd., Argyll, with the assistance of a Canadian company. It was a pre-market pilot study and as such did not involve commercial release. This work has now ceased.

Ministerial Meetings

Mr. Matthew Taylor: To ask the Secretary of State for Scotland how many times ministers in his Department have held meetings with ministers and officials of the Irish Government since 1 January 1998, indicating the dates and locations of each meeting, the ministers involved, and the names of the Irish ministers and officials at each meeting. [90403]

Dr. Reid: My hon. Friend the Member for Western Isles (Mr. Macdonald) held an ESDP bilateral in Dublin with Dan Wallace, Minister of State at the Irish Department of the Environment, on 12 March 1998. In accordance with convention the names of officials in attendance are not given.

Scottish Parliament

Mr. Gorrie: To ask the Secretary of State for Scotland if he will publish, through concordats or other appropriate documents, the administrative measures taken to clarify the arrangements within Government Departments on demarcation between matters dealt with by the Scottish Executive and those relating to Scotland continuing to be dealt with by the Scottish Office or other Whitehall Departments. [91236]

Dr. Reid: The devolution legislation defines the scope of the responsibilities of members of the Scottish Executive. The Scottish Ministers' responsibilities include functions in relation to matters in Scotland which are not reserved by schedule 5 of the Scotland Act 1998 and functions transferred to them under section 63 of that Act (e.g. under The Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999, SI 1999 1750).

Climate Change Levy

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland what assessment he has made of the impact which the proposed climate change levy will have on the Scottish agricultural sector; and if he will make a statement. [91675]

Dr. Reid: The climate change levy will play a key role in helping the UK meet the greenhouse gas emission targets we are committed to achieve. It is a priority objective for the Government to mitigate the global impacts of climate change. My right hon. Friend, the Chancellor of the Exchequer, who is responsible for this matter, will consider all submissions on the levy before he makes an announcement on its final form.

The National Farmers Union of Scotland has submitted its views on the levy to HM Customs and Excise. The National Farmers Union has joined representatives of other energy intensive sectors in negotiations for energy efficiency agreements with the Department of Environment, Transport and the Regions. Sectors which make satisfactory agreements will be eligible for lower rates of levy. I understand that there has been good progress in the negotiations.

DEFENCE

Warships

Mr. Hancock: To ask the Secretary of State for Defence when HMS Albion and HMS Bulwark will be in service; and if he will make a statement. [85960]

Mr. Spellar *[holding answer 8 June 1999]:* The current approved ISDs are March 2002 and March 2003. However, the DPA has been informed that Marconi Naval Systems (MNS) (formerly VSEL) is experiencing difficulties with maintaining the LPD(R) construction programmes on schedule at their Barrow shipyard. I cannot confirm whether we will need to revise the in service dates until the company has completed their detailed negotiations with the DPA.

Eurofighter

Mr. Gordon Prentice: To ask the Secretary of State for Defence what is the percentage of the total value of the Eurofighter which is to be manufactured in the United Kingdom. [89928]

Mr. Spellar: Eurofighter workshare entitlements are based on the number of aircraft each of the four partner nations is purchasing. As the United Kingdom is purchasing 232 aircraft from a four nation total of 620, the percentage value of Eurofighter work accruing to the United Kingdom is 37.42 per cent. Any imbalances that arise between production activity levels and entitlements will be addressed during the life of the programme using mechanisms established in the Eurofighter Memoranda of Understanding signed by the four partner nations in December 1997.

TRIGAT Programme

Mr. Cann: To ask the Secretary of State for Defence if he will make a statement on the medium-range TRIGAT programme. [90175]

Mr. Spellar: On 10 June the Secretary of State for Defence announced that the UK intended to join the Industrialisation and Production phase of the MR

TRIGAT programme. The UK, France and Germany have now signed a Memorandum of Understanding (MOU) covering that stage of the programme. Subject to signature of the MOU by the remaining partner nations, Belgium and the Netherlands, and satisfactory final negotiations with the Prime Contractor, Aerospatiale, we expect to place a contract for the Industrialisation and Production of the weapon system later this year.

Project Budgets

Mr. Hancock: To ask the Secretary of State for Defence if he will list the current budget of *(a)* the Active Decoy Round-Outfit DHL Project, *(b)* the Chinook Medium Support Helicopter Project, *(c)* the Counter Battery Radar Project, *(d)* the Joint Tactical Information Distribution System for Royal Navy Ships and Aircraft Project, *(e)* the Skynet 4 stage 2 Project, *(f)* the Truck Utility Light/Medium/Medium Project and (h) the Tomahawk Land Attack Missile Project; and in each case what was the original and what is the current in-service date. [90428]

Mr. Spellar: The information is as follows:

Project	*Original predicted in service date*	*Current predicted or achieved in service date*	*Current estimated project cost at 1999-2000 prices (£ million)*
Active Decoy Round-Outfit DLH	December 1997	April 2000	108
Chinook Medium Support Helicopter	December 1997	December 1997	322
Counter Battery Radar	December 1993	December 2002	180
Joint Tactical Information Distribution System (JTIDS) for RN Ships	June 1993	December 2002	358
JTIDS for Sea Harrier	June 1998	December 2004	
JTIDS for Sea King	December 1999	July 2001	
Skynet 4	May 1997	May 1998	500
Truck Utility Light	December 1994	September 1997	241
Truck Utility Medium	December 1994	April 1997	
Truck Utility Medium (Heavy Duty)	December 1994	May 1995	
Tomahawk Land Attack Missile	December 1998	December 1998	200

43 Brigade

Mr. Key: To ask the Secretary of State for Defence how many redundancies there will be in Exeter following the removal of 43 Brigade to Bulford, Netheravon and Tidworth. [91566]

Mr. Doug Henderson: Our current estimate is that 27 people may be made redundant; this excludes members of the MOD Guard Service. The effect on MOD Guard Service personnel will depend on the future access control requirements at Wyvern Barracks, Exeter, which are yet to be finally determined.

British Forces Broadcasting Services

Mr. Bob Russell: To ask the Secretary of State for Defence if he will make funding available to British Forces Broadcasting Services to enable the temporary radio station for the Colchester Garrison to be made a permanent service. [91793]

Mr. Doug Henderson: The 'garrison radio' service at Colchester is part of a trial facility over a 12 month period from April this year at the four largest UK mainland Army garrisons, as part of the Army's Corporate Communications Strategy. The facility uses a short-term (28 day) restricted service licence granted by the Radio Authority and each location (Bulford/Tidworth, Catterick, Colchester and Aldershot) will be covered twice during the trial period. A decision on the future of this service will be made following an assessment of the outcome of these trials and the availability of suitable frequency licences.

Official Documents

Mr. Wilshire: To ask the Secretary of State for Defence if he will publish a list of all those official documents of the last Administration which have been seen by *(a)* him, *(b)* other ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92182]

Mr. George Robertson *[holding answer 20 July 1999]:* A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, the Department has been guided by the convention governing access to the papers of a previous Administration, as set out in the then Prime Minister's reply to a written question on 24 January 1980, *Official Report*, columns *305–07*.

Biological and Chemical Weapons

Ms Drown: To ask the Secretary of State for Defence when he plans to announce the outcome of his Department's review of the defence response to the threat posed by biological and chemical weapons; and if he will make a statement. [92694]

Mr. George Robertson: I have today placed in the Library of the House a paper setting out the conclusions of our review. The paper entitled "Defending Against the Threat from Biological and Chemical Weapons", explains our policy and the ways in which we plan to develop our capabilities further.

We will continue to pursue, through international agreement, the verifiable elimination of biological and chemical weapons. Valuable progress has been made in recent years as a result of our efforts, but there is a long way to go before our objectives are met in full. In the meantime, we recognise that the use, or threatened use, of these weapons remains one of the potential challenges we must face.

I therefore place a high priority on ensuring that our Armed Forces are protected, with the training and equipment they need to deal with the risks such weapons continue to pose. We are enhancing our capabilities with a range of equipment programmes, for example by bringing into service additional Prototype Biological Detection Systems. We are also establishing the Joint Nuclear, Biological and Chemical (NBC) Regiment, and an NBC Defence Headquarters. As a result of our review, I have also set up a new Central Staffs Directorate in the Ministry of Defence to co-ordinate and take forward further work on NBC defence issues. They will maintain a rolling plan of action and report progress to me on a regular basis. In total we plan to spend over £270 million in this area over the next three years.

No potential adversary should believe that the use, or threatened use, of biological or chemical weapons would determine the outcome of a conflict or deter this government from taking action it believes is right.

Appointments (Quangos)

Mr. Singh: To ask the Secretary of State for Defence how many appointments to quangos he made between *(a)* 1 June 1997 and 31 May 1998 and *(b)* 1 June 1998 and 31 May 1999, and in each case of those how many were members of Britain's (i) Asian and (ii) ethnic minority communities. [92137]

Mr. Spellar: The following number of appointments were made to Non-Departmental Public Bodies (NDPBs) for which my Department is responsible:

(a) 1 June 1997 to 31 May 1998: 34; (i) nil; (ii) nil.

(b) 1 June 1998 to 31 May 1999: 30; (i) nil; (ii) nil.

These figures include new appointments as well as reappointments.

Appointments to the Armed Forces Pay Review Body are not included as they are made by the Prime Minister. Appointments to the technical Boards under the Defence Scientific Advisory Council are not included (they have previously been included in answers to similar questions). The Cabinet Office has recently agreed that as these Boards are sub-Committees of the Council they should not be classified as advisory NDPBs. Appointments to the Council itself are included.

Within the overriding principle of selection based on merit, MOD is committed to increasing diversity in appointments to its NDPBs and raising the representation of women, people from ethnic minority groups and disabled people in line with government-wide objectives. To this end MOD publishes an annual Plan for Public Appointments and Equal Opportunities (the plan for 1999–2002 was published in "Quangos: Opening up Public Appointments") which sets objectives and targets.

Defence Vetting Agency

Liz Blackman: To ask the Secretary of State for Defence what key targets have been set for the Defence Vetting Agency in the financial year 1999–2000. [92695]

Mr. Spellar: The Defence Vetting Agency was launched on 1 April 1997 with a staff of 349, at four separate Units in Central London, Portsmouth, Woolwich and Corsham. The Agency carries out some 130,000 vetting checks and investigations each year. The Agency is embarked on an ambitious modernisation programme aimed at creating a highly responsive and highly efficient, integrated organisation, exploiting the capabilities of modern information technology to the benefit of its customers. Central to the modernisation initiative is collocation of the Agency at York. 1999–2000 will see the run up to collocation. The Chief Executive has been set the following Key Targets:

Quality

Key Target 1

At least a 90 per cent. success rating in dealing with Contentious Cases, and zero Serious Errors.

Timeliness

Key Target 2

To complete 87 per cent. of Security Checks within 6 weeks (30 working days).

Key Target 3

To complete 84 per cent. of Counter Terrorist Checks within 6 weeks (30 working days).

Key Target 4

To complete 90 per cent. of all Developed Vetting clearances within 6 months (120 working days).

Key Target 5

To maintain average times for Security Checks and Counter Terrorist Checks of 4 weeks (20 working days) and 4.6 weeks (23 working days) respectively, and to complete Developed Vetting clearances on average within 3.1 months (62 working days).

Efficiency

Key Target 6

To maintain the Financial Year 1998–99 Unit Cost of Output.

I have arranged for advance copies of the Corporate Plan to be placed in the Libraries of both Houses.

EDUCATION AND EMPLOYMENT

Data Series

Jackie Ballard: To ask the Secretary of State for Education and Employment what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90823]

Mr. Mudie: In January 1999 the Department carried out a re-survey of all its staff to update the information held on an individual's ethnic origin and disability information. The response rate by May 1999 was 94 per cent. of all staff.

Information on gender, age, ethnic origin and disability is automatically collected when a member of staff joins the Department. In addition individual members of staff have on-line access to their own computerised personnel file to enable them to notify the Department of any inaccuracies which may be held.

Laboratory Teaching

Dr. Gibson: To ask the Secretary of State for Education and Employment what consultations he has had with industry on the financing of scientific laboratories in schools in the past two years. [91285]

Mr. Charles Clarke: We have had no consultations with industry during the past two years on the financing of science laboratories in schools although we do, of course, promote the Private Finance Initiative as a means for attracting private finance into the schools capital programme generally.

Dr. Gibson: To ask the Secretary of State for Education and Employment what plans he has to review the school scientific laboratory teaching curricula in the sciences. [91282]

Mr. Charles Clarke: The proposals for a revised National Curriculum for schools issued by my right hon. Friend the Secretary of State on 13 May include new measures to improve the quality of experiments pupils carry out when studying biology, chemistry and physics. A copy of the consultation materials was placed in the Library.

Dr. Gibson: To ask the Secretary of State for Education and Employment (1) what recommendations he has made for the design, layout and organisation of school scientific laboratories; [91284]

(2) what studies he has undertaken in the last two years on the standards set for the design and equipment of school scientific laboratories for the teaching of *(a)* physics, *(b)* chemistry, *(c)* biology, *(d)* environmental sciences and *(e)* other sciences in (i) primary schools and (ii) secondary schools. [91286]

Mr. Charles Clarke: The Department has published guidance on the design and layout of school science rooms. Building Bulletin 82, "Area Guidelines for Schools", offers advice for both primary and secondary schools, while Building Bulletin 80, "Science Accommodation in Secondary Schools: A Design Guide", provides more detailed advice for the secondary sector, which requires dedicated, science accommodation. The design needs of secondary schools has been examined during the past two years as part of our rolling programme for producing, and updating, design guidance and, as a consequence, a replacement for Building Bulletin 80 will be published during the coming month.

A-level History

Mr. Clappison: To ask the Secretary of State for Education and Employment (1) what estimate he has made of change in the proportion of A-level history students choosing to study *(a)* pre-1066 and *(b)* medieval English history in the last 20 years; [91555]

(2) what recent research he has *(a)* commissioned and *(b)* evaluated into the teaching of (i) pre-1066, (ii) medieval and (iii) post-1485 English history; [91556]

(3) what plans he has to ensure that A-level history students have the opportunity to study pre-1066 English history; [91557]

(4) what representations he has received concerning the place of pre-1066 English history in the A-level history syllabus; [91558]

(5) what representations he has made to A-level examination boards concerning the A-level history syllabus. [91559]

Mr. Mudie: Information about the proportion of A-level history students choosing to study pre-1066 and medieval English history is not collected centrally. The Department has commissioned no recent research into the teaching of English history. To date we have received one representation on the availability of pre-1066 English history at A-level, as well as early day motion 829 tabled on 15 July. In the light of the concerns expressed, we have asked the Qualifications and Curriculum Authority, which is responsible for regulating and approving all A-level specifications offered by the awarding bodies in England, to investigate this matter urgently.

Local Education Authorities

Maria Eagle: To ask the Secretary of State for Education and Employment if he will take steps to ensure that local education authorities which have been severely criticised in Ofsted reports do not offer generous early retirement packages to their chief education officers. [91790]

Ms Estelle Morris: The issue of early retirement is a matter for individual local authorities in the light of relevant employment and education law. We expect them to take decisions with the aim of securing value for money for the whole education budget and high quality education for their pupils.

Teachers

Mr. Alan Campbell: To ask the Secretary of State for Education and Employment what percentage of teachers in maintained *(a)* primary and *(b)* secondary schools in England and Wales were aged (i) under 30, (ii) 31-40, (iii) 41-50 and (iv) over 50 years in each of the years from 1996 to 1999. [91942]

Ms Estelle Morris: Full-time qualified teachers in the maintained sector in England and Wales, 1996 and 1997, by phase and age are as follows:

Percentage of all ages

	31 March 1996	*31 March 1997*
Nursery and Primary		
Under 31	20.9	22.0
31-40	20.2	20.0
41-50	43.1	42.9
Over 50	15.7	15.2
All ages	100.0	100.0
Secondary		
Under 31	16.8	17.9
31-40	25.3	24.3
41-50	43.3	43.3
Over 50	14.6	14.5
All ages	100.0	100.0

Data on teachers by age are not yet available for 1998 and 1999.
1997 data are provisional.

British Teachers (EU Schools)

Mr. Don Foster: To ask the Secretary of State for Education and Employment if British nationals employed through the European Union to teach in European schools are entitled to receive promotion and responsibility allowances on their national scale; and if he will make a statement. [91796]

Mr. Charles Clarke: The overall salary level for teachers employed by the DfEE and assigned to posts in the European Schools is determined by the European Schools Board of Governors and set out in its document "Regulations for Members of the Seconded Staff of the European Schools". The DfEE fully meets its statutory obligations in respect of promotion and responsibility allowances paid with national salary.

School Teachers (Attacks)

Mr. Cox: To ask the Secretary of State for Education and Employment how many attacks on school teachers at schools in Greater London by *(a)* pupils and *(b)* parents, were reported in each of the last five years. [92007]

Ms Estelle Morris: This information is not available centrally.

Staff Movements

Mr. Chaytor: To ask the Secretary of State for Education and Employment (1) what research he has commissioned on the impact of staff recruitment and retention in sixth form colleges of the salary differentials between the further education and secondary school sectors; [91818]

(2) what assessment he has made of the likely impact on staff recruitment and retention in sixth form colleges of the current proposals to reform the salary structure in primary and secondary schools. [91815]

Mr. Mudie: While we have not commissioned specific research, we meet regularly to discuss recruitment and retention issues with representatives of staff and employers in sixth form colleges and further education colleges generally. The Government have injected £725 million of new funds into further education over this year and next and we also welcome the Further Education Funding Council's proposals to increase the funding for full time 16–49-year-old students.

Mr. Chaytor: To ask the Secretary of State for Education and Employment what monitoring his Department undertakes of the flows of teaching staff between sixth form colleges and secondary schools; and if he will publish the available data for each of the last five years. [91819]

Mr. Mudie: The Local Government Management Board undertakes an annual survey of teacher recruitment and retention on behalf of the Sixth Form Colleges' Employers Forum. Ministers meet regularly with representatives of the Employers Forum to discuss these, and other issues.

Data from the survey are available for the years 1993 to 1997 and are reproduced in the following table:

Year	*Leavers to schools*	*Recruitment from schools*
1993	35	93
1994	55	82
1995	40	91
1996	58	86
1997	85	35

SOCIAL SECURITY

Benefit Recipients

Mr. Cousins: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Perth (Ms Cunningham) of 1 July 1999, *Official Report*, column *244*, if he will list the current numbers of recipients of each benefit listed broken down to show the number of recipients per head of the adult population in each region and nation for each of the last three years. [90940]

Angela Eagle: The information has been placed in the Library.

Housing Benefit

Mr. Love: To ask the Secretary of State for Social Security if he will list the numbers of recipients of housing benefit in the form of *(a)* single room rent, *(b)* full local reference rent and *(c)* partial local reference rent in each London borough in each year since they were introduced. [91782]

Angela Eagle: The information is in the table.

The table provides the number of recipients who were being paid under the Local Reference Rent and Single Room Rent Schemes. The first column includes those recipients who received 50 per cent. top-up above the Local Reference Rent.

Recipients of housing benefit broken down by local reference rent and single room rent schemes, for all London authorities, for 1996, 1997 and 1998

	January 1996 Local Reference Rent Scheme			*October 1996 Single Room Rent Scheme*		*October 1997 Local Reference Rent Scheme*
Local authority	*August 1996*	*August 1997*	*August 1998*	*August 1997*	*August 1998*	*August 1998*
Camden	3,170	2,490	1,720	360	260	660
Greenwich	1,380	2,110	1,970	80	70	270
Hackney	2,790	4,340	3,320	330	400	1,280
Hammersmith and Fulham	1,470	2,240	1,570	130	70	370
Islington	570	880	1,160	50	110	900
Kensington and Chelsea	1,120	1,420	1,050	170	110	430
Lambeth	370	3,450	1,980	90	100	1,320
Lewisham	2,840	4,090	3,320	270	180	660
Southwark	1,420	2,240	1,520	60	50	220
Tower Hamlets	740	970	1,010	120	120	230
Wandsworth	2,100	2,940	1,370	140	70	1,290

Recipients of housing benefit broken down by local reference rent and single room rent schemes, for all London authorities, for 1996, 1997 and 1998

	January 1996 Local Reference Rent Scheme			*October 1996 Single Room Rent Scheme*		*October 1997 Local Reference Rent Scheme*
Local authority	*August 1996*	*August 1997*	*August 1998*	*August 1997*	*August 1998*	*August 1998*
Westminster	2,240	2,930	2,090	200	160	790
Barking	890	1,610	1,040	50	20	850
Barnet	2,210	3,220	2,750	240	180	760
Bexley	1,050	1,630	230	150	60	1,530
Brent	3,640	6,420	4,520	310	240	1,860
Bromley	960	1,520	1,400	50	50	120
Croydon	1,870	3,740	3,070	150	160	930
Ealing	2,470	4,130	3,800	210	180	380
Enfield	1,870	3,030	2,490	110	100	750
Haringey	2,980	6,410	3,350	190	260	3,570
Harrow	1,240	2,070	930	100	260	510
Havering	730	1,310	950	60	100	390
Hillingdon	710	1,190	940	50	40	390
Hounslow	1,970	2,750	1,720	150	90	1,140
Kingston upon Thames	560	740	450	170	10	190
Merton	1,180	1,720	1,440	60	40	190
Newham	4,920	7,530	6,990	320	180	1,340
Redbridge	2,570	4,120	3,450	130	80	960
Richmond upon Thames	730	1,220	460	50	30	370
Sutton	670	940	480	110	90	440
Waltham Forest	1,390	6,260	3,030	350	270	1,270

Notes:
1. Figures given are for recipients of housing benefit
2. Figures have been rounded to the nearest ten
3. The data will contain estimations for non-responding authorities

Source:
Management Information System Quarterly Caseload counts taken on the last working day of the month in August 1996 and 1997, and on the second Thursday of the month in August 1998

Mr. Love: To ask the Secretary of State for Social Security what research he has commissioned on the impact of the single room rent provision on housing benefit; what were the findings of that research which has been completed; and if he will make a statement. [91778]

Angela Eagle: In June 1997, this Department and the Department of the Environment, Transport and the Regions jointly commissioned the London Research Centre to carry out a study on the impact of the rent restriction rules introduced in 1996—the Local Reference Rent and the Single Room Rent. The study also focused on exceptional hardship payments and pre-tenancy determinations. The findings have been published by DETR in the report entitled "Housing Benefit and the Private Rented Sector", a copy of which was placed in the Library.

We are considering the future of the Single Room Rent as part of our review of Housing Benefit. We will be taking account of all the available research as well as the implications for public expenditure and work incentives.

New Deal (Young People)

Mr. Bercow: To ask the Secretary of State for Social Security how many individuals his Department has recruited under the New Deal for Young People. [91882]

Angela Eagle: I refer the hon. Member to the Written Answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*.

Since the date of the information previously provided, this Department has employed an additional 23 young people under the New Deal arrangements bringing the total to 41.

CSA

Mr. Pike: To ask the Secretary of State for Social Security what percentage of CSA cases *(a)* went to appeal and *(b)* succeeded on appeal in the last year for which figures are available. [91837]

Angela Eagle: The total number of live Child Support Agency (CSA) cases as at 31 December 1998[1] was 873,000. During the period 1 January 1998 to 31 December 1998 there were 7,217 CSA appeals (0.83 per cent. of 873,000) of which 4,740 (65.7 per cent.) were decided in the appellant's favour.

[1] 1998 is the last year for which figures are available.

Mr. Pike: To ask the Secretary of State for Social Security what is the average cost of the appeal procedure for CSA cases. [91838]

Angela Eagle: The Child Support Agency, who deal with child support appeals to the point where they are submitted to The Independent Tribunal Service/The Appeals Service (ITS/TAS), advise that the average cost of a maintenance appeal is £457.31; the average cost of a departure referral is £475. ITS/TAS advise that the national unit cost of clearing a child support appeal was £221 in the 1998–99 financial year, the last year for which figures are available.

Australia

Mr. Colvin: To ask the Secretary of State for Social Security when he last met the Australian Social Security Minister; and what discussions were held on the social security agreement between the United Kingdom and Australia. [92035]

Mr. Timms: I met Senator Jocelyn Newman, the Australian Minister for Family and Community Services, on 12 July. Senator Newman informed me that, because the United Kingdom Government do not uprate State Retirement Pensions paid in Australia, her Government intended to terminate the bilateral social security agreement between the United Kingdom and Australia. Senator Newman subsequently issued a public statement to this effect.

It would be unfortunate if there was an end to this long-standing agreement. UK and Australian pensioners would lose out, although no one already receiving a benefit under the agreement would be affected. The UK Government will continue to work closely with the Australian Government on issues of common concern.

NIRS2

Mr. Willetts: To ask the Secretary of State for Social Security (1) how many pensioners have suffered unreasonable delays in receiving contributory benefits as a result of NIRS2 problems; [92193]

(2) how many pensioners have so far received £10 compensation as a result of NIRS2 problems; and how many are still due to receive payment. [92194]

Mr. Timms: NIRS2 was originally due to be operational by February 1997. Delays in completing the system have inconvenienced many benefit claimants.

The number of pensioners who have suffered significant delays because of the NIRS2 problems may be up to 285,000.

The number of pensioners who have received £10 compensation as a result of NIRS2 problems, to 30 June, is 166,989. The total number of pensioners entitled to the £10 compensation payment will not be known until all cases have been reviewed.

HEALTH

NHS Appointments

Mr. Brady: To ask the Secretary of State for Health if he will list the National Health Service trust and health authority appointments which were not made by the due date and which remained outstanding on 1 June. [90992]

Mr. Denham: I refer the hon. Member to the reply I gave him on 21 June 1999, *Official Report*, column *228*. Information for 1 July 1999 is now available and is given in the table.

List of Health Authority and National Health Service Trust appointments which expired in 1998 and for which no appointment had been made by 1 July 1999

Region	*Body*	*No. of chairs*	*No. of non-executives*
North West	Liverpool Women's Hospital National Health Service Trust[1]	0	1
	Wirral Hospital NHS Trust[2]	0	1
Northern and Yorkshire	Calderdale and Kirklees Health Authority[3]	0	1
London	Croydon Community Health NHS Trust[4]	0	1
	Enfield Community Care NHS Trust[5]	0	1
Trent	Grantham and District Hospital NHS Trust[6]	0	1
South West	Royal United Hospital Bath NHS Trust[7]	0	1
West Midlands	Walsall Community Health NHS Trust[8]	0	1
Total		0	8

[1] In January, the Trust decided that they wanted to review their establishment with aim of possibly reducing the number of board members from five to four. At the end of April the Trust made the decision to stay with five board members. A collective decision was made that in trying to identify candidates that recommendations should go at the same time as recommendations to fill the November appointment.

[2] Submission to fill the vacancy sent to Minister on 8 June 1999. Delay in putting forward recommendations due to Chairmanship not being filled until March and wanting to take in to account new chairman's views on possible recommendations.

[3] Vacancy has been outstanding since June 1998. RO have been searching for suitable female candidates to put forward after discussing the requirements with the local chair. Have now identified suitable candidates who are meeting the local chairman informally later this month. A submission will go forward after local discussions are complete.

[4] New chairman appointed 1 December 1998—taking opportunity to assess the strength and weaknesses of the board before considering candidates for this vacancy.

[5] Minister indicated that he wanted ethnic minority candidate to consider for the remaining vacancy on this board. Suitable candidates specific to the local area are still being identified.

[6] When making the submission in November 1998 there were three appointments which came to an end plus on ad-hoc vacancy that needed to be filled. Regional Chairman recommended that only two of the four posts be filled. This would allow them to identify other suitable candidates coming forward from the national ad. Given that the Trust are now likely to merge the vacancy is being held open pending possible merger.

[7] Region have been searching for a suitable candidate to put forward. A submission was sent to Ministers on 6 July with candidates to fill the vacancy.

[8] Minister asked in last round for ethnic candidate to be put forward for consideration. There are few ethnic candidates on RO database and have been trying to find suitable candidates to put forward. Submission sent to Minister on 6 July.

Data Series

Jackie Ballard: To ask the Secretary of State for Health what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90831]

Mr. Hutton: The Department already collects and publishes a range of information about its work force analysed by gender, race, disability and age. We collect ethnicity and disability data using the Cabinet Office's classification. Further details are available from http://www.doh.gov.uk/public/stats1.htm. In addition, this Department carried out a staff attitude survey in September 1998. The information that respondents were asked to provide included details of gender, race, disability and age. Analyses using these categories were included in the survey findings.

Infertility Treatment

Mr. Coaker: To ask the Secretary of State for Health what measures he is taking to ensure equal access to services for infertility treatment across the country. [91005]

Mr. Hutton: We have pledged to tackle unacceptable levels of geographical variations in access to infertility treatment and have set in motion a programme of work to achieve that aim. A Departmental survey of current health authority infertility service provision is taking place at the moment to enable the cost implications of any policy changes to be estimated. The Royal College of Obstetricians and Gynaecologists aim to complete their third, and final, set of evidence based clinical guidelines on infertility this autumn and these will indicate the circumstances in which infertility treatment can be most clinically effective. We can then move towards fairer access to National Health Service infertility services where those most able to benefit from such treatment receive it.

Fluoride Review

Mr. Etherington: To ask the Secretary of State for Health (1) if he will list *(a)* the professional, academic and other qualification, *(b)* the organisation represented by, *(c)* the declarable interests of, and *(d)* the period of appointment of, each member of the scientific review team examining fluoride and health; [90993]

(2) when the scientific review team examining fluoride and health was appointed; when it first met; and how long it is expected to continue; [90996]

(3) when he expects the results of the scientific review examining fluoride and health to be published; [90994]

(4) what are the terms of reference of the scientific review of fluoride and health commissioned from York University. [90995]

Mr. Denham: The scientific review will assess the evidence for the safety and efficacy of fluoridation of drinking water to prevent caries. The review is being led by Professor Jos Kleijnen, Director, National Health Service Centre for Reviews and Dissemination at the University of York. His team comprises two Research Fellows from the Centre and a Senior Lecturer in Dental Public Health. An advisory group offering a range of expertise and perspectives will also be appointed to oversee its scientific rigour and impartiality. The contract between the Department and Professor Kleijnen begins in August and the review is due to be completed by the end of February 2000 and we will consider publication then. The date for the first meeting is being considered.

Beta Interferon

Mr. Paul Marsden: To ask the Secretary of State for Health, pursuant to his letter of 30 June, regarding beta interferon, what plans he has to improve the quality of life for multiple sclerosis sufferers. [90810]

Mr. Hutton: The National Health Service is there to provide services for everybody on the basis of clinical need and it provides a considerable number of services to which people with Multiple Sclerosis have access. Under the present system it is, of course, for health authorities and primary care groups to plan and arrange the services available to people in their care. They are closest to the people they serve and best placed to respond sensitively to their needs.

We remain committed to improving standards of healthcare. We have set out our plans to address unacceptable variations in services via a modernisation programme to deliver more consistent and higher quality care for patients. New treatments, including new medicines, are introduced into the NHS as fast as possible where they represent a genuine therapeutic advance and are cost effective.

In addition, the move to new commissioning arrangements will bring about improvements in services for people with conditions like MS. Longer term agreements, reflecting dialogue between clinicians and focusing on health improvement and quality objectives will increase the emphasis on programmes of care that cross the traditional boundaries to meet patients' needs best.

We are likely to ask the National Institute for Clinical Excellence to prepare guidance on the place of beta interferon among the range of interventions and services available for MS sufferers.

Stroke Services

Ms Walley: To ask the Secretary of State for Health when the National Service Framework for Older People will improve access to organised stroke services; and if he will make a statement. [91325]

Mr. Hutton: An external reference group (ERG) was set up to advise the Government on the development of the National Service Framework (NSF) for Older People. A number of task groups were set up to support the ERG and one of these is looking at stroke. The aim of the NSF for Older People is to improve the quality of, and reduce variations in, NHS services for older people, including older people who have had a stroke.

The ERG will be reporting to Ministers in the coming months and it is too early to anticipate their advice. However, emerging findings will be published in the autumn with the NSF itself following in Spring 2000.

Injury Prevention Programme

Mr. Bercow: To ask the Secretary of State for Health what assessment he has made of the cost of implementing

council common position 70/98 of 23 November 1998 [OJ C404]; what was his position on this proposal; if qualified majority voting procedures applied; and if he will make a statement. [91843]

Ms Jowell: The United Kingdom voted in favour of the proposal for the injury prevention programme set out in Common Position 70/98 under the qualified majority voting procedure and now adopted by Decision No 372/1999/EC.

The programme is a valuable initiative which we believe will enhance injury prevention work in the UK for a relatively modest outlay. In particular it will allow for the further development of a Community injury database, initially a continuation of the European Home and Leisure Accident Surveillance System (EHLASS), which has driven the raising of safety standards safety throughout Europe.

Implementation of the programme is expected to cost euro 14 million (estimated £9.9 million) over five years, of which the UK contribution is estimated at £358,000 per annum. This, however, will be offset by payments the UK will receive under the programme for the supply of information to the database. The precise figures for these payments has yet to be determined but similar payments to the UK under the EHLASS system in 1996 amounted to £216,000.

New Deal (Young People)

Mr. Bercow: To ask the Secretary of State for Health how many individuals his Department has recruited under the New Deal for Young People. [91886]

Ms Jowell: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*.

The reply of 25 May 1999 gave the number of new deal staff recruited into the Department as of 1 April 1999. Since then, the Department has recruited three further employees under the new deal programme. We have now recruited a total of 11 staff, of whom five are in the 18–24-year-old category.

Health Impact Assessments

Mr. Hesford: To ask the Secretary of State for Health if he will make a statement on the role of health impact assessments, with special reference to the work of the Health Development Agency. [91910]

Ms Jowell: We are committed to applying health impact assessments to relevant key Government policies, including those with indirect health consequences, in order to protect and improve people's health. These assessments will build awareness of health and health inequality into the policy making process at every level. We anticipate the Health Development Agency maintaining an up-to-date public health evidence base which will help to underpin health impact assessments.

Detoxification Centres

Dr. Cable: To ask the Secretary of State for Health what action the Government have taken to establish detoxification centres. [91847]

Ms Jowell: Local authorities and health authorities are responsible for determining local needs and priorities for drug and alcohol treatment in their areas and for arranging the provision of services accordingly through the statutory or voluntary sector. Such services could include detoxification where a need for such a service is identified.

One of the objectives of the Government's drugs strategy is to increase the participation of problem drug users in treatment programmes. One of the main objectives of the United Kingdom anti-drugs co-ordinator's first annual report and national plan is that by the end of 1999–2000 each Drug action team will have to produce an action plan to meet the local demand for detoxification and substitute prescribing services and community based structured therapeutic programmes.

Centre for Tobacco Research

Mr. Nicholas Winterton: To ask the Secretary of State for Health what funding his Department *(a)* has contributed to the establishment of and *(b)* plans to provide on an annual basis, for the Centre for Tobacco Research based at the University of Strathclyde. [92013]

Ms Jowell: The Department has made no contribution to the Centre for Tobacco Research, nor have we any plans to do so.

Polio Vaccine (Contamination)

Mr. Gordon Marsden: To ask the Secretary of State for Health what recent representations he has received on the implications of contamination of polio vaccine in the United Kingdom with simian virus 40 between 1955 and 1963, for the development of cancers in humans. [92020]

Ms Jowell *[holding answer 20 July 1999]:* The Secretary of State has received no recent representations on the implications of contamination of polio vaccine with simian virus 40.

Methadone

Shona McIsaac: To ask the Secretary of State for Health what plans the UK Anti-Drugs Co-ordinator has to tackle the problem of the misuse of prescribed methadone. [90893]

Ms Jowell: The Government are keen to reduce the availability of prescribed controlled drugs such as methadone on the illicit market. Revised clinical guidelines for doctors treating drug misusers were launched in April and sent to all GPs as well as specialists working within the field of drug misuse. They emphasise the importance of supervising the consumption of controlled drugs such as methadone, to improve patient compliance and prevent prescribed drugs reaching the illegal market. Instalment dispensing is also recommended, to avoid drug misusers receiving prescriptions for large quantities of drugs. The working group of experts which drew up the Clinical Guidelines also made a number of recommendations for additional controls on prescribing to addicts. These are intended to underpin the Guidelines by ensuring that only doctors who are properly trained and resourced engage in addiction treatment. The Government will soon be consulting on these proposals.

Drug Treatment Services

Mrs. Ann Winterton: To ask the Secretary of State for Health if he proposes to set targets for the reduction in waiting times for drug treatment services. [90899]

Ms Jowell: The United Kingdom Anti-Drugs Co-ordinator's Annual Report and National Plan details that by 2002 all Drug Action Teams will be required to have established a locally agreed maximum waiting time for admission into a drug treatment service and be monitoring agencies' performance. The Department currently has no plans to set a maximum centrally for waiting times for drug treatment services.

One of the conditions for local authorities to receive Drug and Alcohol Specific Grant moneys in 1999–2000 (about a quarter of them will) is to achieve three targets:

A 10 per cent. increase in the number of problem substance misusers participating in effective treatment and care programmes purchased or provided by local authorities.

A reduction in the time spent by problem misusers in waiting for an assessment of their needs, after engaging with a service, to 48 hours.

A 10 per cent. increase in the proportion of decisions to approve funding made within two weeks of a misuser having been formally assessed as needing funding for a service.

FOREIGN AND COMMONWEALTH AFFAIRS

Russia (Nuclear Waste)

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the extent of the problem of Russian ships storing decaying nuclear waste; and if he will make a statement. [91770]

Mr. Hoon: We are concerned about the poor state of repair of some Russian vessels around the Kola Peninsula used to store spent nuclear fuel and a lack of safe storage for this material ashore. A fuller assessment is set out in our "Background Brief" entitled "The Nuclear Environment in North-West Russia". This is available on the FCO website and I am placing a copy in the Library. My right hon. Friend the Secretary of State has personally seen some of the storage ships during his visit to Murmansk in February and has announced over £3 million of assistance.

We are actively working with the Russians, both directly and through international donor groups, to identify suitable projects. For example, Britain has offered to assist with the licensing of interim storage casks that would permit offloading spent fuel from the Lepse, a storage barge in a particularly unsafe condition and presently moored in Murmansk harbour.

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what further plans his Department has for assisting with the safe handling of nuclear waste in Russia; and if he will make a statement. [91769]

Mr. Hoon: We are in discussion with the Russian authorities, other international donors and industry experts to identify the priorities in what is a highly complex and large scale problem. An important prerequisite is a framework agreement with the Russian Government to deal with certain key issues such as the taxation, liability and auditing of nuclear assistance projects but we are looking forward to getting action on the ground at the earliest possible date. This process requires the input of various Departments here and we have convened a working group to co-ordinate the work.

New Deal (Young People)

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs how many individuals his Department has recruited under the New Deal for Young People. [91888]

Mr. Tony Lloyd: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*.

Departmental Publications

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the purpose of the publication, "Britain: Creativity, Innovation and Quality, Design Guidelines for Implementing the Strapline for a New Identity for Britain"; how many requests for copies have been received; which consultants were engaged in the selection process for the logo; and if he will make a statement. [91842]

Mr. Hoon: I refer the hon. Member for Buckingham to the answer I gave to him on 11 May 1999, *Official Report*, column *117*.

There have been requests for 702 copies of the guidelines.

No design consultants were engaged in the selection process for the logo. The conception and development of the strapline were undertaken internally by FCO officials and endorsed by Ministers.

Iraq

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 15 December 1998, *Official Report*, column *419*, on Iraq, what action he has since taken to support the Indict campaign. [91789]

Mr. Hoon: We continue to support the Indict campaign. My right hon. Friend the Foreign Secretary sent me a personal message of support to Indict in March, when the campaign held a meeting in the House to commemorate the eleventh anniversary of the Iraqi chemical weapons attack on the Kurdish town of Halabjah. I recently discussed the campaign with my hon. Friend the Member for Cynon Valley (Ann Clwyd) and plan to speak at an Indict function in the margins of the Labour party conference. FCO officials are in regular contact with Indict representatives to offer advice and support as appropriate, and have briefed other governments on Indict's work.

Nationality Applications (New Delhi)

Mr. Trickett: To ask the Secretary of State for Foreign and Commonwealth Affairs how long applicants to the

High Commission in New Delhi for British nationality wait for an initial interview; and what instructions he has issued to expedite dealing with applications. [92192]

Mr. Hoon: All applications for registration as a British citizen made to our overseas missions are passed to the Home Office for a decision. This process, at present, takes 20 months.

However, those resident overseas who feel that they may already have an entitlement to British nationality through circumstances of birth or descent are normally advised by the British mission to submit a passport application in order to establish their claim. They may be required to attend an interview if the entitlement is not clear.

All our overseas missions are governed by the Citizen's Charter. They aim to process properly documented passport applications within five working days.

Sri Lanka

Mr. Love: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's efforts to assist in finding a solution to the conflict in Sri Lanka. [92019]

Mr. Hoon: We believe a lasting solution to the ethnic conflict in Sri Lanka can be reached only through a political settlement. We have made clear that we are ready to help in the search for peace if both sides ask us to play a role.

Dependent Territories (Environment)

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what follow-up action he has taken to the conclusions of the Conference on the Environment in the Dependent Territories, organised at the Zoo, Regents Park, on 29 and 30 June by his Department, in relation to *(a)* degradation of coral reefs and *(b)* mangrove swamps. [90729]

Mr. Hoon *[holding answer 20 July 1999]:* I thank my hon. Friend for his valuable contributions to the recent conference, "A Breath of Fresh Air", about environmental issues in the UK's Overseas Territories. We are now establishing with Overseas Territories' governments the best ways to protect these key habitats, with support where appropriate from new funding announced in the March White Paper, "Partnership for Progress and Prosperity".

We are also publishing a report commissioned by the British Indian Ocean Territory Government on the problem of coral mortality in the Chagos Archipelago. We have commissioned an educational video for use in the Overseas Territories about key themes discussed at the conference, including coral reefs and mangrove swamps.

Tajikistan

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his Department's policy towards the peace process in Tajikistan; and if he will support an extension of the UN Mission of Observers there. [92154]

Ms Quin *[holding answer 20 July 1999]:* The Government fully support the peace process in Tajikistan and the efforts of the United Nations. We welcome recent positive developments and hope the constitutional referendum and Presidential elections will be held on time later this year. We supported renewal of the mandate of the UN observer mission for six months when it was last discussed in the Security Council in early May and agreed by UN Security Council Resolution 1240.

East Timor

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to support the proposed United Nations mission in East Timor; what level of troop deployment is planned for the mission; and what plans he has for UK troop deployment there. [92155]

Mr. Hoon *[holding answer 20 July 1999]:* We have despatched seven British police officers with UN Bosnia experience and two Military Liaison Officers to East Timor. The United Nations Mission in East Timor (UNAMET), which has a British head, is now at full strength and consists of 241 international staff members, 420 UN volunteers, 280 civilian police, 50 Military Liaison officers and 4,000 East Timorese staff. We have no plans to deploy further police or military personnel to the territory.

Cyprus

Mr. Love: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will report on the confidence-building measures and discussions between the two communities in Cyprus. [90466]

Ms Quin *[holding answer 20 July 1999]:* In line with the UN Secretary-General's initiative of 30 September 1998, his Special Representative, Dame Ann Hercus, has been conducting a process of on-island contacts with the leaders of the two communities aimed at reducing tensions and promoting progress towards a just and lasting settlement.

The UN Security Council, in its Resolution 1250 (1999) of 29 June, welcomed these contacts and urged the UN Secretary-General to invite the two leaders to enter without preconditions into comprehensive negotiations starting in the autumn. We have confirmed to the UN Secretary-General that he will have our full support in his efforts to get negotiations underway.

Yemen

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the trial in the Yemen of British citizens. [92241]

Mr. Hoon: I refer my hon. Friend to the Foreign Secretary's statement to the House 11 January 1999, *Official Report*, column 21. On 22 June the trial in Aden of the eight British nationals was adjourned until 25 July when the Court plans to deliver its judgment. British consular officials, who have attended the trial from the outset, will attend also for the judgment. I can make no further comment on the case at this stage since it remains sub judice.

Saharawi Refugees

Mr. Pickthall: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions he is taking to assist the Saharawi refugees to return home. [91903]

Mr. Hoon: We fully support the United Nations in their efforts to repatriate the Saharawi refugees. We regularly urge both sides to cooperate with MINURSO in their efforts to prepare the way, and to keep to the UN Secretary-General's deadlines.

AGRICULTURE, FISHERIES AND FOOD

Dairy Farming

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food what proposals he has to promote agri-environment measures for smaller dairy farmers to offset lower commodity prices. [91298]

Mr. Morley: Agri-environment schemes provide payments for farmers to manage their land with the objective of protecting and enhancing the natural beauty and diversity of the countryside. The schemes are not designed to offset the effects of lower commodity prices. Payment rates are calculated on the basis of the income forgone and costs associated with managing the land in accordance with scheme requirements.

The schemes do, however, include measures which provide smaller dairy farmers with the opportunity of managing their land in an environmentally sensitive way.

The schemes are promoted through the issue of scheme literature, project officer advice and targeted publicity.

New Deal (Young People)

Mr. Bercow: To ask the Minister of Agriculture, Fisheries and Food how many individuals his Department has recruited under the New Deal for Young People. [91894]

Mr. Morley: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*.

We have recruited five individuals under the New Deal for Young People.

Appointments (Quangos)

Mr. Singh: To ask the Minister of Agriculture, Fisheries and Food how many appointments to quangos he made between (i) 1 June 1997 and 31 May 1998 and (ii) 1 June 1998 and 31 May 1999. [92047]

Mr. Morley: The following appointments have been made by my right hon. Friend the Minister:

(i) Between 1 June 1997 and 31 May 1998: 228

(ii) Between 1 June 1998 and 31 May 1999: 67

Mr. Singh: To ask the Minister of Agriculture, Fisheries and Food how many members of Britain's *(a)* ethnic minority communities and *(b)* Asian community he appointed to quangos between (i) 1 June 1997 and 31 May 1998 and (ii) 1 June 1998 and 31 May 1999. [92118]

Mr. Morley: Two members of Britain's ethnic communities were appointed in each of the periods stated. All of these were members of the Asian community.

Departmental plans on equal opportunities, setting objectives and targets for improving representation of women, people from ethnic minority groups and people with disabilities, were published by the Government on 25 May 1999 and deposited in the Libraries of the House.

WALES

Oncologists

Mr. Paul Marsden: To ask the Secretary of State for Wales if he will list the number of clinical and medical oncologists per 100,000 population for each health authority in Wales. [90805]

Mr. Jon Owen Jones: Information on NHS medical and dental staff is collected annually as at 30 September. The latest available information is in the following table. It gives the number of whole time equivalents (Wte) in post in September 1997.

Staff in post at 30 September 1997 (excluding locums) per 1 million population

	Consultants		*All grades*	
Health authority area	*Number*	*Wte*	*Number*	*Wte*
Medical Oncology				
North Wales	1.5	1.5	1.5	1.5
Dyfed Powys	--	--	2.1	0.4
Morgannwg	--	--	--	--
Bro Taf	--	--	--	--
Gwent	--	--	--	--
Wales	0.3	0.3	0.7	0.4
Clinical Oncology				
North Wales	1.5	0.7	1.5	0.7
Dyfed Powys	6.3	0.7	8.4	2.8
Morgannwg	8.0	7.4	14.0	11.7
Bro Taf	14.9	12.0	36.7	30.6
Gwent	1.8	1.0	1.8	1.0
Wales	5.8	4.7	12.6	10.5

Consultants who work in more than one health authority are counted in each health authority but only once in the total for Wales.

TREASURY

Climate Change Levy

Mr. Green: To ask the Chancellor of the Exchequer what percentage of the reduction in employers' national insurance contributions in compensation for the climate change levy will go to public sector bodies. [89952]

Ms Hewitt: Provisional estimates suggest that, on the basis of the illustrative rates of climate change levy set out in the Customs and Excise consultation document, the climate change levy proposals, combined with the reduction in the main rate of employers' National Insurance Contributions of 0.5 percentage points, might lower costs in the public administration sector by some

£100 million to £150 million annually. The rates of levy set out in the Customs and Excise consultation document on the climate change levy are purely illustrative and final rates will not be set until Finance Bill 2000.

Estimates were derived from economic data published by the Office for National Statistics.

Jill Dando

Mr. Paul Marsden: To ask the Chancellor of the Exchequer if he will donate a sum equivalent to the revenue that the Inland Revenue will receive in inheritance tax from Jill Dando's estate to the reward being offered to catch her killer. [90623]

Mrs. Roche: I am unable to comment of the tax affairs of individuals.

Financial Services Act 1986

Mr. Cousins: To ask the Chancellor of the Exchequer how many actions have been brought under section 133 of the Financial Services Act 1986; and how many such actions resulted in prosecution. [91072]

Ms Hewitt: We are not aware of any actions brought under this section.

Fuel Duty Rebate

Mr. Woodward: To ask the Chancellor of the Exchequer what was the level of the fuel duty rebate in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 and *(d)* 1998–99; and what the projection is for (i) 1999–2000 and (ii) 2000–01. [91404]

Ms Glenda Jackson: I have been asked to reply.

Expenditure on fuel duty rebate in Great Britain as a whole and the rate of rebate per litre for diesel (the fuel predominantly used by bus operators) in each of the years requested is as follows:

Year	*Expenditure (£ million)*	*Rate of Rebate (Pence per litre)*
1995–96	229	25.14
1996–97	228	25.14
1997–98	227	25.14
1998–99	271	29.85
1999–2000	333	35.07

Estimated

Expenditure in future years will depend on the total fuel consumed in operating eligible routes for which bus operators make claims for rebate, and on decisions still to be taken on the proportion of duty to be rebated in each year.

Tax Certificates

Mr. Chaytor: To ask the Chancellor of the Exchequer what plans he has to ensure that all applications to the Inland Revenue for CIS6 and CIS5 certificates are processed before 1 August; and if he will make a statement. [90787]

Dawn Primarolo *[holding answer 14 July 1999]:* The Inland Revenue is doing all it can to ensure that certificate applications are processed quickly. It takes about four weeks to process a certificate application (against one week for registration cards) because of the compliance checks. Where a subcontractor applies for a certificate late there may now not be enough time to make sure that it is processed before 1 August. Where the Inland Revenue consider that there is not enough time to process the certificate application they will arrange for a registration card, or temporary tax payment card to be issued so that the subcontractor can be paid.

River Severn (Deaths)

Mr. Lock: To ask the Chancellor of the Exchequer how many members of the public have died in *(a)* accidents and *(b)* suicides in the River Severn in the Wyre Forest District Council area in the past 10 years; and what was the cause of death in each case. [91581]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. David Lock, dated 21 July 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question on how many members of the public have died in the River Severn.

Between 1993 and 1998, there were seven deaths in the Kidderminster Registration District, which is broadly coterminous with the area administered by Wyre Forest District Council, where the River Severn was mentioned on the coroner's certificate of death. In addition, there were three deaths which occurred in a river not specified by the coroner. Corresponding data for years prior to 1993 are not available.

The verdicts and underlying causes of the ten deaths are given in the table.

Number of deaths in Kidderminster registration district, where the River Severn or an unspecified river is mentioned, 1993–98

Verdict	*Cause*	*River Severn*	*River not specified*
Suicide	Drowning	1	0
Open	Drowning	3	1
	Cause not ascertainable	1	0
Accident	Fall into water	1	1
	Fall into water in course of epileptic fit	0	1
	Drowning	1	0
Total		7	3

NIRS2

Mr. Rendel: To ask the Chancellor of the Exchequer if he will publish a copy of the terms of the contract under which Andersen Consulting are currently developing the NIRS2 computer system. [91652]

Dawn Primarolo *[holding answer 16 July 1999]:* The terms of the contract with Andersen Consulting are commercially confidential and are exempt from disclosure under paragraph 13 of Part II of the Code of Practice on Access to Government Information.

Construction Industry Scheme

Mr. Field: To ask the Chancellor of the Exchequer how many firms are on the waiting list to register for the construction industry scheme; and what is the average time taken from application to registration. [91655]

Dawn Primarolo *[holding answer 20 July 1999]:* There is no waiting list for subcontractors who wish to apply for registration cards or certificates for the construction industry scheme. A subcontractor must complete an application form and take it to a tax office for an identity check. This can be done almost immediately. On average it takes one week to process an application form for a registration card.

Mr. Field: To ask the Chancellor of the Exchequer what advertisements the Inland Revenue has placed to inform businesses of the need to register under the new construction industry scheme; and what has been the cost of the advertisements. [91656]

Dawn Primarolo *[holding answer 20 July 1999]:* The Inland Revenue has paid for five phases of national advertising to inform business, contractors and subcontractors about the construction industry scheme at a total cost of £2,450,000. The key messages have progressively moved from general awareness raising, through a call to action to 'apply now' and has featured in the main tabloids, construction press and commercial radio. On top of this there has been local and regional advertising of the local office opening times.

Mr. Field: To ask the Chancellor of the Exchequer what estimate he has made of the number of businesses that should have registered under the construction industry scheme by 1 August; and what projection he has made of the number which will have done so by that date. [91658]

Dawn Primarolo *[holding answer 20 July 1999]:* The Inland Revenue estimates that approximately 635,000 businesses are due to complete application forms for the construction industry scheme. They expect 90 per cent. to have done so by 1 August.

Birth Statistics

Mr. Wigley: To ask the Chancellor of the Exchequer if he will publish for each year from 1990 the numbers of *(a)* maternities and *(b)* sets of twins, triplets, quadruplets, quintuplets, sextuplets and septuplets born in England and Wales. [92262]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Dafydd Wigley, dated 21 July 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on the numbers of maternities in England and Wales.

The requested data are shown in the following table:

Maternities in England and Wales by multiplicity 1990–1998

Year	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*
Singletons	692,885	685,477	675,329	659,962	650,826	633,366	634,979	626,814	620,846
Twins	7,934	8,160	8,314	8,302	8,451	8,749	8,615	8,899	8,776
Triplets	201	208	202	234	260	282	259	295	297
Quadruplets	10	10	8	12	8	7	8	7	7
Quintuplets	—	2	1	—	—	—	—	—	—
Sextuplets	—	—	—	1	—	—	—	—	—
Septuplets	—	—	—	—	—	—	1	—	—
Total maternities	701,030	693,857	683,854	668,511	659,545	642,404	643,862	636,015	629,926

Social Security Acts

Ms Lawrence: To ask the Chancellor of the Exchequer if he has received the report from the Government Actuary on the operation of the Social Security Acts for the five years from April 1990. [92525]

Dawn Primarolo: I have today laid before the House a report that the Government Actuary has made on the operation of the Social Security Acts between 6 April 1990 and 5 April 1995 in accordance with Section 166 of the Social Security Administration Act 1992. Copies have been placed in the Libraries of the House.

It provides a detailed look forward into the next century of the possible future costs of benefits paid out of the National Insurance Fund and the contributions likely to be needed to pay for them.

Following the Social Security (Transfer of Functions etc.) Act 1999 this report is made to both the Treasury and the Secretary of State for Social Security—but the responsibility for laying the report rests with Treasury Ministers.

Mortgages

Mr. Blizzard: To ask the Chancellor of the Exchequer if he will make a statement on the regulation of mortgages. [92362]

Ms Hewitt: The Treasury has issued a discussion document to form the basis of a review to determine whether there is a case for the statutory regulation of advice on and marketing of mortgages. Copies of the document have been placed in the Vote Office and Libraries of the House.

Invest to Save

Ms Moran: To ask the Chancellor of the Exchequer what plans he has to extend the first round of Invest to Save pilot projects. [90884]

Mr. Milburn: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Clwyd, West (Mr. Thomas) on 19 May 1999, *Official Report*, column *366*.

The second bidding round of the Invest to Save Budget is presently under way. Expressions of interest have been submitted to the Treasury and bidders will be advised in due course whether they will be invited to submit proposals for the final bidding stage. I expect to announce winners at the end of the year.

TRADE AND INDUSTRY

BNFL

Mr. Gibb: To ask the Secretary of State for Trade and Industry if he will list the members of the Liabilities Management Unit of BNFL. [92055]

Mr. Battle: The Liabilities Management Unit (LMU) at BNFL consists of 34 BNFL staff and 1 agency worker based at the Sellafield and Berkeley sites. The Head of the LMU is Robin Sellers, based at Sellafield.

Mr. Gibb: To ask the Secretary of State for Trade and Industry if he will list his reasons for announcing his proposals for BNFL through a written answer rather than an oral statement. [92058]

Mr. Battle: As the hon. Member is aware, it is a matter of judgment whether to make an announcement through a written answer or oral statement.

Mr. Gibb: To ask the Secretary of State for Trade and Industry if he will make a statement on the new index against which BNFL's safety, health and environmental performance will be measured. [92054]

Mr. Battle: BNFL and the Government regard safety, health and the environment as being of paramount importance. That is why the targets set for BNFL look to the company to achieve continuous and measurable improvement against the Safety, Health and Environment (SHE) Index. The Index is based on similar indices used in the United States, including the US Department of Energy, and will measure the company's performance against standards achieved in conventional, radiological and environmental safety, and health. The Index is being developed by BNFL in close discussion with the Nuclear Installations Inspectorate and the Environment Agencies.

Miners (Respiratory Diseases)

Mr. Trickett: To ask the Secretary of State for Trade and Industry what financial controls have been put in place by his Department regulating the flow of payments of compensation to former miners suffering from respiratory disease. [92063]

Mr. Battle: Since assuming the former British Coal's health liabilities in January 1998 the Government have made clear that they will provide the funds necessary to meet the cost of legitimate claims. Financial structures will be put in place to ensure that the funds are properly disbursed. Claims will be settled as rapidly and as fairly as possible within this framework.

Mr. Trickett: To ask the Secretary of State for Trade and Industry what proportion of those ex-miners receiving compensation for respiratory diseases are having their cases settled under the expedited payment system; and what proportion are receiving payments under the system by which compensation is reduced due to other factors. [92062]

Mr. Battle: To date Healthcall—the service provider – has carried out some 3,300 spirometry tests. Of these, we have processed 1,793 and offers of expedited payments have been made to 500 of these. The number actually receiving payments will depend on how many claimants accept the offers.

Mr. Trickett: To ask the Secretary of State for Trade and Industry what estimate he has made of the total number of recipients of compensation for former miners suffering from respiratory diseases; how many cases have been *(a)* settled and *(b)* paid; what is the average number of cases settled each week; and what steps he is taking to speed up the processing of claims. [92099]

Mr. Battle: The Department have received some 77,000 claims from former miners, and their dependants, for compensation for respiratory diseases. We anticipate receiving in excess of 100,000 in total. The Department is unable to estimate how many of these claimants will receive compensation until they have all passed through the procedures contained in the handling arrangements which are still to be finally agreed with those representing the claimants. Pending the signing of the handling arrangement, full and final settlements have so far been made to the seven lead cases decided by the court. In addition the Department has made offers of interim payments and bereavement awards to 13,700 claimants, totalling some £31 million.

A contract for a national programme of spirometry testing for all respiratory disease claimants has been awarded and testing centres are being established in coalmining areas. This will enable us to make further interim payments and, in some cases, full and final offers to those who may not wish to pursue their claim further. We are also tendering for the delivery of the national medical assessment process and we hope to make the first full and final settlement offers later this year.

Mr. Trickett: To ask the Secretary of State for Trade and Industry how many widows of deceased miners are currently awaiting interim payments for the Respiratory Disease Litigation Scheme; how many such widows have already received payments; how many are being paid each month; and what factors underlie the current backlog. [92064]

Mr. Battle: We have made some 500 interim payments in the form of bereavement awards, totalling nearly £4.3 million over the last six months. A further 1,600 claims, accompanied by valid death certificates supporting the claims, have been received but require validation of the deceased's work history. The procedure for carrying out this validation has been agreed only very recently with the plaintiff solicitors. We are now processing these outstanding claims as a matter of urgency.

Debts (Late Payment)

Mr. Cotter: To ask the Secretary of State for Trade and Industry what reports he has received from the late payment monitoring unit at Bradford University since the implementation of the first stage of the Late Payment of Commercial Debts (Interest) Act 1998. [91902]

Mr. Wills *[holding answer 20 July 1999]:* The Credit Management Research Centre, based at Leeds University Business School since July 1998, has produced two "Credit Management Quarterly Review Results Bulletins" since the implementation of the first phase of the Late Payment of Commercial Debts (Interest) Act in November 1998. They have covered the periods October 1998 to December 1998 (published in March 1999) and January 1999 to March 1999 (published in June 1999) respectively.

The Quarterly Reviews report on and analyse payment and credit trends and specific topical issues, including the introduction of the late payment legislation. My officials keep in close touch with the work of the Centre.

PRIME MINISTER

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 21 July. [91813]

The Prime Minister: This morning I met the Israeli Prime Minister and later visited Winsford in the Eddisbury constituency. Later today, in addition to my duties in the House, I will have meetings with ministerial colleagues and others.

Anglo-Italian Summit

Mr. David Taylor: To ask the Prime Minister if he will make a statement on the Anglo-Italian Summit. [92763]

The Prime Minister: I was pleased to host the British-Italian Summit on 19 and 20 July. This is the first such Summit to take place since 1995. In addition to Heads of Government, the Summit brought together Foreign, Defence and Industry Ministers, allowing us to develop and broaden our dialogue with one of our key partners in Europe. The Summit produced three joint declarations on strengthening European Defence Capabilities; a proposal for action from our two Governments on a new European Social Agenda; and reform of the European Commission. Copies have been placed in the Library. The Summit highlighted the congruence of views between Britain and Italy on these and a number of other issues, and specifically identified areas where Britain and Italy would work together, for example defence industry restructuring and energy liberalisation.

LORD CHANCELLOR'S DEPARTMENT

Judicial Appointments (Northern Ireland)

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department on how many occasions and on what dates since 1969 his Department has reviewed the method of judicial appointments in Northern Ireland; and what steps have been taken to eliminate discrimination on the grounds of religion or community origin. [91537]

Mr. Vaz: The Lord Chancellor assumed responsibility for judicial appointments in Northern Ireland in 1973. Successive Lord Chancellors, including the present Lord Chancellor, have adopted a policy of continuous improvement to the appointments processes, of appointment purely on merit and of ensuring equality of opportunity.

The Lord Chancellor has recently extended his practice of advertising vacancies for judicial office to include the post of High Court Judge and such advertisements include a statement on the Lord Chancellor's equal opportunities policy.

Posts are advertised (in professional journals) and there are job descriptions and detailed objective selection criteria as appropriate. Candidates are assessed against these criteria. Members of selection panels receive written and oral briefing which in particular covers equal opportunity issues.

All these measures support the Lord Chancellor's objective to ensure that judicial appointments procedures are open and transparent.

Appointments to the judiciary and magistracy and safeguards for protecting their independence are also part of the terms of reference of the Review of Criminal Justice currently in train.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will estimate the overall composition of the judiciary in Northern Ireland according to *(a)* perceived community origin, *(b)* gender and *(c)* age. [91538]

Mr. Vaz: The current complement of full-time judicial office-holders in Northern Ireland is 53. The perceived community origin of appointees is not a factor in judicial appointments and so is not recorded as part of the judicial appointments process. Details of gender and age of these postholders are as outlined.

		Percentage			
	Complement	Male	Female	Age 40–60 years	Age 61–72 years
Supreme Court Judges	11	100	0	5	6
County Court Judges	14	93	7	10	4
District Judges	4	75	25	3	1
Resident Magistrates	17	88	12	14	3
Masters	7	71	29	4	3

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the dates of judicial appointments in Northern Ireland since 1969, in each case describing the perceived community origin of the appointee. [91539]

Mr. Vaz: Judicial appointments in Northern Ireland from 1991 to July 1999 are as set out. Information prior to 1991 could be obtained only at disproportionate cost. The perceived community origin of appointees is not a factor in judicial appointments and so is not recorded as part of the judicial appointments process.

	1991	1992	1993	1994	1995	1996	1997	1998	July 1999
Lord Chief Justice	—	—	—	—	—	—	1	—	—
Lord Justice of Appeal	—	—	—	—	1	—	1	—	—
High Court Judge	—	—	4	—	—	—	1	—	1
County Court Judge	—	1	—	2	1	—	2	3	—
District Judge	—	—	—	—	—	1	1	—	—
Resident Magistrate	1	1	3	1	1	—	2	2	1
Masters of the Supreme Court	—	—	2	—	—	—	1	1	1
Total	1	2	9	3	3	1	9	7	3

Mortgage Repossessions

Mr. Love: To ask the Parliamentary Secretary, Lord Chancellor's Department how many court actions for mortgage repossessions have been brought in the last five years for which figures are available in *(a)* Edmonton and *(b)* Enfield Magistrates Court. [91801]

Mr. Vaz: Applications for mortgage repossessions are civil actions made in County Courts. The figures in Edmonton and Barnet County Courts are as follows:

Year	Edmonton	Barnet
1994	1,518	506
1995	1,106	459
1996	1,126	521
1997	864	337
1998	920	367

Immigration Appeals

Mr. Lidington: To ask the Parliamentary Secretary, Lord Chancellor's Department on what date the Courts Service received appeal papers in respect of Mr. Liaqat Ali (ISB/F4245) husband of Mrs. Jehan Akhtar of Aylesbury; when he expects the Courts Service to let Mr. Ali and Mrs. Akhtar know the date of their appeal hearing; and if he will make a statement. [91786]

Mr. Vaz: It has not been possible to trace the appeal from the limited information provided. Although there are several appeals listed under the name of Liaqat Ali, none match the date of birth or reference number quoted; perhaps the hon. Member will write to me if further details can be provided.

Mr. Lidington: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the average time between receipt of the Courts Service appeal papers in immigration cases and notification of the date of appeal to the parties in *(a)* May 1997, *(b)* May 1998 and *(c)* the most recent month for which figures are available; and if he will make a statement. [91787]

Mr. Vaz: No figures are available for May 1997. In May 1998, 40.9 per cent. of certified appeals and 100 per cent. of other appeals were issued within five working days. In June 1999, 100 per cent. of certified and other appeals were issued within five working days of receipt.

Child Abduction

Mr. Lidington: To ask the Parliamentary Secretary, Lord Chancellor's Department when is the next planned meeting of the Parent/Carer Child Abduction Co-ordinating Group. [91788]

Mr. Vaz: The Parent/Carer Child Abduction Co-ordinating Group met on 14 July. The next meeting of the Group is in the process of being arranged for mid-October 1999.

New Deal (Young People)

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department how many individuals the Lord Chancellor's Department has recruited under the New Deal for Young People. [91895]

Mr. Vaz: At present, the Lord Chancellor's Department has recruited three young people under the New Deal. We have undertaken to employ a further nine people under the scheme and arrangements are being made for their recruitment and training.

CABINET OFFICE

Anti-drugs Co-ordinator

9. **Mr. Shaw:** To ask the Minister for the Cabinet Office if he will make a statement on the work of the UK Anti-drugs Co-ordinator. [90879]

Dr. Jack Cunningham: The UK Anti-drugs Co-ordinator published his first annual report and national plan in May. The report outlined progress made in relation to the strategy during 1998–99. The plan set challenging targets for the strategy for the short, medium and long term.

Civil Service (Ethnic Minorities)

11. **Mr. Singh:** To ask the Minister for the Cabinet Office what proportion of the senior civil service are from ethnic minorities. [90881]

Dr. Jack Cunningham: On 1 April 1998, 1.6 per cent. of the Senior Civil Service came from ethnic minorities.

Genetically Modified Organisms

12. **Mr. Tyler:** To ask the Minister for the Cabinet Office if he will publish the Government's proposals to ensure effective inter-departmental co-ordination of policies on genetic modification, in preparation for the World Trade Organisation meeting in Seattle in November. [90882]

Dr. Jack Cunningham: The Ministerial Group on Biotechnology and Genetic-Modification reviews all areas of Government policy relating to genetic modification. There will be effective interdepartmental co-ordination in preparation for the World Trade Organisation meeting in Seattle with regard to all subjects under discussion.

13. **Dr. Gibson:** To ask the Minister for the Cabinet Office what sources of advice he uses on the issue of genetically modified food. [90883]

Dr. Jack Cunningham: The Government are advised on the issue of genetically modified foods by a range of sources including expert advisory committees such as the Advisory Committee for Novel Foods and Processes (ACNFP). We also receive advice from the Chief Scientific Adviser, and the Chief Medical Officer.

My ministerial colleagues and I are also in regular contact with a large number of groups which have an interest in genetically modified foods such as consumer groups, environmental groups and biotechnology companies.

17. **Mr. Robathan:** To ask the Minister for the Cabinet Office what representations he has received on the documents relating to genetically modified food produced by the chief medical officer and the chief scientific adviser and published by them. [90888]

Dr. Jack Cunningham: I have received a number of representations from hon. Members, consumer groups, environmental groups and biotechnology companies.

Biotechnology Commission

14. **Dr. Naysmith:** To ask the Minister for the Cabinet Office when he plans that the new Biotechnology Commission should start its work. [90885]

Dr. Jack Cunningham: There will be two new advisory commissions—the Human Genetics Commission and the Agriculture and Environment Biotechnology Commission. Both of the new commissions will be in place by the end of the year.

Public Bodies

16. **Mrs. Ellman:** To ask the Minister for the Cabinet Office what plans he has to ensure the accountability of non-elected appointees to public bodies. [90887]

Mr. Kilfoyle: All board members of non-departmental public bodies are accountable through Ministers to Parliament. The Government are implementing a range of measures to strengthen accountability which were set out in "Quangos: Opening the Doors", copies of which are in the Libraries of the House.

Correspondence

18. **Mr. Ian Bruce:** To ask the Minister for the Cabinet Office what is the average time it takes for Government departments to answer letters from hon. Members; and what plans he has to reduce the time taken. [90889]

Mr. Kilfoyle: The majority of letters from hon. Members to Ministers are replied to within the target times set by individual Departments, which is typically 15 to 20 working days. The Government are determined to improve their performance in handling correspondence from hon. Members and Ministers are now working towards replying to at least 90 per cent. of all correspondence within the target times set by their Department.

Social Exclusion Unit

19. **Mr. Corbett:** To ask the Minister for the Cabinet Office how many visits to the city of Birmingham, and for what purpose, have been made by members of the Social Exclusion Unit. [90891]

Mr. Kilfoyle: Officials from the Social Exclusion Unit have visited Birmingham on a number of occasions as part of their work in preparing reports on a range of policy areas. Their purpose has included project visits, attendance at conferences and consultations with the local government and voluntary sector.

Anti-drugs Strategy

20. **Mr. Healey:** To ask the Minister for the Cabinet Office if he will make a statement on the progress of the Government's anti-drugs strategy in South Yorkshire. [90892]

Dr. Jack Cunningham: Drug Action Teams in South Yorkshire have drawn up action plans for 1999–2000 establishing local priorities in line with the strategy. In preparing their 2000–01 action plans, they will review their priorities in the light of local circumstances. They will set local targets in line with those published in the UK Anti-Drugs Co-ordinators annual report and national plan.

EU Regulations

21. **Miss McIntosh:** To ask the Minister for the Cabinet Office what plans he has to use the Intergovernmental Conference next year to reduce the amount of regulation from the European Union. [90894]

Mr. Kilfoyle: This Government achieved much through the Amsterdam Intergovernmental Conference (IGC) in terms of rasing the importance of the better European regulation agenda. In particular, the Protocol on subsidiarity and proportionality requires the Commission to take due account of the potential burdens from proposed legislation. These successes, along with the consensus among member states for a short, focused IGC, mean this Government do not intend to push for wide areas of the Treaties to be opened up for renegotiation. However, the Government do believe that the principles of better regulation should influence the EU's decisions making process and will be pushing for this as part of their wider objectives for reform of the Commission and other institutions.

Public-private Partnerships

22. **Ms Rosie Winterton:** To ask the Minister for the Cabinet Office if he will ensure that pension rights of public service workers are protected in public-private partnerships. [90895]

Mr. Kilfoyle: I refer my hon. Friend to the statement made by my right hon. Friend the Chief Secretary to the Treasury on protecting pensions in PFI and PPP deals, 14 June 1999, *Official Report*, column *30*.

Mr. Rammell: To ask the Minister for the Cabinet Office if he will make a statement on what steps he is taking to protect the employment rights of public sector staff under public-private partnership deals. [90898]

Mr. Kilfoyle: I refer my hon. Friend to the statement made by my right hon. Friend the Minister for the Cabinet Office announcing the publication for consultation of a Statement of Practice on Staff Transfers in the Public Sector, 5 July 1999, *Official Report*, columns *388–89*.

Better Regulation Initiative

23. **Mr. Steen:** To ask the Minister for the Cabinet Office what plans he has to introduce new regulations under the Better Regulation Initiative in the forthcoming parliamentary session. [90896]

Mr. Kilfoyle: The Government will continue to put forward draft orders for consideration of the House of Commons Deregulation Committee and the Delegated Powers and Deregulation Committee of the House of Lords. The Government are also looking at the scope for reform of the Deregulation and Contracting Out Act 1994 and will bring forward proposals as soon as parliamentary time allows.

Departmental Buildings

Mr. Alasdair Morgan: To ask the Minister for the Cabinet Office if he will list the location and running costs in the last year for each of his Department's buildings. [90863]

Mr. Kilfoyle: The table lists the buildings of my Department, including executive agencies, and gives the running costs for the last financial year.

Building	*Location*	*Running costs (£)*	*Status*	*Comment*
Cabinet Office				
Government offices on Great George Street	London, SW1	3,188,932	Occupier/not owner	
Alencon Link	Basingstoke	848,048	Owner occupier	Property was sold in 1999–2000
Queen Anne's Chambers	London, SW1	309,388	Occupier/not owner	
36 Whitehall	London, SW1	732,243	Owner occupier	
10/12 Downing Street	London, SW1	2,798,311	Owner occupier	
Admiralty House	London, SW1	299,066	Owner/not occupier	
70 Whitehall	London, SW1	4,579,477	Owner occupier	
Hepburn House	London SW1	762,911	Occupier/not owner	
Ashley House	London, SW1	742,877	Occupier/not owner	
Grosvenor House	Basingstoke	375,731	Occupier/not owner	
10 Great George Street	London, SW1	360,768	Occupier/not owner	
Matthew Parker Street	London, SW1	Nil	Occupier/not owner	
Hercules House	London, SW1	91,404	Occupier/not owner	
53 Parliament Street	London, SW1	155,659	Owner/occupier	
Hampton House	London, SW1	4,507	Occupier/not owner	
11 Belgrave Road	London, SW1	163,005	Occupier/not owner	
The Arch/Ripley/Kirkland House	London, SW1	682,645	Owner/not occupier	
Chessington	Chessington	3,008		Sold/residual
Dacre House	London	833,610	Occupier/not owner	Figures include costs associated with OHSA who have vacated the premises
Murray House	London, SW1	591		Sold/residual
Sovereign House	Norwich	360,761	Occupier/not owner	
Chadwick Street Centre	London, SW1	86,343	Owner/not occupier	
13–15 Great Scotland Yard	London, SW1	120,652	Owner/not occupier	
Britannia House	London, SW1	75,581	Occupier/not owner	
Tufton Street	London, SW1	Nil	Occupier/not owner	No cost to Cabinet Office and now vacated
St. Clement's House	Norwich	77,252	Occupier/not owner	
St. Christopher House	London, SE1	146,000	Occupier/not owner	
RAF Burtonwood	Warrington	86,000	Occupier/not owner	
Civil Service College				
Sunningdale Park	Ascot	1,932,616	Owner occupier	
Belgrave Road	London, SW1	608,449	Occupier/not owner	
Government Car and Despatch Agency				
Pontin Road	London, SW8	815,637	Occupier/not owner	
Colchester Industrial Estate	Cardiff	14,765	Occupier/not owner	
Commerce Court	Bradford	6,236	Occupier/not owner	
Mount Street Business Centre	Birmingham	2,688	Occupier/not owner	
Property Advisers to the Civil Estate				
Trevelyan House	London, SW1	864,071	Occupier/not owner	
28 Thistle Street	Edinburgh	154,381	Owner occupier	
Alexandra House	Leeds	126,699	Occupier/not owner	
West Point	Manchester	105,470	Occupier/not owner	
38 George Road	Birmingham	198,672	Occupier/not owner	
Beauford Court	Bristol	147,141	Owner occupier	

Building	Location	Running costs (£)	Status	Comment
Central Computer and Telecom. Agency				
Rosebery Court	Norwich	1,713,220	Occupier/not owner	
Steel House[1]	London, SW1	62,255	Occupier/not owner	
The Buying Agency				
Royal Liver Building	Liverpool	320,000	Occupier/not owner	
Central Office of Information				
Hercules House	London, SE1	2,349,000	Occupier/not owner	
Wellbar House	Gallowgate	45,385	Occupier/not owner	
Sunley Tower	Manchester	81,017	Occupier/not owner	
City House	Leeds	67,235	Occupier/not owner	
Five Ways House	Birmingham	81,369	Occupier/not owner	
The Pithay	Bristol	67,041	Occupier/not owner	
Belgrave Centre	Nottingham	46,626	Occupier/not owner	
Three Crowns House	Cambridge	51,119	Occupier/not owner	

[1] The Cabinet Office metropolitan telephone services are accounted for separately. The total cost of this service in 1998–99 was £719,138.
[2] A notional capital charge is included as part of running cost calculations for the building, as indicated in the Voted Supply Estimate. Capital charging was introduced from 1 April 1998. Departments pay capital charges, on the property they hold, from running cost provision. Departments record on the Vote matching receipts outside running costs classified as negative expenditure. Capital charge calculations are revised each year and based on the value of the property.
[3] Figure represents estimated annual running costs for Steel House. No charge was made to CCTA in 1998–99 as agreed with the property holder.
Note:
Figures reflect running cost expenditure in-year. Figure may be revised following completion of 1998–99 accounts.

New Deal (Young People)

Mr. Bercow: To ask the Minister for the Cabinet Office how many individuals his Department has recruited under the New Deal for Young People. [91893]

Mr. Kilfoyle: I refer the hon. Member to the answer my right hon. Friend the Minister for the Cabinet Office gave to my hon. Friend the Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*.

Family-friendly Employment Policies

Helen Jackson: To ask the Minister for the Cabinet Office what progress he is making in developing family-friendly employment policies within Government departments; and if he will make a statement. [90875]

Mr. Kilfoyle: All Government Departments already have a range of family friendly policies in place which include flexible working arrangements, help with child care and career breaks.

Written Answers to Questions

Thursday 22 July 1999

TRADE AND INDUSTRY

Coal Authority Report

Maria Eagle: To ask the Secretary of State for Trade and Industry when he plans to lay the Coal Authority's report and Accounts for 1998–99 before Parliament. [93058]

Mr. Clapham: To ask the Secretary of State for Trade and Industry when the Coal Authority's report and Accounts for 1998–99 will be laid before Parliament. [93062]

Mr. Battle: I have today laid a copy before each House of Parliament.

Photovoltaic Installations

Dr. Whitehead: To ask the Secretary of State for Trade and Industry what discussions he has held with the Energy Regulator on *(a)* two-way net metering and *(b)* industry charging and remuneration policy for photovoltaic installations. [91448]

Mr. Battle: Both issues are important in securing our objective that renewables and other forms of embedded generation can compete, in the long term, on equal terms with other forms of generation. The consultation paper "New and Renewable Energy—Prospects for the 21st Century", which I published on 30 March, invited comments on the issues surrounding the connection of embedded renewable generators to the electricity system. I am grateful to all those who responded.

I am currently considering the various responses to the consultation paper which have been received and will make an announcement in due course. I will continue to discuss the issues arising with the electricity companies when I meet them. Metering is an essential component of a competitive market. The Government would like to see the full value of exported electricity being offered to consumers in order to encourage the uptake of photovoltaic installations in the UK.

BNFL

Mr. Gibb: To ask the Secretary of State for Trade and Industry what new techniques, skills and strategies are being developed to manage more efficiently and effectively the liabilities of BNFL. [92053]

Mr. Battle: BNFL has established a Liabilities Management Unit to reinforce the strategic management of its liabilities. The key tasks are to provide assurance that liabilities are fully identified and quantified, and to provide value for money and continuous improvement in how the liabilities are discharged, drawing on the expertise of BNFL's Research and Technology Group in key technologies and processes. BNFL is also involved with others in the nuclear industry in sharing best practice in this area and a number of best practice guides have been published. I have asked the company to write to the hon. Member with further information.

Correspondence

Mr. Alan Williams: To ask the Secretary of State for Trade and Industry what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92442]

Mr. Byers: I refer my right hon. Friend to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members in the 1998 calendar year. More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

SOCIAL SECURITY

Child Support Agency

Maria Eagle: To ask the Secretary of State for Social Security what are his plans to address the problem of the Child Support Agency's backlog of periodical reviews. [93100]

Angela Eagle: Until December 1998, child support legislation required the Agency to reconsider child support assessments every two years. This process meant gathering all the many pieces of information used to make an assessment afresh. In many cases, parents failed to return review forms or to provide the necessary information and the reviews have become increasingly difficult to complete as time has passed. As a result, there are now some 350,000 outstanding periodical reviews in the Child Support Agency.

To address the backlog of periodic reviews and to release more of the Agency's resources for current work, however, I intend to bring forward legislation as soon as Parliamentary time allows retrospectively to repeal the provisions which govern this process. This will mean that there will no longer be a requirement to complete the outstanding reviews for past periods. However, the Agency will be taking forward a rolling programme over the next two years to review and update assessments from a current date. Where the parent with care is on benefit, this will happen automatically: parents who have applied voluntarily for child support will be offered the opportunity to have the assessment brought up to date. Also, any parent who wants to have the periodical review completed in their case can ask the Child Support Agency to complete this action and this will be done providing the information and evidence necessary to complete the process is supplied.

Benefit Fraud Inspectorate

Maria Eagle: To ask the Secretary of State for Social Security when he will publish the Annual Report of the Benefit Fraud Inspectorate. [93101]

Mr. Timms: I have today published the second Benefit Fraud Inspectorate Annual Report.

We published our strategy in March 1999 for tackling fraud and improving security within the DSS and local authorities. We are determined to make sure we get it right from the start. That means delivering an improved secure system including the use of robust checks and safeguards. The BFI is a significant part of our strategy. Their role is to publish reports which support the strategy by helping to raise standards of administration and by contributing to the continuing development of the new strategy.

In this first full year of operation, considerable progress has been made. So far, the BFI has published 23 local authority reports, BA, CSA and CA reports, with a further 46 inspections either ongoing or due to be started by November 1999.

Working in partnership with those they inspect is leading to improvements in benefit administration and counter fraud work standards. The report includes case studies demonstrating the BFI impact on local authorities, such as the introduction of prosecution and security strategies, improved recovery of benefit overpayments and better liaison and exchange of information between BA and local authorities.

Copies of the published BFI Annual Report are available in the Library. Further copies are available on request.

Pensions

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what steps he will take to promote higher standards in occupational pension schemes following responses to the consultation on proposals for a Quality in Pensions accreditation scheme. [93102]

Mr. Timms: We have discussed with the pensions industry how best to develop improved standards in pensions. We have concluded we should develop best practice guidelines for occupational schemes that would be made widely available. I am pleased to announce the formation of a working group to take this work forward. The names of the working group members are as given. We have also published today a response to the consultation exercise which provides an analysis of the consultation responses and sets out our proposals for developing the best practice guidelines.

Best Practice Guidelines Working Group

In addition to the Government Departments that are represented the external members are:

Joanne Hindle—Association of British Insurers
Derek Sloan—Association of Pension Lawyers
Susan Anderson—Confederation of British Industry
David Trevor—National Association of Pension Funds
Rachel Low—Occupational Pensions Regulatory Authority
Ian Eggleden—Pensions Management Institute
Peter Crutchett—Society of Pension Consultants
Joanne Segars—Trades Union Congress.

The group will also include a representative from the public service schemes and will be chaired and supported by DSS officials.

Mr. Jim Cunningham: To ask the Secretary of State for Social Security how he proposes to ensure that combined pension forecasts are introduced effectively and with the minimum additional burden on employers and pension providers. [93103]

Mr. Timms: I am pleased to announce the formation of a Pension Forecasting Advisory Group which will include representatives from employers and scheme providers. The group will consider how our proposals for introducing combined forecasts might best be implemented to achieve wide and effective adoption. It will advise on what supporting information and facilities need to be provided to ensure that individuals make the best use of the new information. In addition to the Government Departments that are represented the external members are:

Tony Tollerton—Association of British Insurers
Susan Anderson—Confederation of British Industry
Ben Jupp—DEMOS
Ralph Turner—EMAP
Keith Matthews—Financial Services Authority
George Russell—Government Actuary's Department
Ray Martin—National Association of Pension Funds
Chris Armitage—Unigate

There will also be a representative from the public service schemes and members from the Inland Revenue and DSS who will chair and support the group.

Invalid Care Allowance

Mr. Kidney: To ask the Secretary of State for Social Security if he will set out the circumstances in which a full-time carer aged 16 years may receive invalid care allowance, the effect on entitlement of the carer undertaking a course of education, and the role of Benefits Agency staff in assisting such carers. [91870]

Mr. Bayley: Carers aged 16 who care for a severely disabled person for at least 35 hours a week may receive Invalid Care Allowance (ICA), subject to satisfying the other conditions of entitlement. A carer of any age will not be entitled to ICA if they undertake a course of full-time education, which for ICA purposes is defined as 21 hours a week.

All carers who claim ICA are advised of the outcome of their claim and their right of appeal. In addition, the Benefits Agency are preparing a Multi-benefit bulletin to remind all staff of the other bodies who can help young carers and highlight the importance of being sympathetic to a young person's needs.

War Pensions Agency

Mr. Chope: To ask the Secretary of State for Social Security if he will place in the Library a copy of the final report of the review of the decision making and appeals process of the War Pensions Agency. [92407]

Mr. Bayley: Copies of the War Pensions Agency "Review of Decision Making and Appeals Process" Final Report has been placed in the Library today.

Correspondence

Mr. Alan Williams: To ask the Secretary of State for Social Security what is the average time for a substantive reply to be sent to hon. Members' correspondence; what

proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92450]

Mr. Darling: I refer my right hon. Friend to my written answer to the hon. Member for West Chelmsford (Mr. Burns) on 12 July 1999, *Official Report*, column 62.

Pensions (National Insurance)

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate for (i) flat-rate compensation payments and (ii) compensation payments relating to interest forgone *(a)* the total number of people who have received such payments arising from delays in payment of state retirement pensions because of problems with the NIRS2 computer system, *(b)* the total cost to date of such payments, and *(c)* the total cost which he expects to have accrued when the problems with the NIRS2 system have been resolved. [92530]

Mr. Timms: The total number of pensioners who have received flat-rate compensation payments is 166,989 at a cost of £1,669,890. In addition, a further £31,141.84 has been paid in compensation to pensioners following payment of arrears of benefit under the Departmental Special Payments Scheme.

Up to 30 June, no compensation payments have been made relating to interest forgone.

The total costs accrued because of the NIRS2 problems will not be known until recovery is complete.

Mr. Webb: To ask the Secretary of State for Social Security by (1) what date he expects all retirement pensioners to be in receipt of the full retirement pension to which they are entitled on the basis of their complete record of national insurance contributions; [92481]

(2) if he will make a statement on progress made in resolving the delays to retirement pension payments associated with the introduction of the NIRS2 computer system. [92479]

Mr. Timms: I refer the hon. Member to the written answer my right hon. Friend the Secretary of State gave the hon. Member for North Thanet (Mr. Gale) on 21 April 1999, *Official Report*, column 591.

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate *(a)* the number of persons currently in receipt of (i) the basic state retirement pension alone and (ii) the basic state retirement pension and SERPS, who are currently being underpaid because of problems with the NIRS2 computer system, *(b)* the average weekly amount by which such pensions fall short of the correct figure, *(c)* the total amount which has been underpaid since April 1998, *(d)* the number of pensioners so affected in the week in which that number reached its peak, *(e)* the number of pensioners with SERPS underpayments of (1) more than £90 per week, (2) more than £80 per week, (3) more than £70 per week, (4) more than £60 per week and (5) more than £50 per week. [92480]

Mr. Timms: The information is not available in the format requested. Such information as is available is as follows.

We estimate that approximately 285,000 pensioners have been affected by the NIRS2 computer system problems. Underpayments are expected to be between 1p and, in exceptional cases, £100 per week.

The total amount of Retirement Pension which has been underpaid between April 1998 and March 1999 is estimated to be in the region of £25 million.

Child Poverty

Mr. David Taylor: To ask the Secretary of State for Social Security what estimates he has made of the number and proportion of children living in poverty in *(a)* North West Leicestershire and *(b)* Leicestershire with Leicester; and what the comparable figures are for *(c)* the East Midlands and *(d)* England. [92080]

Mr. Timms: We recognise that poverty is a many faceted concept. One indicator used is to look at the numbers and proportions of individuals in households where the equivalised household income is below proportions of the contemporary national average. The tables show the numbers of children in households with below 50 per cent. and 60 per cent. of contemporary mean income. Information is not available for geographic areas smaller than regions.

Dependent children below various percentiles of the income distribution, including the self-employed

	Percentages of each group			
	Before housing costs		*After housing costs*	
	Below 0.5	*Below 0.6*	*Below 0.5*	*Below 0.6*
East Midlands				
Percentage	23	37	29	40
Million	0.2	0.4	0.3	0.4
England				
Percentage	25	38	34	43
Million	2.8	4.3	3.9	4.9

Dependent children below various percentiles of the income distribution, excluding the self-employed

	Percentages of each group			
	Before housing costs		*After housing costs*	
	Below 0.5	*Below 0.6*	*Below 0.5*	*Below 0.6*
East Midlands				
Percentage	[1]20	36	28	39
Million	0.2	0.3	0.2	0.3
England				
Percentage	23	36	34	43
Million	2.2	3.5	3.3	4.2

[1] Sample sizes are small for the East Midlands. The estimate is based on a sample of less than 100 households.

Notes:

1. All figures are estimates and are taken from the Households Below Average Income (HBAI)' data set which is based on the Family Resources Survey (FRS). The FRS covers Great Britain, and the national average income used in the tables is that for Great Britain. It does not include Northern Ireland. 1996–97 is the latest year for which information is available. The figures presented will be subject to sampling error.

2. The income measure used is weekly net (disposable) equivalised household income (that is to say income that is adjusted to reflect the composition of the household). It is standard HBAI practice to give results for income both before and after housing costs, in order

to allow for the effect of variations in housing costs between households. Results are also provided including and excluding the self-employed, reflecting the inherent uncertainty of income measures for the self-employed.
3. Numbers and percentages below half average income before housing costs are sensitive to the choice of equivalence scale.
4. Due to the sampling method and sample sizes used in the FRS, results are not available below government office regional level.
5. Dependent children are defined as: an individual aged under 16 or an unmarried 16 to 18 year old on a course up to and including 'A' level standard.
Source:
Family Resources Survey 1996–97

An alternative indicate of child poverty is to look at numbers in families in receipt of Income Support or Jobseeker's Allowance.

Children in families of Income Support or Jobseeker's Allowance (income based) claimants February 1999

	Number of children	*Percentage of all children*
North West Leicestershire Local Authority	2,000	13
Leicester Local Authority	20,000	29
East Midlands Government Office Region	156,000	18
England	2,132,000	21

Notes:
1. Based on a 5 per cent. sample and therefore subject to a degree of sampling error.
2. Children are defined as aged 0 to 15 years.
3. Figures are rounded to the nearest thousand.
4. All children is defined as children aged 0 to 15 years in each allocated Local Authority/Government Office Region, based on Mid 1997 estimates.
5. Local Authorities/Government Office Regions are assigned by matching postcodes against the 1999 postcode directory.

Benefits (Wales)

Mr. Alan Williams: To ask the Secretary of State for Social Security what estimate he has made of expenditure in Wales on each benefit administered by his Department. [92376]

Mr. Timms: The information is in the table.

Estimated Social Security expenditure in Wales in 1998-99

£ million

Benefit	*Expenditure*
Retirement pension	1,910
Christmas bonus (contribution-based)	10
Widows benefit	50

Estimated Social Security expenditure in Wales in 1998–99

£ million

Benefit	*Expenditure*
Jobseeker's allowance (contribution-based)	30
Statutory sick pay	*
Incapacity benefit	710
Maternity allowance	*
Statutory maternity pay	30
Guardians allowance (including child's special allowance)	*
Non-contributory retirement pension	*
Christmas bonus (not contribution-based)	*
War pension	70
Attendance allowance	210
Invalid care allowance	70
Severe disablement allowance	70
Disability living allowance	450
Disability working allowance	*
Industrial injuries disablement benefit	60
Industrial death benefit	*
Other industrial injuries benefits	*
Income support (under 60s)	470
Income support (over 60s)	210
Jobseeker's allowance (income-based)	170
Child benefit (including lone parent addition)	370
Family credit	140
Earnings top up payments	*
Vaccine damage payments and Blesma[4]	*
Independent living fund	10
Motability	*
Social fund	10
Winter fuel payments	10
Housing benefit	510
Council tax benefit	100
Total	5,660

Notes:
[1] Figures have been rounded to nearest £10 million
[2] Cash amounts below £10 million are indicated by '*'
[3] Figures may not appear to sum due to rounding
[4] BLESMA: British Limbless Ex-Servicemen's Association payments
Source:
The figures are consistent with those published in the Departmental Report 1999.

Benefits

Mr. Alan Williams: To ask the Secretary of State for Social Security what is his most recent estimate of the number of people receiving each of the benefits administered by his Department. [92375]

Mr. Timms: The numbers of recipients of each of the benefits administered by the Department are shown in the table.

Benefit	*Number of recipients (Thousand)*	*Date*	*Sample size (per cent.)*
Attendance allowance	1,232	February 1999	5
Child benefit	7,060	June 1999	4
Council tax benefit	5,281	August 1998	1
Death benefit	16	December 1998	100
Disability living allowance	2,042	February 1999	5
Disability working allowance	16	January 1999	100
Family credit	788	February 1999	5
Housing benefit	4,425	August 1998	1
Incapacity benefit	2,300	November 1998	5
Income support	3,815	February 1999	5
Industrial injuries benefit	276	April 1998	10
Invalid care allowance	374	June 1999	100
Jobseeker's allowance	1,326	February 1999	5
Maternity allowance	13	August 1998	5

Benefit	Number of recipients (Thousand)	Date	Sample size (per cent.)
Reduced earnings allowance[1]	157	April 1998	10
Severe disablement allowance	372	November 1998	5
State retirement pension[2]	10,867	March 1999	5
War pensions[3,4,5]	302	June 1999	100
Widows benefit	268	March 1999	5

[1] Provisional figures
[2] Jobseeker's allowance represents all those claiming unemployment-related benefits. This includes Jobseeker's allowance (contributory), Jobseeker's allowance (income based) and those with National Insurance credits only.
[3] Figures are for all pensioners resident in GB and also overseas.
[4] Figures relate to payments made to war pensioners in the United Kingdom and overseas.
[5] Figures are based on management information supplied by the War Pensions Agency.
[6] Figures include war disablement pensions, war widows pensions and child allowances.

Note:
Earnings top-up figures are excluded, as it is a pilot benefit.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Regional Chambers

Mrs. Anne Campbell: To ask the Secretary of State for the Environment, Transport and the Regions when he will designate the remaining regional chambers. [92872]

Mr. Caborn: I am pleased to announce that we have today issued:

a direction to the South East of England Regional Development Agency designating the South East of England Regional Assembly as its regional chamber;

a direction to the East of England Development Agency designating the East of England Regional Assembly as its regional chamber; and

a direction to the South West of England Regional Development Agency designating the South West Regional Chamber as its regional chamber.

Section 8 of the Regional Development Agencies Act 1998 provides that if the Secretary of State is of the opinion that there is a body which is representative of those in the RDAs area with an interest in its work, and that body is suitable to be given the role of regional chamber for the RDA, he may designate it.

RDAs must take full account of regional interests. Regional chambers will provide a mechanism through which RDAs can take account of regional views and account for their activities. Ministers expect that each RDA will have regard to the chamber's view in preparing its strategy, consult the chamber on its corporate plan and give an account of its performance to the chamber.

I am currently considering an application for designation from the remaining region and hope to make an announcement shortly.

Secondary Materials (Waste Strategy)

Mr. Pound: To ask the Secretary of State for the Environment, Transport and the Regions when the results of the work commissioned by the Government into policy instruments to correct market failures in the demand for secondary materials, referred to in the draft Waste Strategy for England and Wales, will be published. [92880]

Mr. Meale: The report of the research commissioned by my Department from independent work commissioned by my Department from independent consultants ECOTEC Research and Consulting into "Policy Instruments to Correct Market Failure in the Demand for Secondary Materials" was published this week.

The Government will consider this work further and we would welcome views on the report as part of the draft waste strategy consultation by 17 September 1999. The results of this consultation exercise will help to inform the development of the final waste strategy.

Copies of the report have been placed in the Library.

Energy Efficiency

Dr. Iddon: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made by Government Departments towards the target of improving energy efficiency by 20 per cent. in the nine years to 31 March 2000. [92881]

Mr. Meale: By 31 March 1998, energy efficiency in Government Departments had improved by just over 18 per cent. since 1990–91, as measured by the Total Cost Indicator.

Full details are given in the tables which have been placed in the Library; the overall estate improvement is shown in Table 4. The tables give a summary.

The tables include revisions to figures for earlier years revealing better performance than previously reported. In particular, the 1996–97 figure for the Army has been revised to take account of a large estate increase which had been inadvertently omitted, and this restores not only the Army's own steady progress but that of the whole government estate, to 17.5 per cent. instead of to 15.1 per cent. as previously reported in that year.

Energy management in individual Departments is a matter for those Departments and their Green Minister. However, the Government aim to be at the forefront of good practice to improve energy efficiency, and progress is reviewed regularly by Green Ministers under the Chairmanship of my right hon. Friend the Minister for the Environment. We have developed and are now piloting new performance indicators which will, for the first time, enable comparisons with independent standards of good practice across the economy. These are likely to form the basis of the new campaign starting in April 2000.

The results for the former Department of the Environment and the Department of Transport have now been consolidated for all earlier years to allow a

continuous series for the Department of the Environment, Transport and the Regions. DETR's overall performance in 1997–98 has slipped relative to 1996–97 as a result of the continuing relocation and rationalisation of its accommodation in London and elsewhere, in particular, the need to run a number of old and new buildings in parallel while changes took place. However, the Department's two new headquarters buildings at Eland House and Ashdown House were fully occupied by the end of March 1998 so future results should reflect this.

Summary table: Government estate: energy efficiency performance[1,2]

Performance against energy and cost indicators, relative to 1990–91 (positive figures represent percentage progress)

	Adjusted for estate and weather changes										*Adjusted for weather changes only*	
	Fossil fuel		*Electricity*		*Total kWh*		*Total cost*		*CO*		*Total CO*	
Civil departments, including agencies	*1996–97*	*1997–98*	*1996–97*	*1997–98*	*1996–97*	*1997–98*	*1996–97*	*1997–98*	*1996–97*	*1997–98*	*1996–97*	*1997–98*
MAFF—Main Estate[3]	48	48	-12	-11	35	35	14	14	19	20	5	24
MAFF—Laboratories[3]	16	25	1	8	12	20	6	14	17	24	22	36
Cabinet Office	29	32	47	31	10	17	17	6	4	10	65	52
Culture, Media and Sport	2	-33	20	-4	8	-19	16	10	15	11	15	11
Customs and Excise	43	29	3	6	25	19	11	11	16	15	17	15
Education and Employment	28	28	-27	22	2	4	17	13	13	9	2	-7
Employment Service	18	23	-15	-16	9	12	3	2	0	1	8	5
Environment, Transport and Regions[4]	41	31	8	3	30	22	18	12	23	17	38	31
DETR—HSE[5]	15	39	22	11	18	29	20	19	24	25	26	29
DETR—QEII CC[5]	-8	7	1	9	-3	3	1	7	1	9	1	9
FCO	16	8	33	-17	-4	-2	22	-11	14	5	24	35
Health	41	35	75	83	3	10	46	53	32	39	14	21
Home Office	5	17	-1	3	3	13	1	7	3	11	5	9
Home Office—Prisons	15	10	20	-19	11	6	1	-2	13	9	2	-7
Inland Revenue	12	-3	17	19	14	3	16	13	17	14	28	31
International Development	29	32	38	36	32	33	35	35	35	35	68	68
Lord Chancellor's Department	30	37	6	11	23	29	14	20	17	23	0	6
National Savings	4	16	28	32	17	24	24	29	24	30	28	37
Northern Ireland	16	18	7	12	13	16	10	14	12	16	1	1
Scottish Office[5]	19	33	38	26	4	17	17	4	4	8	10	25
Scottish Court Service[5]	39	35	36	30	38	34	37	32	38	34	13	2
Scottish Prison Service[5]	11	0	12	12	9	12	3	5	5	9	0	-2
Social Security	18	17	18	0	9	12	5	6	1	9	21	12
Trade and Industry	71	74	27	40	56	62	40	49	43	52	65	69
Treasury	17	7	14	8	8	3	4	3	0	1	13	14
Welsh Office	32	49	-4	18	16	19	3	4	-7	1	24	21
Total	20.8	18.3	-1.6	3.2	15.3	14.6	7.2	9.1	12.5	14.0	6.1	5.6

Summary table: Government estate: energy efficiency performance

Percentage reduction relative to 1990–91 (positive figures represent percent improvement)

	Adjusted for estate changes and weather correction										*Adjusted for weather changes only*	
	Fossil fuel		*Electricity*		*Total kWh*		*Total cost*		*CO*		*Total CO*	
Ministry of Defence	*1996–97*	*1997–98*	*1996–97*	*1997–98*	*1996–97*	*1997–98*	*1996–97*	*1997–98*	*1996–97*	*1997–98*	*1996–97*	*1997–98*
Civil	35	50	5	2	25	38	14	15	19	24	0	4
Navy	37	37	41	40	38	38	40	39	43	42	30	30
Army	11	17	27	26	14	19	20	22	21	24	18	20
RAF	26	26	14	14	23	23	19	19	20	20	29	30
Procurement Executive[3]	0	0	0	0	0	0	0	0	0	0	0	0
DERA	17	27	15	8	16	11	15	1	-15	0	15	17
MOD Total	20.3	23.5	23.6	21.4	21.1	23.0	22.2	22.3	24.1	24.8	22.8	23.4
Grand Total	20.5	21.9	15.4	15.5	19.3	20.4	17.5	18.1	20.5	17.6	17.6	17.9

[1] Progress is expressed as a percentage relative to the 1990–91 base year value of the performance indicator in question. Positive figures represent improvement. The standard indicator, against which the target to improve energy efficiency by 20 per cent. by 31 March 2000 is measured, is obtained by weather-correcting energy consumption and converting to costs using 'standard prices' for fuel (6p/kWh for electricity and 1.25p/kWh for all fossil fuels) then dividing by floor area. Conversation to money both reflects the relative costs of electricity and fossil fuel and their environmental impact, and the use of fixed prices eliminates the effects of tariff changes which distort the comparison of fuel bills.

[2] Although figures have been prepared on a consistent basis, caution should be exercised in comparing the energy use of different Departments and Agencies because of differences in their estate and the nature of their work. For example, the operational needs of prisons and the QEII Conference Centre mean that they have a pattern of energy use which is different from that of a Department which has predominantly office accommodation. Expenditure on energy and investment figures are included for information only. Investment figures relate to clearly identifiable energy efficiency measures undertaken by Departments. Energy efficiency is an integral part of all major construction projects, including building refurbishment and plant replacement and the figure '0' for some Departments does not necessarily mean there has been no investment, just that the investment was not clearly identifiable.

[3] The average performance figure for the civil estate cannot be derived by simply adding together the individual Departmental progress and dividing by the number of Departments because this does not allow for the large variations in consumption. The correct figure is obtained by calculating the value of the performance indicator for the year in question and the base year, for the civil estate as a whole, and calculating the reduction relative to the base year.

[4] The energy performance for MAFF's 'Main estate' and its 'Laboratories' continues to improve through ongoing investment in energy schemes, monitoring of energy at local level and taking appropriate action as well as central initiatives including continued staff awareness programmes.

[1] The DETR's figures have been compiled from the former Environment and Transport Departments. The Department now has a greater proportion of air-conditioned buildings than in the base year, because of estate rationalisation, relocation to new HQ buildings and inclusion of some Government Offices for the Regions. Performance in 1997–98 was adversely affected by parallel operation of both old and new buildings while staff moved from one to the other.

[2] HSE was removed from the DfEE estate on the formation of that Department. QEII Conference Centre is reported separately because of its business led demands. The initial sharp rise in consumption following the 1990–91 base year was directly attributable to increased revenue earning activity, which has continued throughout the reporting period, and the more recent decline in consumption reflects the effect of energy conservation measures undertaken at the site.

[3] Rationalisation of the estate since the base year has led to staff moving from several naturally ventilated buildings to more densely occupied air-conditioned buildings, all equipped with information technology equipment.

[4] Base year is 1991–92.

[5] Base year in 1991–92. Data for Natural Resources Institute no longer included following its transfer to the University of Greenwich.

[6] Base year is 1994–95 by which time energy efficient lighting and other improvements already installed in buildings which are already fully air-conditioned with intensive IT usage.

[7] Workload is increasing, affecting occupancy and requiring offices to be occupied for longer, increasing the use of energy. Greater use of information technology, expansion of the use of air conditioning and the upgrading of lighting levels has increased electricity consumption.

The Ministry of Defence (MOD) estate is different from the rest of the Government estate, and has been undergoing more radical changes. It is therefore treated in a slightly different way. In common with the civil estate, it has greatly increased its use of information technology.

In civil departments, the effect of estate changes is allowed for by dividing consumption by floor area. In MOD, floor area is sometimes not meaningful (e.g. in relation to security or runway lighting) and also not often available, so estate changes are allowed for by being explicitly excluded from the calculations, i.e. the energy consumption of new facilities is removed, and for facilities no longer part of the estate, the consumption for the last full year of operation is added back. In most cases, such changes are small compared to the total and can often approximately cancel each other out.

[8] It is almost impossible to produce any meaningful results to date for MOD's Procurement Executive (PE) since it has suffered major estate gains and losses over the past 10 years and now consists largely of one recently built large office. The standard MOD methodology produces a meaningless 'no change' result (since the present estate is almost entirely different from the original).

[9] This shows the combined results for the whole of the Government estate based on the data in tables 1, 2 and 3. It is not a simple average of the data, but reflects the proportion of total consumption represented by each part of the estate (see also note 3). Some Departments have a different base year, and the individually agreed base year has been used for the purposes of this table, where appropriate.

[10] In some instances the base year is not 1990–91, but for the purposes of tables 2 and 5 the agreed base year has been used in the calculation.

The figures quoted here for the Home Office have been weather-corrected in the same way as for all departments. Figures quoted elsewhere were provisional, not yet weather-corrected and therefore showed higher apparent progress.

Ryedale District Council

Mr. Healey: To ask the Secretary of State for the Environment, Transport and the Regions if he will provide financial assistance to Ryedale District Council under the Bellwin scheme for costs incurred following the severe flooding between 5 and 14 March. [92882]

Mr. Meale: I am satisfied that financial assistance under the Bellwin scheme is justified in the case of Ryedale District Council given the exceptional nature of the floods and the damage caused. A scheme will, therefore, be established under section 155 of the Local Government and Housing Act 1989. Grant will be paid to the authority to cover 85 per cent. of the eligible costs above a threshold which have been incurred by the authority in dealing with the flooding.

Building Standards

Mr. Pickthall: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to promote high standards of service from local authority building control departments and private sector approved inspectors. [93019]

Mr. Raynsford: My Department and the National Assembly for Wales are today publishing 'Building Control Performance Standards', on behalf of the Construction Industry Council, the Local Government Association and the Association of Corporate Approved Inspectors, whose Building Control Services Steering Group drew up the document.

Building Control Performance Standards' sets out a series of eleven standards for the good conduct of building control, together with guidance to go with each of these standards.

The eleven standards in the new document cover:

the need for building control bodies to draw up, and make public, a policy on the provision of their building control service in a manner that meets their legal duties and is effective in helping to achieve compliance of building work with the Building Regulations;

the need for building control bodies to have adequate staff resources, supplemented if necessary by bought in support;

the need for building control bodies to undertake appropriate consultations with other agencies;

the need for clear feed back to the client following plans assessment, and for records of the plan checking process;

the need for appropriate site inspection regimes, and prompt action on contraventions, with associated records;

the need for appropriate certificates to be given to the direct client upon satisfactory completion of the work;

the need for retention of records for an appropriate period;

the need for suitable arrangements for continuous professional development and in-service training;

the need for procedures for self review of performance;

the need for adoption of quality management principles;

the need for building control bodies to observe the normal professional standards and business ethics expected of service providers.

Competition between local authority building control departments and approved inspectors is an important spur to efficiency, and beneficial to the builders and developers who are the immediate clients for the building control service. Building control must also be effective in helping to secure the compliance of building work with the requirements of the Building Regulations, which exist to promote the health, safety, welfare and convenience of building users, as well as energy efficiency.

Building Control Performance Standards' recognises that the building control function is the same whether it is carried out by a local authority or by an approved inspector. It sets out the ways in which all building control providers can work to achieve effective and efficient levels of service.

My Department is writing today to local authorities in England and to approved inspectors to ask them to commit themselves to adopt and apply the performance standards and have regard to the associated guidance. The National Assembly for Wales is taking parallel action in Wales. The Local Government Association and the Construction Industry Council will be monitoring the response of local authorities and approved inspectors to this initiative.

Officials of my Department and the National Assembly for Wales will be discussing with the Construction Industry Council, the Local Government Association, the Association of Corporate Approved Inspectors and other interested parties including the District Surveyors' Association and the Audit Commission, arrangements for a new advisory body on building control. This body will keep the performance standards and guidance under review and revise them as necessary. It will work with the bodies responsible for monitoring standards of service on the part of local authorities and approved inspectors, to maintain and raise building control standards.

Supporting People Policy

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions how the Government intend to carry forward the implementation of their Supporting People policy. [93020]

[illegible]rescott: To ensure the most effective support for p[illegible] living in our communities who need it, I am establishing a new reference group to work with the Government on implementing our 'Supporting People' policy.

This is a cross-Government initiative, which will be co-ordinated by the Department of the Environment, Transport and the Regions (DETR). It will work closely with the Departments of Health and Social Security, the Home Office and other parts of Government.

The reference group will comprise individuals nominated by organisations representing local authorities, other statutory agencies, service providers, and those using support services. In due course we will also be inviting a number of people with experience of day-to-day operation of the services to participate in a small Practitioners' Group. By working closely with interested parties to develop the detail of the new arrangements, my Department will ensure that our long-term objective becomes a workable and effective reality.

The introduction of the new funding arrangements for support services were announced by my right hon. Friend the Secretary of State for Social Security in March, following extensive consultation.

We received more than 500 responses to our "Supporting People" consultation paper. They showed strong support for the principles underlying our proposals, and recognition that, for the first time, the provision of support services is being given the priority it deserves.

I am today publishing a summary of responses to the consultation. Copies are being placed in the Library of the House, and will be sent to all those who responded.

The consultation responses will assist the ongoing work to develop and implement the new, funding arrangements. These will ensure that many thousands of people will get the cost-effective and high quality services they need, to live dignified and independent lives.

Greater London Authority Elections

Mr. Fitzpatrick: To ask the Secretary of State for the Environment, Transport and the Regions if he has decided to proceed in negotiations with any of the companies which expressed interest in providing electronic equipment for use in the Greater London Authority elections. [93063]

Mr. Raynsford: The London Mayor and Assembly elections on 4 May 2000—subject to Parliamentary approval—provide an excellent opportunity to introduce a more up-to-date system of counting of votes, more in keeping with modern technology and systems.

Following my announcement on 5 July 1999, *Official Report*, column *378*; of our shortlist of potential suppliers of electronic equipment for the London Mayor and Assembly elections, we have been considering in more detail the equipment on offer from these suppliers. If the count for the London elections next year—which will comprise three ballots—is conducted in the traditional manual manner, it could take up to three days. That is why I am particularly pleased that three of the suppliers have offered electronic counting equipment. These machines have the capacity to scan many thousands of ballot papers an hour and so could reduce the count to a matter of hours. They are also more accurate than manual systems. We have therefore decided to proceed in negotiation with the three suppliers offering electronic counting equipment: Data & Research Services plc; Election Systems & Software Inc. with Unisys Ltd.; and Smurfit Ltd.

The final decision on whether to award a contract is likely to be made in September when the proposals have been fully evaluated. We will be looking for value for money, and we will need to be absolutely confident that the chosen method is accurate and efficient. All the equipment we are considering has been tried and tested in elections elsewhere.

River Tweed

Mr. Beith: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library the scientific advice received from English Nature concerning the notification of the River Tweed as a candidate special area of conservation under the European Council Directive 92/43/EEC on the conservation of natural habitats and of wild flora. [88617]

Mr. Meacher *[holding answer 28 June 1999]:* With the agreement of the Scottish Executive, I have placed in the Library of the House a paper written by the Chief Scientist of Scottish Natural Heritage (English Nature's equivalent in Scotland) in 1995 setting out a scientific analysis of the case for proposal of the River Tweed as a Special Area of Conservation. That document is the best summary of the agency's advice. The Government and the

statutory nature conservation agencies subsequently discussed the various scientific factors which had to be taken into account in making a decision about whether to propose the site to the European Commission as a candidate Special Area of Conservation.

The Government concluded that the River Tweed should not be proposed to the European Commission as a candidate Special Area of Conservation. The Government believed that there were a number of reasons why, applying the criteria for site selection specified in the Habitats Directive, the River Tweed was not an outstanding candidate for Special Area of Conservation status for Atlantic salmon. These included the relatively poor state of the spawning salmon stock, the very substantial modification by man of the watercourse, and discharges into the river environment. The Government have proposed five other rivers to the European Commission as candidate Special Areas of Conservation for salmon, which we believe better meet the selection criteria of the Habitats Directive.

The implementation of the Habitats Directive in Scotland is now a matter for the Scottish Parliament and Scottish Executive.

London Underground

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what assessment his Department has made of the likely impact on *(a)* numbers of trains run and *(b)* passenger kilometres of the closure of (i) the Circle Line during summer 1999, (ii) part of the Northern Line during summer 1999, (iii) part of the Bakerloo Line during autumn 1999 and (iv) part of the Victoria Line during autumn 1999. [90850]

Mrs. Liddell: This is a matter for London Underground. However, I understand that the impact on the number of trains run will be as follows:

(i) The Circle Line has been suspended for essential safety work until 16 August 1999. Additional trains are operating on the Hammersmith and City Line and two extra trains on the District Line.

(ii) 12 fewer trains than normal are operating on the Northern Line during peak periods. There are four fewer trains than normal at the weekends. This is to allow for essential maintenance and upgrading.

(iii) No trains will run south of Victoria and there will be a reduced peak service on the rest of the line. The off-peak service north of Victoria will be as normal.

London Underground inform me they have not assessed the impact of these closures on passenger kilometres.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce women-only carriages on London Underground. [91494]

Mrs. Liddell: This Government takes the problem of crime on the underground very seriously and we are pleased to see that it has halved over the last decade.

Introducing women-only carriages would be a matter for London Underground. I understand that they are expanding their CCTV network, upgrading the system at stations and introducing cameras to trains and other crime prevention measures.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions how many extra District Line trains have run since the closure of parts of the Circle Line. [91088]

Mrs. Liddell *[holding answer 14 July 1999]:* This is a matter for London Underground, but I understand that, from 5 July 1999, London Underground have been operating two additional trains throughout the day on the District Line between Putney Bridge and Mansion House.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what were the average daily passenger figures for the Circle Line connecting *(a)* Tower Hill and Aldgate and *(b)* Gloucester Road and High Street Kensington over the last 12 months. [91051]

Mrs. Liddell *[holding answer 14 July 1999]:* This is a matter for London Underground. However, I understand that the average number of daily passenger journeys between these stations over the last 12 months was:

	Number
Gloucester Road to High Street Kensington	29,000
High Street Kensington to Gloucester Road	24,000
Total	53,000
Aldgate to Tower Hill	23,000
Tower Hill to Aldgate	21,000
Total	44,000

Circle Line services have been suspended to allow London Underground to complete the long overdue safety-related engineering works. Service disruption is always disappointing, but safety is, quite rightly, London Transport's top priority.

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the level of provision of fire extinguishers on the London Underground. [91720]

Mrs. Liddell: London Underground operates under one of the toughest safety regimes of any underground metro system. Any changes to the provision of fire extinguishers on the underground are subject to the approval of Her Majesty's Rail Inspectorate.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what was the total passenger capacity in either direction between Moorgate station and Kennington station of *(a)* Northern Line services between Monday 28 June and Friday 2 July and *(b)* Northern Line replacement bus services between Monday 5 July and Friday 9 July. [91518]

Mrs. Liddell *[holding answer 15 July 1999]:* This is an operational matter for London Underground. Figures are not available to compare alternative passenger services. However, I understand that while bus services between Moorgate and Kennington have been busy in peak periods, there is sufficient capacity available to cope with the demand. Additional buses are on standby, if necessary.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions if temperature levels on tubes during Thursday 8 July exceeded Health and Safety Executive limits. [91526]

Mrs. Liddell *[holding answer 15 July 1999]:* This is a matter for London Underground. I understand that the Health and Safety Executive does not set temperature limits for the tube.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions if works on the Circle Line are running according to timetable; and if full Circle Line services will resume on 16 August. [91520]

Mrs. Liddell: *[holding answer 15 July 1999]:* This is a matter for London Underground, but I understand works are running to timetable and that LU anticipate resuming a full Circle Line service on 16 August, as planned.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions if works on the Northern Line are running according to timetable; and if full Northern Line Bank branch services will resume on 6 September. [91521]

Mrs. Liddell *[holding answer 15 July 1999]:* This is a matter for London Underground, but I understand works on the Northern Line are on schedule and services should resume on Monday 6 September, as planned.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions how many people travelled in either direction between Moorgate station and Kennington station or intermediate stations using *(a)* Northern Line underground services between Monday 28 June and Friday 2 July and *(b)* Northern Line replacement bus services between Monday 5 July and Friday 9 July. [91519]

Mrs. Liddell *[holding answer 15 July 1999]:* This is an operational matter for London Underground. However, I understand that many of the passengers who would normally use this section of the Northern Line have access to underground services, including the 15 per cent. extra trains on the Northern Line Charing Cross branch.

Before the temporary closure, 75,000 journeys were made daily on the Northern Line between Moorgate and Kennington. In the first week after the closure, 10,000 people a day used the replacement and existing services along the route.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy on air conditioning on London Underground trains; and if he will make a statement. [91523]

Mrs. Liddell *[holding answer 15 July 1999]:* This is a matter for London Underground, but I understand that air conditioning would not only be extremely expensive to install, but would cause severe operational constraints, particularly on the deep tube lines. However, LU are looking at various methods of cooling trains and tunnels, and this will include air conditioning where appropriate.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions how many complaints were received by London Underground on Thursday 8 July about excessive temperatures on tube trains; and if he will make a statement. [91525]

Mrs. Liddell *[holding answer 15 July 1999]:* This is a matter for London Underground. I understand that they received a total of 20 complaints about the high temperatures on tube trains on Thursday 8 July.

I appreciate passengers' frustration at the high temperatures that can occur on tube trains on very hot days and understand that London Underground are looking at ways of cooling trains and tunnels.

Mr. Stephen Twigg: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with London Underground regarding service *(a)* on the Piccadilly Line and *(b)* at Arnos Grove Station. [91444]

Mrs. Liddell: *[holding answer 21 July 1999]:* Piccadilly Line services are an operational matter for London Underground. However, my hon. Friend the Minister for Transport in London does meet with the managing director of LU every month, when they discuss tube services, including the Piccadilly Line.

Neither myself nor other Ministers have specifically discussed services at Arnos Grove with LU. However, I understand that LU have developed a scheme to reduce congestion at this station and are currently considering how best to take this forward.

Genetically Modified Crops

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy on experiments in the genetic modification of plants so that honey from their nectar produces medicinally valuable products. [90721]

Mr. Meale *[holding answer 13 July 1999]:* I have received no applications for consent to release this type of genetically modified (GM) plant. Any such applications would be subject to a scientific assessment of risk carried out case-by-case on the basis of an environmental risk assessment. It is likely that any such experiments would be carried out in containment.

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what is the maximum number of fields and the maximum field size that will be permitted in the farm scale trials of genetically modified oil seed rape, maize and sugar beet; and which body will determine these numbers and sizes. [91415]

Mr. Meale: The farm scale evaluations of the impact of the management of genetically modified (GM) herbicide tolerant oilseed rape and maize on farmland are being guided by an independent scientific steering committee. The steering committee will determine the number of fields necessary to ensure the statistical validity of the study. Preliminary analysis has indicated that 20 paired comparisons of each crop in each year will be sufficient, although more detailed analysis of the appropriate sample size was called for by the steering committee and it may be necessary to revise the number in the light of this.

In the current research programme, the intention is to carry out ecological studies in a realistic cropping scenario, that is within fields of a size representative of UK agricultural practices. A size of about 10 ha was chosen; in the case of maize, many fields are likely to be smaller—about 6–7 ha and, in the case of oilseed rape, fields may be larger than 10 ha.

Sugar beet is not being grown as part of the programme this year.

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the farm scale test sites planned for autumn 1999 and the crops to be grown; if interim test results from earlier trials will be available before their planting; and if he will make a statement. [92095]

Mr. Meale: The release of genetically modified autumn sown oilseed rape will be carried out under a consent granted to AgrEvo. The legislation requires that the proposed sites are advertised in a local newspaper and that my Department discloses the locations on the public register. The sites for this autumn's releases have not yet been selected.

It is unlikely that interim results will be available before the autumn sown crops are planted. The ecological studies being carried out in the spring sown crops are still being gathered and will continue to be gathered after harvest. Analysis of the results will then be carried out and reviewed by the Scientific Steering Group at their next meeting in October. It is not considered necessary to have the results of the wildlife studies in the spring sown crops before sowing the autumn sown crops. The different sowing times influence the wildlife in a crop quite significantly and great care needs to be taken in the interpretation of the results in this respect.

Working Time Directive

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to repeal United Kingdom rules on bus and coach drivers' hours and apply EU rules to all operations. [91490]

Ms Glenda Jackson: The Government said in the Transport White Paper that it would consult the industry on legislation to bring most of the operations subject to the UK rules on drivers' hours within the scope of the European Union rules.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions if he plans to extend the Working Time Directive to the road transport sector. [91491]

Ms Glenda Jackson: The road transport sector is covered by two proposals on Working Time from the European Commission. The first (taken in the Social Affairs Council) amends the existing Directive to include all transport sectors except maritime. The Council has now reached political agreement on this proposal, but it is subject to the co-decision procedure with the European Parliament and therefore subject to final approval.

The second proposal introduces further specific provisions, aimed at the road transport sector, on the average and maximum weekly limits; rest periods; provisions on night working; and derogations. These proposals are currently under discussion in the Transport Council.

Buses

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many new bus registrations there were in England in *(a)* 1994, (b), 1995, (c), 1996, (d), 1997, (e) 1998 and (f) 1999 to date; [91394]

(2) how many bus service registrations have been rejected by the Traffic Commissioners in the last 12 months for which figures are available. [91416]

Ms Glenda Jackson: The figures for new bus registrations are as follows:

Financial year	*Registrations in England and Wales* [1]
1994–95	4,917
1995–96	4,493
1996–97	4,465
1997–98	4,302
1998–99	5,169

[1] Prior to 1 May 1999, when an all Wales Traffic Area was established, the only dat on new bus registrations readily available covers both England and Wales.

Note:

During the period from 1 April to 30 June 1999 there were 1,088 new registrations. In the 12 months to June 1999, three applications for new bus service registration had been rejected.

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of the total bus subsidy in England supports services operating in *(a)* metropolitan areas, *(b)* non-metropolitan areas and *(c)* Greater London. [91407]

Ms Glenda Jackson: There are two elements of bus service subsidy: the support of services by local authorities from their own resources, for socially necessary services; and Fuel Duty Rebate (FDR), which is paid by central Government directly to the bus operators for the local bus services they operate. Figures for local authority support for 1997–98 (the latest year figures are currently available for) are:

	£ million	*Percentage*
Metropolitan areas	98	53
Non-metropolitan areas	86	47
Total	184	—

Subsidy for buses in Greater London is provided as part of the London Transport grant. In 1997–98 London Transport buses made a gross operating profit of £0.1 million.

The figure for FDR support in England in 1998–99 was £224.5 million. Statistics are not kept on the split of this total between services in metropolitan and non-metropolitan areas and Greater London.

A5 Nesscliffe Bypass

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions when the A5 Nesscliffe bypass, Shropshire, will be built; and if he will make a statement. [91540]

Ms Glenda Jackson: As we announced on 10 December 1998, *Official Report*, columns *251–53*, work on the A5 Nesscliffe bypass will start in 2001–02.

The orders fixing the line of the road have been made and will be published on 5 August. The Compulsory Purchase Order will be made early next year. Procedures to acquire the land necessary to construct the scheme can then begin. Final confirmation of the precise start date will be subject to the satisfactory completion of the necessary contract process.

Bus Lanes

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions (1) of the new bus lanes created on *(a)* trunk roads and *(b)* non-trunk roads in England since 2 May 1997, how many were additional to existing carriageway lanes; and how many reduced the number of lanes available to other vehicles; [91522]

(2) how many new bus lanes have been created on *(a)* trunk roads and *(b)* non-trunk roads in England, since 2 May 1997. [91429]

Ms Glenda Jackson *[holding answer 15 July 1999]:* Since 2 May 1997, 14 new bus lanes have been created on trunk roads. Seven of these involved additional carriageway lanes and seven reduced the number of lanes available for other vehicles.

Non-trunk roads are the responsibility of the local highway authority. Information is not kept in the form requested and could be provided only at disproportionate cost.

Road Noise

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions what guidance his Department has issued in respect of the use of whisper concrete or asphalt for road construction and resurfacing projects in *(a)* rural areas and *(b)* urban areas; and if he will make a statement. [91913]

Ms Glenda Jackson: This is an operational matter for the Highways Agency. I have asked the Chief Executive, Mr. Lawrie Haynes, to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. Peter Pike, dated 22 July 1999:

The Transport Minister, Glenda Jackson, has asked me to reply to your recent question about guidance issued in respect of the use of whisper concrete or asphalt for road construction and resurfacing projects in either rural areas or in urban areas.

Guidance on the use of both whisper concrete and asphalt for use in trunk road construction and maintenance is contained in two separate publications. General guidance over surfacing alternatives is given in the Design Manual for Roads and Bridges, Volume 7, HD 36/99. While specifications for these materials is included in the Manual of Contract Documents, Volume 1 and 2. No distinction is made between their use in rural and urban areas as the choice of surfacing is based on the particular requirements for each road. Both documents are published and available in the House of Commons library.

If you require further information I suggest that you contact the Agency's Group Manager responsible for road surfacing, Graham Bowskill. He can be contacted on 0171 921 4746 and is familiar with both whisper concrete and asphalt road surfaces.

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions what assessment his Department has made of the impact of noise from motorways and high speed roads in *(a)* urban areas and *(b)* rural areas; and if he will make a statement. [91912]

Ms Glenda Jackson: The Government have been well aware of concern about the level of traffic noise arising from motorways and other high speed roads. Our proposals for dealing with the problem arising from those roads for which the Secretary of State has responsibility were explained in "A New Deal for Trunk Roads in England". We announced the annual budget which was being ring-fenced for this purpose on 22 March 1999, *Official Report*, columns *50–51*, together with criteria which would target the most serious and pressing cases.

The Highways Agency has assessed a number of locations where traffic noise had been a particular cause for concern against the sift criteria. The Agency will shortly be undertaking detailed studies of those locations meeting the criteria where there are no immediate plans to replace the existing road surface with a quieter one. The studies are necessary to discover the most appropriate means of dealing with the problem. There has been no differentiation between urban and rural areas, but the studies will take into account the proximity of housing to the road.

The Agency has also made good progress in the use of lower noise surfaces when maintenance is due on existing roads. Approximately three quarters of maintenance contracts undertaken since last year have used these new surfaces.

Departmental Vehicles

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the guidance *(a)* he and *(b)* his Green Minister have issued concerning the introduction of low and nil emission fuel technology into the Department's vehicle fleet. [90693]

Ms Glenda Jackson *[holding answer 19 July 1999]:* My Department is committed to reducing the environmental impact of its own transport activities, through the implementation of green transport plans. One important aspect of our plan for DETR headquarters is to reduce business car use and its associated emissions to a minimum. My Department is producing guidance on greener vehicles and cleaner fuels to include in our "Green Guide for Buyers", which was distributed across government in February 1998. Both DETR's green transport plan for its headquarters and the buyers' guide can be found on the Internet at www.environment.detr.gov.uk.

Local Government Act 1988

Mr. Lepper: To ask the Secretary of State for the Environment, Transport and the Regions what progress he has made with his plans to repeal section 28 of the Local Government Act 1988; and if he will make a statement. [91986]

Mr. Meale: The Government have made a clear commitment to repeal section 28 of the Local Government Act 1988, and plan to do so as soon as Parliamentary time permits.

Appointments (Quangos)

Mr. Singh: To ask the Secretary of State for the Environment, Transport and the Regions how many appointments to quangos he made between (i) 1 June 1997 and 31 May 1998 and (ii) 1 June 1998 and 31 May 1999. [92043]

Mr. Meale: The Secretary of State has made the following appointments to NDPBs, nationalised industries and public corporations sponsored by the Department:

	1 June 1997 to 31 May 1998	*1 June 1998 to 31 May 1999*
NDPBs:		
Executive	71	207
Advisory	75	110
Tribunals	132	207
Nationalised Industries	3	9
Public Corporation	3	5
Total	284	538

Mr. Singh: To ask the Secretary of State for the Environment, Transport and the Regions how many members of Britain's *(a)* ethnic minority communities and *(b)* Asian community he appointed to quangos between (i) 1 June 1997 and 31 May 1998 and (ii) 1 June 1998 and 31 May 1999. [92114]

Mr. Meale: The Secretary of State has appointed the following ethnic minority candidates to NDPBs, nationalised industries and public corporations sponsored by the Department:

	1 June 1997 to 31 May 1998	*1 June 1998 to 31 May 1999*
Asian Community	7	15
Other ethnic minorities	10	13
Totals	17	28

Full details of the Department's plan on equal opportunities are contained in "Quangos, Opening Up Public Appointments 1999–2002", published by the Government on 25 May 1999, a copy of which is deposited in the Libraries of both Houses. This sets out our goals and objectives for improving representation of women, people from ethnic minority groups and people with disabilities.

Official Documents

Mr. Wilshire: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish a list of all those official documents of the last Administration which have been seen by *(a)* him, *(b)* other Ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92179]

Mr. Meale *[holding answer 20 July 1999]:* A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, the Department has been guided by the convention governing access to the papers of a previous Administration, as set out in the then Prime Minister's reply to a written question on 24 January 1980, *Official Report*, columns *305–07*.

English Partnerships

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what has been the budget for English Partnerships in the North West of England in each year since 1994; and what are the proposed budgets for the next three years. [91462]

Mr. Meale *[holding answer 21 July 1999]:* English Partnerships' budget for the North West from 1994 to 1999 was as follows:

£ million

Year	*Administration and running costs*	*Land and Property Programme*	*Total*
1994–95	n/a	49.5	49.5
1995–96	5.1	51.1	56.2
1996–97	6.1	49.8	55.9
1997–98	6.3	78.1	84.4
1998–99	6.2	95.0	101.2

The proposed land and property programme for the North West for the next three years is as follows. The administration costs have been subsumed within those for the North West Development Agency (NWDA).

£ million

	1999–2000	*2000–01*	*2001–02*
Land and Property Programme	79.8	82.0	64.0
Total NWDA administration budget, including for the land and property programme	12.1	11.9	11.9

Driving Tests

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions how many non-United Kingdom passport holders have made an application to take a UK driving test in each of the last five years. [92024]

Ms Glenda Jackson *[holding answer 21 July 1999]:* We do not collect those data.

Songbirds

Mr. Viggers: To ask the Secretary of State for the Environment, Transport and the Regions if he will make representations to the French Government about its extensions to the season for shooting songbirds. [92414]

Mr. Meale: The measures member states should take to protect wild birds, including the extent of hunting seasons, are laid out in the EC Directive on the Conservation of Wild Birds (79/409/EEC). It is the responsibility of the European

Commission to ensure that member states comply with the provisions of EC Directives, and my Department supports the Commission in this aim.

Waste Incineration

Mr. David Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the proportion of municipal waste incinerated with energy/heat recovery in each of the past 10 years; and what targets he has set for the next 10 years. [92075]

Mr. Meale: Reliable surveys of municipal waste arisings, and the management options selected for those wastes, have been conducted since 1995–96. The figures for the quantities of municipal waste incinerated are as follows:

Percentage

Waste management option	*1995–96*	*1996–97*	*1996–98*
Incineration with energy recovery	5	5	6
Incineration without energy recovery	4	3	0.2

The Government published their draft waste strategy for England and Wales, "A Way With Waste", on 30 June 1999. Within the draft strategy, the following targets and goals are identified:

- to recover 45 per cent. of municipal waste by 2010 (with a target of 40 per cent. recovery by 2005);
- to recycle or compost 30 per cent. of household waste by 2010 (with a target of recycling or composting 25 per cent. of household waste as soon as possible).

A511 Bypass

Mr. David Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the prospects for the completion of the A511 bypass around Ashby-de-la-Zouch. [92077]

Ms Glenda Jackson: Leicestershire County Council, along with all other local highway authorities, will be submitting its Local Transport Plan (LTP) by the end of July. If the bypass is included in the Council's LTP, my Department will very carefully consider the case for it against competing bids for major new schemes and other areas of expenditure. The announcement of the local transport settlement is due to be made shortly before Christmas.

A6 Bypass

Mr. David Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the prospects for an A6 bypass around Kegworth, Leicestershire. [92078]

Ms Glenda Jackson: The proposal for an A6 Kegworth bypass is to be considered as part of the Multi-Modal Study looking at North-South movements in the East Midlands which came about as part of the Roads Review. The study is due to start in the autumn and will take approximately two years to complete.

Vehicle Excise Duty

Mr. John M. Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what the levels of vehicle excise duty are for 40 tonne lorries in other EU countries in 1999–2000. [91117]

Ms Glenda Jackson: The Government do not hold this information. However, the Department has recently commissioned research on lorry VED rates for the EC member states.

Correspondence

Mr. Alan Williams: To ask the Secretary of State for the Environment, Transport and the Regions what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92448]

Mr. Meale: I refer my right hon. Friend to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members in the 1998 calendar year. More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

INTERNATIONAL DEVELOPMENT

Correspondence

Mr. Alan Williams: To ask the Secretary of State for International Development what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is her estimate of the number of letters received in a year from hon. Members. [92447]

Mr. Foulkes: I refer my right hon. Friend to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members, in the 1998 calendar year. More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate costs.

FOREIGN AND COMMONWEALTH AFFAIRS

European Union Council

Mr. Watts: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the forthcoming business in the Council of the European Union for August and list the major European Union events for the next six months. [93021]

Ms Quin:

European Calendar: August 1999-January 2000

This calendar is primarily concerned with European Union matters, but certain other relevant events are also included. Events and dates quoted are based on the information available on the date of issue.

August 1999

No Council Business

September 1999

4–5 Saariselka Foreign Ministers (Informal)

10–12 Turku ECOFIN (Informal)

12–14 Tampere Agriculture Ministers (Informal)

12–14 Brussels General Affairs Council

13–17 Strasbourg European Parliament Plenary

16–17 Turku Justice and Home Affairs Ministers (Informal)

24–25 Tampere Education Ministers (Informal)

27–28 Kuopio Ministers of Housing

27–28 Brussels Agriculture Council

30 September-1 October Helsinki Ministerial Conference on Equality between Women and Men

October 1999

Florence Trade Ministers (Informal)

4–5 Luxembourg Justice and Home Affairs Council

4–5 Tampere Regional Policy Ministers

4–8 Strasbourg European Parliament Plenary

6 Luxembourg Transport Council

7 Luxembourg Internal Market

8 Luxembourg ECOFIN

11–12 Luxembourg General Affairs Council

12 Luxembourg Environment Council

15–16 Tampere Special European Council

18–19 Luxembourg Agriculture Council

22 Luxembourg Labour/Social Affairs Council

24–25 Helsinki Energy Ministers Task Force Meeting

25–29 Strasbourg European Parliament Plenary

26 Luxembourg Fisheries Council

28 Luxembourg Research Council

29 Luxembourg Justice and Home Affairs Council

November 1999

3–4 Brussels European Parliament Plenary

8 Brussels ECOFIN

8 Brussels Consumer Affairs Council

9 Brussels Industry Council

11 Brussels Development Council

12 Brussels Labour and Social Affairs Council (possible)

11–12 Helsinki Ministerial Conference on the Northern Dimension

15–16 Brussels Agriculture Council

15–16 Brussels General Affairs Council

15–19 Strasbourg European Parliament Plenary

18 Brussels Health Council

19 Brussels Youth Council

22 Brussels Fisheries Council (possible)

22–23 Brussels EU-ACP Ministerial Meeting (possible)

23 Brussels Culture/Audiovisual Council

23 Brussels Youth Council

25–26 Brussels Budget Council

26 Brussels Education Council

29 Brussels ECOFIN

29 Brussels Labour and Social Affairs Council

30 Brussels Telecommunications Council

December 1999

1–2 Brussels European Parliament Plenary

2 Brussels Energy Council

2 Brussels Research Council

2–3 Brussels Justice and Home Affairs Council

6–7 Brussels General Affairs Council

7 Brussels Internal Market Council

9–10 Brussels Transport Council

10–11 Helsinki European Council

13 Brussels ECOFIN

13–14 Brussels Environment Council

13–17 Strasbourg European Parliament Plenary

14–15 Brussels Agriculture Council

16–17 Brussels Fisheries Council

16–17 Brussels EU-ACP Council (possible)

January 2000

14 Brussels Fisheries Council

18 Brussels Budget Council

24–25 Brussels General Affairs Council

24–25 Brussels Agriculture Council

28–29 Brussels Development Council (Informal)

31 Brussels ECOFIN.

Hong Kong

Mr. Watts: To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans to publish the fifth of the reports to Parliament on Hong Kong and the implementation of the Joint Declaration. [93022]

Mr. Hoon: The fifth report in this series, covering the period January-June 1999, was published today and a copy of the report has been placed in the Library. The report includes a foreword written by my right hon. Friend the Foreign Secretary. I commend the report to the House.

Human Rights

Mr. Watts: To ask the Secretary of State for Foreign and Commonwealth Affairs when he intends to publish the Annual Report on Human Rights. [93023]

Mr. Tony Lloyd: The second Annual Report on Human Rights has been laid before the House as Command Paper 4404 today. Copies of the Report have also been placed in the Libraries of both Houses.

Greece (Military Agreements)

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Greek Government on their military agreement with Armenia and Iran. [90433]

Ms Quin: None. The recent tripartite talks between Greece, Iran and Armenia form part of an on-going dialogue begun in 1995, focusing on co-operation in the energy, tourism, industry and communications sectors. There is no defence co-operation agreement.

Kosovar Albanians

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the number of Kosovar Albanians imprisoned in Serbia; and if he will make a statement. [91230]

Mr. Tony Lloyd: There have been unconfirmed reports of up to 5,000 people from Kosovo detained in Serbia. The ICRC has a list of around 2,000, and has visited over 300 prisoners in the past few days. I hope that Belgrade will co-operate fully with the ICRC and that any prisoners not legitimately held can be released immediately.

Ocalan Trial

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment the Government have made of the conduct of the Ocalan trial, with particular reference to international standards; and if he will make a statement. [91907]

Ms Quin: We are aware of the observations of 21 June by members of the Council of Europe Parliamentary Assembly that the conduct of the trial was correct and in accordance with the applicable Turkish law. We are also aware of the concerns raised by the UN High Commissioner for Human Rights with regard to the treatment of Mr. Ocalan's lawyers. We understand that an appeal is now pending. It is in the first place for the Appeal Court to review the outcome of the trial. We will continue to monitor closely the appeal proceedings.

We have made clear to the Turkish authorities the importance we attach to all proceedings being transparent and conducted in accordance with due process. We have also reiterated on numerous occasions our opposition as a matter of principle to the use of the death penalty.

Visitor Entry Clearance

Mr. Hilary Benn: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his Department's policy in considering applications for visitor entry clearance where the applicant wishes to visit the United Kingdom for a family wedding, as a guest, on a particular date; and in what percentage of such applications in the past 12 months the entry clearance officer in Islamabad has offered an interview date after the date of the wedding. [92274]

Mr. Hoon: Every effort is made to offer an appointment at the earliest convenient opportunity. At peak periods for travel, waiting times may extend to three or four weeks. Since most visit visa applicants plan to travel on specific dates, it is only where there are compelling compassionate circumstances that interview appointments can be brought forward ahead of others who are waiting. For this reason we encourage travellers to apply for their visas well ahead of their intended date of travel.

Separate statistics are not held on the purpose of proposed visits and the number of applicants offered an interview date after the date of a particular event cannot therefore be established.

East Timor

Mr. Llwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will institute a judicial inquiry into the deaths of two British newsmen on 16 October 1975 in Balibo, East Timor; and if he will make a statement. [92703]

Mr. Hoon: We have no plans to do so.

Mr. Llwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received as to the events in Balibo, East Timor on 16 October 1975; and if he will make a statement. [92704]

Mr. Hoon: We have received a number of letters from Members of Parliament, NGOs and the relatives of the two British journalists killed at Balibo in 1975. We keep in regular contact with the relatives and I have recently written to them.

Iran

Mr. David Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment the Government have made of the human rights situation of the Bahá'i Community in Iran; what recent discussions he has held with the Iranian regime on this matter; and if he will make a statement. [92186]

Mr. Hoon: Iran is aware of our serious concern about the Bahá'is. Persecution of individuals on religious grounds is totally unacceptable. The EU-sponsored United Nations Commission on Human Rights resolution on Iran adopted on 23 April reaffirmed international concern about their situation. We regularly raise with the Iranian authorities our concerns about the Bahá'i community. I personally did so with the Iranian Ambassador on 24 May.

Correspondence

Mr. Alan Williams: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92455]

Mr. Hoon: I refer my right hon. Friend to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members in the 1998 calendar year. More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

Visas (Documentation)

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason people making

visa applications on behalf of relatives living in India for entry to the United Kingdom are required to submit original documents rather than photocopies; and if he will make a statement. [92211]

Mr. Hoon: We prefer sponsors of visa applicants worldwide, not only from India, to submit documents in original form rather than photocopied because it is easier for entry clearance staff to establish their authenticity. It also saves the sponsor the time and expense of having photocopies made and notarised.

Immigration Office, Islamabad

Mr. Gapes: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the reply to the hon. Member for Rochdale (Lorna Fitzsimons) 14 July 1999, *Official Report*, column *254*, if he will explain why the relatives of Mr. Chugtai, a constituent, Mrs. Nighat Yasmin and Mrs. Rehana Ghaffar, were asked to report to the post in Islamabad for an interview 25 working days after lodging the application for visit visas; and if he will make a statement. [92359]

Mr. Hoon: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Burton (Mrs. Dean) on 13 July 1999, *Official Report*, column *144*. My noble Friend the Parliamentary Under-Secretary of State will be writing shortly about the specific case raised by the hon. Member.

CABINET OFFICE

The Buying Agency

Mrs. Curtis-Thomas: To ask the Minister for the Cabinet Office if the quinquennial review of The Buying Agency has been completed; and if the completed quinquennial review report will be made public. [91256]

Mr. Kilfoyle: The Quinquennial Review of The Buying Agency, which I announced on 29 October 1998, has now been completed. Cabinet Office, with the help of its consultants PricewaterhouseCoopers, has considered the performance of the Agency over the last five years and the options for the future of its function in the context of the Government's policy on civil procurement.

TBA's main aims are to increase the volume of goods and services procured and to generate a return on capital employed through its Trading Fund. An evaluation of its performance over the five year period 1994–98 showed that over the first four years sales and income performance had been disappointing, due mainly to a substantial change in the Agency's market. Over the period as a whole, TBA met six of its thirteen financial targets, three of nine efficiency and productivity targets, six out of ten customer satisfaction targets and all nine targets for measures of internal quality and environmental management. The evaluation concluded that better measures and targets were needed to assess the efficiency and added value of the Agency's work.

A review of prior options rejected abolition and privatisation which would deprive government of an instrument for central procurement. The consultants considered that TBA's purchasing and energy procurement services have sufficient potential to justify retention of the whole Agency and therefore recommended that its agency status should continue subject to certain changes in business practice. The Review also concluded that the merger of TBA's functions with another department or agency was a matter for the review of civil procurement being conducted by Peter Gershon.

Having considered the recommendations of the Review, I have decided that TBA should remain as an executive agency following the satisfactory completion of a comprehensive programme of short term business improvements aimed at developing its relationships with customers and suppliers and demonstrating the savings obtainable from its central purchasing. From 1 January 2000, it will become an executive agency of the new Office of Government Commerce on which my right hon. Friend the Chief Secretary to the Treasury is making a separate statement.

I am placing a summary of the consultants' report on prior options in the Libraries of the House.

Departments (Public Access)

Mr. Coaker: To ask the Minister for the Cabinet Office what measures he is taking to make Government Departments more accessible to schools and members of the public, with particular reference to open days. [90890]

Mr. Kilfoyle: Each Government Department is responsible for its own policy on open days. Information on all aspects of the works of the Department is accessible through the Cabinet Office website. The Cabinet Office also participates in the London "Open House" weekend each September and offers work experience placements to children in secondary education.

Red Boxes

Mr. Woodward: To ask the Minister for the Cabinet Office if he will make a statement on the rules concerning the carriage of ministerial red boxes by public transport. [91492]

Mr. Kilfoyle: Ministerial red boxes generally contain official papers or other material which may be sensitive or valuable and due care, therefore, needs to be given to their transportation. Where it is necessary to carry red boxes by public transport, they should be effectively disguised.

Appointments (Quangos)

Mr. Singh: To ask the Minister for the Cabinet Office (1) how many appointments to quangos he made between (i) 1 June 1997 and 31 May 1998 and (ii) 1 June 1998 and 31 May 1999; [92044]

(2) how many members of Britain's *(a)* ethnic minority communities and *(b)* Asian community he appointed to quangos between (i) 1 June 1997 and 31 May 1998 and (ii) 1 June 1998 and 31 May 1999. [92115]

Mr. Kilfoyle: The public bodies for which my right hon. Friend is responsible as Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster are: the Advisory Committee on Advertising; the Advisory

Committee for Justice of the Peace in Lancashire, Greater Manchester and Merseyside; the Better Regulation Task Force; and the Civil Service Appeal Board.

The details of appointments made are given in the table. However, while appointments have been made from members of ethnic minority groups, I am unable to disclose the numbers, as to do so would risk identifying individuals without their consent.

	June 1997 to May 1998	*June 1998 to May 1999*
Advisory Committee on JPs	39	23
Advisory Committee on Advertising	0	6
Better Regulation Task Force	16	2
Civil Service Appeal Board	9	12

The Government have made some progress in increasing representation of women, members of ethnic minority groups and of people with disabilities. Full departmental plans on equal opportunities were published by the Government on 25 May 1999 and deposited in the Libraries of both Houses.

Departmental Performance

Mr. Barry Jones: To ask the Minister for the Cabinet Office if he will make a statement on the performance of the main departments and agencies against the six service standards for central Government over the last financial year. [92879]

Dr. Jack Cunningham: I have arranged for a report on the performance of the main Departments and agencies to be placed in the Libraries of the House. This is the second report on performance against the six service standards and reflects our continuing commitment to openness and to reporting transparently on our performance.

The report shows that, in many cases, performance in responding to correspondence from the public has improved over the past year. There have been some exceptional performances, although there have also been some disappointing results. Overall, there is still room for improvement, and all Departments and agencies are striving to do better this year. The performance of the main Departments and agencies is summarised in the table.

Against the other standards, the report shows that users with pre-arranged meetings are usually seen within 10 minutes of their appointment, that all Departments have at least one telephone inquiry point, and that all Departments now have complaints procedures in place covering all their services. The report also shows some of the innovative ways in which Departments and agencies are consulting their users and making their services more accessible.

The Modernising Government White Paper announced some changes to the standards for this financial year, in particular the introduction on 1 October 1999 of new standards covering the length of time users should wait to be seen in public offices, the setting up of e-mail inquiry points, and how long users of telephone inquiry points should have to wait before their calls are answered.

Department/Agency	*Target (working days)*	*Total volume*	*Percentage of responses within target*	*Target 1999–2000 (working days)*	*Agencies included*
Ministry of Agriculture, Fisheries and Food	15	118,644	91	15	Yes
Cabinet Office	15	5,774	99.5	15	Yes
Crown Prosecution Service[1]	10	2,017	82.6	10	n/a
Department for Culture, Media and Sport[18]	18	28,861	71	18	No
HM Customs and Excise	10	794,746	91	10	n/a
Ministry of Defence	20	8,769	78	20	Yes
Department of Education and Employment	15	108,000	89	15	No
Employment Service[2]	10	Not measured	94	10	
Department of the Environment, Transport and the Regions	15	66,273	78	15	No
Driving Standards Agency	15	15,248	99	15	
DVLA	15	417,028	97	15	
Highways Agency	15	32,000	83	15	
Maritime Coastguard Agency	15	13,269	93	15	
Vehicle Inspectorate	15	2,567	93	15	
Foreign and Commonwealth Office	20	35,971	87	20	No
Government Offices for the Regions[19]	Max 15	N/A	Between 81 and 100	Max 15	n/a
Department of Health[16]	20	52,656	63	20	Yes
NHS Pensions Agency	20	15,364	100	20	
Home Office[4]	20	150,699	23	20	No
UK Passport Agency	10	71,503	97	10	
Prison Service	20	34,045	85	20	
Inland Revenue[11]	20	86,000,000	80	20	n/a
Intervention Board	10	13,318	79	10	
Lord Chancellor's Department	20	5,490	72	20	No
Court Service[6]	10	4,591,004	97	10	
Court Service HQ	20	6,995	98	20	
Land Registry	3	323,513	94	3	
Public Trust Office	20	87,926	96	20	
NI Court Service	20	97	96	20	
Public Record Office	10	28,045	99.5	10	
Department of Social Security[17]	20	26,984	60	20	No
Benefits Agency[17]	10	11,132,631	81–88	10	
Contributions Agency	20	377,831	97	20	
Child Support Agency[4]	10	Not recorded	56	10	
War Pensions Agency[7]	10	260,000	71.4	10	
Department of Trade and Industry	15	162,000	92	15	No

Department/Agency	Target (working days)	Total volume	Percentage of responses within target	Target 1999–2000 (working days)	Agencies included
Agencies[1]	10	1,020,000	97	10	
HM Treasury[2]	15	24,000	See note	15	No
Valuation Office	15	35,000	87	15	
Scottish Office	20	200,000	76	20	No
National Archives of Scotland	10	4,499	87	10	
Student Awards Agency	15	7,682	94	15	
Scottish Courts Service	3 (Supreme Courts)	Not collected	[3]100	3	
	2 (Sheriff Courts)	Not collected	[3]96	2	
Scottish Prison Service	20	6,347	97	20	
Welsh Office	15	90,745	90	15	Yes

Northern Ireland Departments and the NIO

Department/Agency	Target (working days)	Total volume	Percentage of responses within target	Target 1999–2000 (working days)
Department of Agriculture	15	5,944	94	15
Department of Economic Development	15	30,000	98	15
Department of Education	15	3,826	98	15
Department of Environment	15	26,773	95	15
Department of Finance and Personnel	15	66,646	99	15
Department of Health and Social Services	15	2,246	88	15
Northern Ireland Office[1]	15	205,221	89.6	15
Child Support Agency	10	1,559	79	10
Driver and Vehicle Licensing	3	14,344	100	3
Prison Service[4]	15	2,400	100	15
Public Record Office	14	3,000	98	14
Rate Collection Agency	10	50,442	89	10
Social Security Agency	15	21,451	93	15
Training and Employment Agency[5]	5	Not known	67	5

[1] This figure represents complaints only.
[2] The Employment Service measures performance by asking an independent research company to sample 4,000 letters. The Chief Executive's Office received 657 letters and replied to 96 per cent. within a 15-day target (against a target of 95 per cent.).
[3] Includes NIO Core, Forensic Science Agency, and Compensation Agency. Performance is calculated by a mixture of 100 per cent. monitoring and sampling.
[4] Performance measured in two sampling periods.
[5] Performance measured by sampling.
[6] These figures represent correspondence received in the county courts only and exclude correspondence received at the Crown Court, High Court, Tribunals and Probate Offices.
[7] All Ministerial Cases (MCs) are monitored, others are measured by sampling. Have now introduced a 15-day target for all correspondence.
[8] Sample of 2,400 used to measure performance.
[9] Chief Executive correspondence: 808 letters replied to, 97.7 per cent. within 20-days target. Private Office, PCA and Official Correspondence: 2,296 items replied to, 97.9 per cent. in 10-day target. These figures based on 100 per cent. monitoring. General correspondence monitored by monthly sample
[10] Composite figures for all regional offices.
[11] Total correspondence received is the number of items of post received by the Department's network of offices and includes internal mail. Performance is measured by monthly sampling and holding replies are not counted as having met the standard.
[12] HM Treasury introduced a system to monitor correspondence in April this year.
[13] The Benefits Agency replies to 82.5 per cent. of general correspondence in 10 days, 88.3 per cent. of letters advising them of change of circumstances within 6 days and 81 per cent. of complaints within 7 days. These figures exclude parliamentary correspondence.
[14] This figure is based on returns monitored on new tracking systems for all correspondence and is not comparable with previous annual returns that were based on sampling.
[15] This represents the volume of correspondence received by four of the DTI's agencies (Companies House, Insolvency Service, Patent Office and Radiocommunications Agency).
[16] This represents all correspondence received centrally excluding campaign mail.
[17] This represents correspondence addressed to Ministers by members of the pubic about policy matters.
[18] Correspondence addressed to DCMS Ministers.
[19] Sampled.

ATTORNEY-GENERAL

R *v.* Doran Case

Mr. Prosser: To ask the Attorney-General if he will make a statement concerning the judge's ruling in the case of R-v-Doran and others to stay proceedings as an abuse of process; and what action he will take as a result. [93018]

The Attorney-General: The Paymaster General and I have today agreed that an independent inquiry should be commissioned into the actions of HM Customs and Excise officials and counsel who appeared on behalf of the Prosecution at the abuse of process hearing and at the preceding first and second trials of that case. The inquiry will report to me and the Chairman of Customs and Excise and will have the following terms of reference.

"Having regard to the matters set out by The hon. Mr. Justice Turner in his ruling of 6 July 1999 to stay proceedings in the case of R v. Doran and Others as an abuse of process, to examine the actions of HM Customs and Excise officials and Counsel who appeared on behalf of the Prosecution at that hearing and at the first and second trials of that case, in particular in relation to:

(1) technical surveillance conducted at hotels S, L and R, and in particular whether permission was granted by those hotels for that surveillance, and whether the surveillance was properly authorised;

(2) the non-disclosure of material relating to those issues, and the related public interest immunity applications made in the course of proceedings;

(3) the evidence given at the trials in relation to those issues;

(4) what was said by Counsel in open court in relation to those issues;

(5) the approach, and the circumstances leading to that approach, taken by Counsel to the abuse hearing before Mr. Justice Turner, and in particular their advice on the hotel issues and on whether additional witness statements should be taken in relation to the surveillance;

(6) the circumstances which led to the decision to abort the first trial.

and to make recommendations"

His Honour Gerald Butler QC has been asked to conduct that inquiry and he will report within six months.

A summary of the report and its recommendations will be made available to the House.

Correspondence

Mr. Alan Williams: To ask the Attorney-General what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92441]

The Attorney-General: I refer my right hon. Friend to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members in the 1998 calendar year. More detailed information about the percentage of correspondence replied to in the timescale specified could be provided only at disproportionate cost.

Gender Impact Assessment

Jackie Ballard: To ask the Attorney-General if he will list the subject of each gender impact assessment drawn up by his Department since June 1997, indicating in each case whether the outcome has been *(a)* put out to consultation and *(b)* published. [92001]

The Attorney-General: I refer the hon. Member to the answer given to her today by my noble Friend the Minister for Women.

As part of the Government's commitment to ensuring that their policies are relevant to the lives that people live today, my Departments are working with the Women's Unit to develop good practices for carrying out gender impact assessments of their policies.

DEFENCE

Armed Forces (Under-18s)

Mr. Stinchcombe: To ask the Secretary of State for Defence how many members of the UK armed forces currently serving as part of the NATO peacekeeping force in Kosovo are under 18 years of age. [87702]

Mr. Doug Henderson *[holding answer 22 June 1999]*: As at 15 June 1999, there were eight Naval Service personnel under 18 years of age serving on ships in the Kosovo region.

As at 1 May 1999, there were 22 Army personnel under 18 years of age deployed in the Former Yugoslavia.

As at 15 June 1999, no RAF personnel under age 18 were deployed in the Kosovo area.

Mr. Menzies Campbell: To ask the Secretary of State for Defence (1) how many members of the British contribution to SFOR were under 18 years of age on 23 June; and in which units; [89040]

(2) how many members of the British contribution to KFOR were under 18 years of age on 23 June; and in which units; [89042]

(3) how many members of *(a)* the Royal Navy, *(b)* the RAF and *(c)* the Army committed to operations in the South Eastern Europe theatre were under 18 years of age on 23 June. [89043]

Mr. Doug Henderson *[holding answer 30 June 1999]*: Information is not available in precisely the detail requested: data on Naval Service personnel show the numbers on ships in the Adriatic; data on Army personnel show the numbers in theatre "former Yugoslavia"; data on RAF personnel show the numbers by country.

As at 15 June 1999, there were 8 Naval Service personnel under 18 years of age serving on ships in the Adriatic.

As at 1 June 1999, there were 17 Army personnel under 18 years of age deployed in the former Yugoslavia.

As at 14 June 1999, no RAF personnel under age 18 were deployed in the former Yugoslavia.

Premature Voluntary Retirement

Mr. Key: To ask the Secretary of State for Defence how many service personnel have *(a)* applied for and *(b)* been granted (i) premature voluntary retirement and (ii) purchase of their discharge, for each of the three services by rank and by length of service in each of the last five years. [91135]

Mr. Doug Henderson: All applications for Premature Voluntary Retirement by eligible Naval Service and RAF Officers are granted. Not all applications for Premature Voluntary Retirement by Army Officers are granted, but only figures for the number of applications granted are available centrally.

All applications for Premature Voluntary Retirement by eligible Other Ranks in all three Services are granted.

I am placing details of the number of Premature Voluntary Retirements from the Armed Forces over the last five years in the Library of the House. This

information is available by rank but not by length of service. Details of Premature Voluntary Retirements by Army Officers are not available for the years 1994–95 and 1995–96. The figures provided do not include Gurkhas, Royal Irish (Home Service) personnel, Locally Employed Personnel, Reservists mobilised for duties associated with Bosnia, and Full Time Reserve Service personnel.

Officers from all three Services are no longer required to purchase their discharge. Similarly, the Naval Service and the RAF no longer require Other Ranks to purchase their discharge. Only Army Other Ranks who enlisted on Notice Engagement prior to 1 January 1991 can apply to purchase their discharge, and details of those who have done so are not held centrally.

Land Command

Mr. Key: To ask the Secretary of State for Defence (1) if he will place in the Library a copy of the Commander-in-Chief Land's paper, "Building a Career of First Choice"; and if he will make a statement; [91568]

(2) if he will place in the Library a copy of the Land Command paper on district restructuring reference number Land G3 (O and D) 3031/12, dated 9 July. [92021]

Mr. Doug Henderson *[holding answer 20 July 1999]:* The paper requested is a classified document including opinion and advice about proposed establishments for Army headquarters. The document was produced to inform internal discussion and advice and so I am withholding it under exemption 2 of the Code of Practice on Access to Government Information.

Ministry of Defence Police Agency

Liz Blackman: To ask the Secretary of State for Defence what key targets have been set for the MOD Police Agency for the financial year 1999–2000. [92082]

Mr. Doug Henderson: The following Key Targets have been set for the Ministry of Defence Police Agency.

To achieve 38 per cent. MDP patrol activity from those officers devoted to patrolling.

To achieve a compliance rate 5 per cent. above the average Home Department Police Force compliance rate set for the submission of Crown Prosecution Service files.

To achieve at least a 38 per cent. solving rate against all reported crime.

To maintain at least a 90 per cent. satisfaction rate from victims of crime in the service provided by the MDP.

By 31 March 2000 to develop and implement a corporate index of efficiency that will then form the baseline for year on year improvements.

To increase to 95 per cent. the customer satisfaction rate with the service provided by Area Policing Teams.

To monitor the scale and incidence of crime within the Defence Estate, and relate this to the pattern of MDP deployment and activity in order to develop an analysis of trends to inform the setting of targets and the matching of resources to needs in future years.

To recruit 15 per cent. of women and 1.5 per cent. of ethnic minorities within overall MDP recruitment; and to deliver by 31 December an action plan on the Forces' response to the Macpherson Report, including the recruitment and retention of officers from ethnic minorities.

Army Retention Study

Mr. Key: To ask the Secretary of State for Defence what the terms of reference are for the Adjutant-General's Army Retention Study; and when it will be completed. [91590]

Mr. Doug Henderson *[holding answer 19 July 1999]:* The Army's Retention Study is a 6 month strategic review to examine the effectiveness of present policies, which will include carrying out field research, and making recommendations for any improvements. The study is being carried out by Hay Management Group and the Institute for Employment Studies. The work is scheduled to be complete by 30 November 1999.

Defence Logistics Organisations

Mr. Jenkins: To ask the Secretary of State for Defence if he will make a statement on the location of the permanent headquarters of the Defence Logistics Organisation. [93064]

Mr. Doug Henderson: As I announced on 5 May, we have decided to base the headquarters of the Defence Logistics Organisation (DLO) at Ensleigh in Bath, subject to consultation with the Trades Unions. We have now completed this period of formal consultation. Having fully considered the Trades Unions' representations, which included no major objections, I have decided that the collocation proposal should proceed. The permanent headquarters will therefore, be based at Ensleigh with a progressive move to be completed by 1 April 2000. The headquarters will be small and strategic and the vast majority of the DLO's staff will not be directly affected. The Trades Unions will continue to be continue to be consulted during the implementation of the transition to the new headquarters.

The chosen location is the best site to enable the Chief of Defence Ligistics to achieve real long-term gains through the business improvements in acquisition management and logistic support which his organisation will help to drive forward.

Departmental Education and Training

Ms Dari Taylor: To ask the Secretary of State for Defence what plans he has to ensure the effectiveness of education and training for individuals in his Department. [93152]

Mr. George Robertson: We made clear in the Strategic Defence Review the importance that we attach to education and training for all those who work in the Ministry of Defence, in line with our policy for people and the Government's commitment to lifelong learning and education.

Education and training must be tailored to meet operational and organisation needs and delivered to the right people, at the right time and in the most cost-effective manner.

With this in mind, I am ordering a wide-ranging, fundamental study of education and individual training in my Department. It will commence in September 1999 and is likely to take 18 months to complete. The aim will be to consider how education and training can most

effectively meet the Department's requirements for timeliness, quality, value for money, doctrine and operational effectiveness, until at least the year 2010.

This study will involve both the Armed Forces and civilians in the Department. It will seek opportunities for further joint Service education and training and greater synergy between education and training provided for Service and civilian personnel. It will also take into account best commercial practice.

The first phase will be a scoping study lasting approximately 6 months. It will be headed by Mr. David Fisher. This will lead into the main study which will last for approximately 12 months and be headed by Rear Admiral Jonathan Band in the rank of Vice Admiral.

I am placing a copy of the terms of reference for the scoping study in the Library of the House.

Correspondence

Mr. Alan Williams: To ask the Secretary of State for Defence what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92449]

Mr. Spellar: I refer my right hon. Friend to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members in the 1998 calendar year. More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

Search and Rescue

Mr. Hancock: To ask the Secretary of State for Defence what was the cost in each of the last five years of his Department's search and rescue capability in the UK. [80713]

Mr. Doug Henderson *[pursuant to his reply, 16 April 1999, c. 371]:* I regret to inform the hon. Member that the answer I gave was incorrect. The net cost of Search and Rescue (SAR) to my Department in the last five years is as follows:

Year	*£ million*
1995–96	47.349
1996–97	49.394
1997–98	51.683
1998–99	52.444

Figures are not readily available for financial year 1994–95, although they are not expected to differ substantially from 1995–96 (appropriately reduced to take account of inflation). The figures include the cost of spares, personnel, fuel and other support costs for all primary SAR assets, that is, RAF SAR helicopters, the RAF Mountain Rescue Service and the Aeronautical Rescue Co-ordination Centre. However, figures for assets that perform SAR as part of their wider duties, such as RN helicopters and the RAF Nimrod, cannot be readily identified and are not included.

CULTURE, MEDIA AND SPORT

Market Research

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport if he will list the title and purpose of each item of market and opinion research commissioned by or through his Department, its agencies and non-departmental public bodies since May 1997 stating in each case whether or not the results were published. [89690]

Mr. Chris Smith *[holding answer 5 July 1999]:* The Government are committed to consulting and involving the public to help inform both policy formulation and the delivery of better quality public services. Responsive public services are an important part of the Modernising Government initiative.

My Department, Agency and sponsored bodies conduct/commission market or opinion research only when it is justified by the needs of the policy or programme and do so in the most economical, efficient and effective way to achieve the purpose.

Details of the individual pieces of market or opinion research have been placed in the Libraries of the House.

BBC Internet Service

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what representations he has received from the BBC regarding the provision of a free BBC internet access service; and if he will make a statement. [91432]

Mr. Chris Smith *[holding answer 15 July 1999]:* I have received no representations from the BBC on the provision of a BBC internet access service. The BBC has, however, explained that BBC Worldwide has reached agreement with Scottish Power Telecommunications for the supply of services, including internet connectivity, other internet based services, and a telephone support service. The service supplied by Scottish Power Telecommunications will be provided to the public by BBC Worldwide under its own brands. I have been assured that this is a wholly commercial arrangement with no licence fee funding and that the BBC's commercial policy and fair trading guidelines will apply in full.

Public Bodies

Mr. Burstow: To ask the Secretary of State for Culture, Media and Sport if he will list the non-departmental public bodies in existence on 1 May 1997 that *(a)* have been disbanded, indicating when they were disbanded, *(b)* will be disbanded in the next 12 months, *(c)* have had their functions transferred to (i) another non-departmental public body and (ii) a democratically elected body, *(d)* have been renamed but continue to perform a similar role and *(e)* have been unchanged; if he will indicate in *(c)*(ii) the relevant successor body; what new non-departmental public bodies

have been established since 1 May 1997; and how many non-departmental public bodies his Department currently is responsible for. [90672]

Mr. Chris Smith *[holding answer 19 July 1999]:* The Government are committed to keeping the number of NDPBs to a minimum and to ensuring that those which remain are open, accountable and effective. Many of the new NDPBs established since 1 May 1997 are essential in helping the Government deliver their Manifesto commitments.

As a result of the Comprehensive Spending Review, the Department announced a streamlining of the delivery mechanisms which will result in the restructuring of certain bodies my Department sponsors including in the areas of film, architecture and museums, libraries and archives. This restructuring is currently taking place, although some aspects are subject to legislation.

The answer is as follows:

(a) None (but see (c)(i))

(b) Library and Information Commission

Museums and Galleries Commission

Royal Fine Art Commission

Advisory Council on Libraries (subject to legislation)

(c)(i) Royal Commission on Historical Monuments in England merged administratively with English Heritage with effect from 1 April 1999;

The Crafts Council ceased to be directly sponsored by my Department with effect from 1 April 1999.

The Museums, Libraries and Archives Council will be established no later than 1 April 2000 replacing the Museums and Galleries Commission and the Library and Information Commission.

The Commission for Architecture and the Built Environment will be established during 1999–2000 taking on the functions of the Royal Fine Art Commission.

The Film Council will be established during 1999–2000 taking on some of the functions of the British Film Institute. The British Film Institute will cease to be directly sponsored by my Department with effect from 1 April 2000.

Advisory Committee on Historic Wreck Sites to be transferred to English Heritage (subject to legislation).

(ii) None.

(d) The Treasure Valuation Committee (formerly the Treasure Trove Reviewing Committee)

New Millennium Experience Company (formerly Millennium Central Ltd.)

English Tourism Council (formerly the English Tourist Board)

(e) Details of all other NDPBs in existence on 1 May 1997 sponsored by this department are listed in "Public Bodies 1998".

The following NDPBs have been established since 1 May 1997:

(i) National Endowment for Science, Technology and the Arts

(ii) New Opportunities Fund

(iii) Football Taskforce (to be disbanded during 1999)

(iv) Historic Royal Palaces (formerly the Historic Royal Palaces Agency)

(v) National Lottery Commission (formerly the Office of the Director of the National Lottery).

My Department is responsible for 53 public bodies which includes executive and advisory NDPBs and public corporations.

[1] The Treasure Trove Reviewing Committee was reconstituted as the Treasure Valuation Committee in September as a result of the Treasure Act 1996.

[2] Millennium Central Ltd. was reconstituted as the New Millennium Experience Company following the review of the Millennium Dome Project by the Government during May and June 1997.

Appointments (Quangos)

Mr. Singh: To ask the Secretary of State for Culture, Media and Sport how many appointments to quangos he made between *(a)* 1 June 1997 and 31 May 1998 and *(b)* 1 June 1998 and 31 May 1999; and in each case of those how many were members of Britain's (i) Asian and (ii) ethnic minority communities. [92138]

Mr. Chris Smith: The information is noted on the following table, which includes all appointments which fall under my responsibility or where my role is to advise my right hon. Friend the Prime Minister and, through him, Her Majesty The Queen. Where numbers of public appointees in any category are less than five, Government policy on disclosure of the ethnic origin is not to provide this data to avoid the risk of identifying individuals without their consent.

	Total	*Asian*	*All ethnic minorities*
1 June 1997–31 May 1998			
DCMS + HMQ	[1]101	Not disclosed	5(4.9%)
1 June 1998–31 May 1999			
DCMS + HMQ	[2]158	5(3.1%)	7(4.4%)

[1] Asian includes Indian, Pakistani, Bangladeshi and Chinese

[2] Includes 13 appointments where information on ethnic background is not known or where appointees have declined to disclose this information

[3] Includes 21 appointments where information on ethnic background is not known or where appointees have declined to disclose this information

My Department has published an action plan on equal opportunities in *Quangos—Opening up Public Appointments 1999–2002*, which was published by the Government on 25 May 1999 and deposited in the Libraries of both Houses. The action plan sets out DCMS objectives and targets for improving representation of women, people from ethnic minority groups and from people with disabilities.

Official Documents

Mr. Wilshire: To ask the Secretary of State for Culture, Media and Sport if he will publish a list of all those official documents of the last administration which have been seen by *(a)* him, *(b)* other Ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92183]

Mr. Chris Smith *[holding answer 20 July 1999]:* A large number of official documents were generated during the period of the previous administration, many of which were published or put in the public domain. Since May 1997, the Department has been guided by the convention governing access to the papers of a

previous administration, as set out in the then Prime Minister's reply to a written question on 24 January 1980, *Official Report*, columns *305–07*.

Football World Cup

Mr. Hinchliffe: To ask the Secretary of State for Culture, Media and Sport what is his latest estimate of the cost to public funds of the campaign to bring the 2006 Football World Cup to the United Kingdom. [91225]

Mr. Banks: The Football Association advise that, up to the end of 1998, they have spent £3,053,522 on the 2006 World Cup bid, of which £1,328,404 has been provided by Sport England's Lottery Sports Fund. The total budget for the 2006 campaign is some £9.4 million.

Correspondence

Mr. Alan Williams: To ask the Secretary of State for Culture, Media and Sport what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92444]

Mr. Chris Smith: I refer my right hon. Friend to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members in the 1998 calendar year. More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

HOME DEPARTMENT

CCTV

Mr. Cohen: To ask the Secretary of State for the Home Department, pursuant to his answer of 11 June 1999, *Official Report*, column *434*, on CCTV, which cameras, other than CCTV ones, have been granted type approval for providing evidence in speeding cases; and what assessment he has made of their reliability. [91758]

Mr. Boateng: Before type approval is granted to a speed enforcement camera under section 20 of the Road Traffic Offenders Act 1988, it is subject to testing to assess its accuracy and reliability. This involves testing by the police and by an independent laboratory against standards set by the Police Scientific Development Branch. Only equipment which meets such standards is granted type approval. All type-approved equipment for speed enforcement is calibrated annually and police procedures for dealing with evidence from cameras provide for further checks on the accuracy and reliability of the equipment.

The speed cameras that have been granted type approval are:

Gatsometer BV

Serco Speed Enforcement System

Truvelo Combi S

Truvelo Combi S-mc

Speed Violation Detection Deterrent (SVDD)

Traffiphot "S"

Autovision 2

Autovision 3

Lastec

LaserCam.

New Deal (Young People)

Mr. Bercow: To ask the Secretary of State for the Home Department how many individuals his Department has recruited under the New Deal for Young People. [91887]

Mr. Straw: I refer the hon. Member to the reply given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*.

Since then, the number of people recruited to the Home Office under the New Deal for Young People has increased to five (of whom three were 18–24 years and two were 25 or over).

Handguns Amnesty

Mr. Alan Campbell: To ask the Secretary of State for the Home Department what discussions he has had with members of the Association of Chief Police Officers concerning a future amnesty for owners of illegally held handguns. [91929]

Kate Hoey: The Home Office is in regular contact with the Association of Chief Police Officers on a range of firearms matters. The need for a national amnesty for the owners of illegally held handguns is being assessed as part of a general amnesty for all firearms. No firm decision has yet been taken regarding timing. In the meantime, the Government will respond sympathetically to any calls from the police for local amnesties where there is a high level of community and public support.

Keith Birchall

Mr. Mullin: To ask the Secretary of State for the Home Department for what reasons it took from January 1998 to June 1999 to decide whether Keith Birchall should be granted compensation. [91826]

Kate Hoey: Mr. Birchall's application for compensation for a wrongful conviction was made on 20 February 1998. In October 1997, a review had begun of the interpretation of section 133(1) of the Criminal Justice Act 1988, which provides that compensation shall be paid where a conviction has been

> "reversed . . . on the ground that a new or newly discovered fact shows beyond reasonable doubt that there has been a miscarriage of justice".

This review involved obtaining legal advice, consultation with other Departments and Ministers, and internal consideration. Mr. Birchall's application was one of a number that could not be determined until the review was concluded in April 1999; I am sorry that it took so long to do so.

Justice and Victims Unit

Mr. Mullin: To ask the Secretary of State for the Home Department how many staff are currently working in the Justice and Victims Unit; and what are their responsibilities. [91825]

Mr. Boateng: There are currently 28 staff in the Justice and Victims Unit of the Home Office. Their responsibilities are:

A. Victims Issues, including compensation

1. Court Compensation orders
2. Review and oversight of the Criminal Injuries Compensation Scheme
3. Victims Charter
4. Victims of crime policy issues
5. Administration of grant to 'Victim Support'
6. Witness support services in the Crown and Magistrates courts
7. Administration of grant to 'Support After Murder and Manslaughter'

B. Miscarriages of Justice

1. Oversight of the Criminal Cases Review Commission
2. Policy and case work relating to:
   a. Compensation for wrongful conviction or charge
   b. The exercise of the Royal Prerogative of Mercy
3. Casework relating to alleged wrongful conviction in the Channel Islands and Isle of Man

C. Prosecution policy; reducing delay in the criminal justice system; procedure in the magistrates courts

1. Policy issues relating to the relationship between the police, Crown Prosecution Service (CPS) and the courts, and Home Office interest in the reform of the CPS
2. Reducing delay in the criminal justice system:
   a. Narey measures, including new indictable-only procedures;
   b. Time limits on criminal proceedings
3. Bail in criminal proceedings
4. Policy on police cautioning of adult offenders
5. Policy on criminal procedures in magistrates courts (adults)
6. Criminal legal aid (Home Office interest)
7. Crediting of remand time towards sentences
8. Television links between courts and prisons

D. Policy on criminal evidence and procedure in the Crown Court and Court of Appeal (Criminal Division)

1. Procedure in the Crown Court and Court of Appeal (Criminal Division)
2. Criminal evidence, including oaths
3. Disclosure of prosecution material in criminal proceedings
4. Juries, including juries in fraud trials and election for jury trial
5. Appeals, including unduly lenient sentences
6. Procedures for vulnerable or intimidated witnesses, including implementation of 'Speaking up for Justice' and Part II of the Youth Justice and Criminal Evidence Bill
7. Child witnesses (excluding child defendants)—evidence and procedure in criminal proceedings

E. Trials Issues Group

1. Trials Issues Group
2. Joint Performance Management
3. Police Prosecution File Standards
4. National Register of Public Service Interpreters (Home Office interest).

Criminal Justice Act 1988

Mr. Mullin: To ask the Secretary of State for the Home Department if he will place in the Library a copy of the recent review of section 133 of the Criminal Justice Act 1988. [91828]

Kate Hoey: This review was conducted by means of communications between Ministers and officials of various Departments, and legal advice to Ministers. The Code of Practice on Access to Government Information indicates that such internal discussion and advice is exempt from the commitment to provide information in that Code. The review did not lead to any change of policy or practice.

Miscarriages of Justice (Compensation)

Mr. Mullin: To ask the Secretary of State for the Home Department how many wrongfully convicted people, excluding motoring or summary offences, have been granted compensation since 1990; and what is the average time taken to process a claim. [91827]

Kate Hoey: There have been 154 successful applications for compensation for wrongful conviction or charge, under the statutory or the ex-gratia schemes, since 1990. (This figure excludes a large group of successful applications stemming from the quashing of a high number of convictions for drink-driving in Greater Manchester, between 1987 and 1989, but not any other motoring or summary offences.) The average time from the date of these applications to the decision to pay compensation is 210 days. Once such a decision has been taken, the time taken to make the final payment of compensation depends primarily on how quickly the successful applicant submits the full details of the claim (to allow the independent assessor to determine quantum) and accepts the subsequent award. The average time from the date of those successful applications since 1990 in respect of which a final payment has been made, to the final payment, is 895 days.

Mr. Mullin: To ask the Secretary of State for the Home Department following the Bentley case, what assessment he has made of the benefits of granting compensation where miscarriage of justice has been caused by judicial error. [91797]

Kate Hoey: It is my right hon. Friend the Home Secretary's policy to pay compensation for a wrongful conviction caused by judicial error, under the ex-gratia arrangements announced by the then Home Secretary (Mr. Hurd) in his reply to Mr. Tim Smith on 29 November 1985, *Official Report*, columns *689–90*, in cases where the judicial error is of an exceptional nature. The Divisional Court in the case of R *v.* Home Secretary ex parte Garner & Others held that it would be "a very rare case indeed" where the judicial misconduct is of the exceptional nature required to justify an ex-gratia payment.

Special Services (Costs)

Mr. Pike: To ask the Secretary of State for the Home Department what changes are proposed in the charging policy for the policing of football matches for the 1999–2000 season; how those charges are assessed; and if he will make a statement. [91915]

Kate Hoey: It is for chief constables to decide when to charge for special services such as the policing of football matches. The scale of charges is determined by the police authority. Under Home Office guidelines, the level of charges should represent the full economic cost of providing the special service.

Mr. Pike: To ask the Secretary of State for the Home Department what changes are proposed in policing costs for road closures for sporting and public events; and if he will make a statement. [91916]

Kate Hoey: I understand that the Association of Chief Police Officers (ACPO) has issued guidance that the current practice by police forces of using their powers to achieve road closures during sporting events, such as football matches and other public events, is inappropriate. The ACPO advice is that, for planned events, it would be more appropriate for the organisers to apply to the relevant local authority for a road closure order. The fees and charges involved would be a matter for the local authority to determine.

Trial by Jury

Mr. Pike: To ask the Secretary of State for the Home Department what estimate he has made of the percentage of cases where election is made for trial by jury and the defendant changes the plea to guilty prior to the start of the trial. [91914]

Mr. Boateng: Crown Prosecution Service statistics for 1998 show that 18,500 defendants elected trial in 1998 in addition to 47,185 either-way cases directed to the Crown Court by magistrates. During the same period, 76 per cent. of defendants in either-way cases pleaded guilty before the commencement of the Crown Court trial.

Mr. Pike: To ask the Secretary of State for the Home Department what financial savings are projected as a result of the proposed changes in the right to trial by jury. [92130]

Mr. Boateng: The information requested is not currently available. Detailed estimates of the costs and savings of the proposed procedure are still under consideration.

Forum on Animal Experiments

Dr. Starkey: To ask the Secretary of State for the Home Department what action he is proposing as a follow-up to the Forum on Animal Experiments held on 11 July *(a)* to reduce the number of animals used in experimentation and *(b)* to co-ordinate research on alternatives to animal experimentation. [91918]

Mr. George Howarth: For the reasons I outlined in my reply to the hon. Member for Lewes (Mr. Baker) on 11 May 1998, *Official Report*, column *51*, the total number of scientific procedures involving animals is not a true measure of the effectiveness of the Animals (Scientific Procedures) Act 1986. The total number of procedures is dependent on a number of factors, including the implications of scientific breakthroughs and the buoyancy of United Kingdom industry.

We will, however, continue to work to minimise the amount of suffering caused and the number of animals used by ensuring that alternatives (which replace animal use, reduce the number of animals needed for a particular purpose and refine protocols to lessen suffering—the 3Rs) are used wherever possible.

Following the Forum I hosted on 9 July, I am keen to see whether it might be possible to co-ordinate more effectively the various programmes of work aimed at developing, testing or validating alternatives. I have already written to a number of colleagues in other Departments to obtain information on their funding of such work and have asked officials to write over the summer to other bodies that sponsor, commission or undertake such work, including charities, animal welfare bodies and industry. I will also be asking the Animal Procedures Committee for advice on this matter.

Dr. Starkey: To ask the Secretary of State for the Home Department what further meetings he is planning with animal welfare organisations, research organisations and others with an interest in animal experimentation as a follow-up to the Forum on Animal Experiments held on 11 July. [91917]

Mr. George Howarth: In the last 12 months, I have met with a number of such organisations and I have visited a number of establishments designated under the terms of the Animals (Scientific Procedures) Act 1986. I expect to continue to do so. I do, as far as possible, maintain an "open door" policy and generally find meetings with all those with an interest in the use of animals in scientific procedures to be very useful and constructive.

I am currently giving consideration to the possibility of holding further events, similar to the Forum, but have no firm plans at this stage.

Police Officers (Early Retirement)

Mr. Wyatt: To ask the Secretary of State for the Home Department what measures are being taken to prevent early retirement by police officers under investigation by the Police Complaints Authority. [91836]

Kate Hoey: Retirement cannot take place where a police officer is suspended. Under the Police (Conduct) Regulations 1999, a chief police officer has the power to suspend an officer where there has been a complaint which indicates that the officer's conduct does not meet the standards set out in the regulations, whether or not the matter has been investigated. In the case of early retirement on ill health grounds, police authorities have discretion to delay retirement until misconduct proceedings have been concluded.

Juvenile Secure Accommodation

Mr. David Taylor: To ask the Secretary of State for the Home Department, pursuant to his answer of 8 March 1999, *Official Report*, columns *28–29*, concerning juvenile secure accommodation, what progress there has been on reform of juvenile secure accommodation; and if he will make a statement. The Secretary of State for the Home Department, [92120]

Mr. Straw: I set out our programme of reform of juvenile secure accommodation in my reply to my hon. Friend the Member for Stretford and Urmston (Ms Hughes), on 29 July 1998, *Official Report*, columns *255–56* and to my hon. Friend, the Member for Shipley (Mr. Leslie), on 8 March 1999, *Official*

Report, columns 28–29. We had decided in principle that the Youth Justice Board for England and Wales should, from April 2000, become the commissioning and purchasing body for secure accommodation for children and young people on remand or under sentence. This should help to achieve the appropriate volume, type and spread of accommodation in the longer term, so that individual needs can be met more effectively.

The Board has provided advice on how to operate this. I have placed a copy in the Library. We endorse its approach as the basis for implementing, commissioning and purchasing next April. The Board will now consult local authorities and other relevant bodies on its proposals.

UN Conventions

Mr. Mitchell: To ask the Secretary of State for the Home Department if Her Majesty's Government have ratified *(a)* the UN Convention on the Rights of the Child and *(b)* the UN Convention on the Elimination of all Forms of Discrimination against Women on behalf of (1) Gibraltar, (2) Jersey, (3) Guernsey and (4) the Isle of Man; and if he will make a statement. [92100]

Mr. George Howarth: Her Majesty's Government has not ratified the United Nations Convention on the Rights of the Child (UNCRC) or the United Nations Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) on behalf of Gibraltar, Jersey or Guernsey. The UNCRC and CEDAW were extended to the Isle of Man on 7 September 1994 and 7 May 1986 respectively.

Appointments (Quangos)

Mr. Singh: To ask the Secretary of State for the Home Department how many appointments to quangos he made between *(a)* 1 June 1997 and 31 May 1998 and *(b)* 1 June 1998 and 31 May 1999; and in each case of those how many were members of Britain's (i) Asian and (ii) ethnic minority communities. [92139]

Mr. Mike O'Brien: There were a total of 126 appointments made to Home Office non-departmental public bodies (NDPBs) between 1 June 1997 and 31 May 1998. Six of the appointees were Asian and six were from other ethnic minority backgrounds.

195 appointments were made to NDPBs between 1 June 1998 and 31 May 1999. Twenty-one of the appointees were Asian and 27 were from other ethnic minority communities.

The Home Office Public Appointments Equal Opportunities Plan for 1999–2002, which was published on 25 May 1999, sets the Department the objectives of achieving 9 per cent. membership of ethnic minorities across its major public bodies (excluding the Commission for Racial Equality) and 9 per cent. for all its public appointments. On the latest available information, the figures achieved are respectively 10 per cent. and 14 per cent.

Correspondence

Mr. Waterson: To ask the Secretary of State for the Home Department when he expects to respond to correspondence about Mr. and Mrs. Janneh. [92029]

Mr. Mike O'Brien: I have now written to the hon. Member.

Mr. Alan Williams: To ask the Secretary of State for the Home Department what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92454]

Mr. Straw: I refer my right hon. Friend to the reply given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out departmental performance against the targets set for answering correspondence from right hon. and hon. Members in the 1998 calendar year. More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

Asylum Seekers

Mr. Coleman: To ask the Secretary of State for the Home Department how many deportation orders are outstanding against asylum seekers whose applications have been refused; and if he will list *(a)* how long they have been outstanding and *(b)* his Department's estimated timetable for when they will be carried out. [92103]

Mr. Mike O'Brien: The available information relates to persons recorded on the Immigration and Nationality Directorate's central immigration enforcement database (HOMIES) who have an unenforced deportation order outstanding against them and who have also had an asylum application initially refused. Some 1,575 such persons were recorded on HOMIES on 4 January 1999, the latest reliable snapshot figure. The breakdown by length of time since signing of the deportation order is given in the table.

In addition to those cases where further representations are being considered or where the decision to remove is subject to legal challenge, in many of these cases the subject of the deportation order has absconded and his or her present whereabouts are unknown. In some instances, it is even possible that the individual concerned has left the country of his or her own accord without the knowledge of the Immigration and Nationality Directorate. In these circumstances, a timetable for completing the removal of the outstanding cases would have little meaning.

Persons recorded as having a deportation order outstanding against them and having had an asylum application initially refused, by length of time since the deportation order was signed, as at 4 January 1999

Time elapsed since deportation order signed[1]	*Number of persons*[2]
0 to 1 year	235
1 to 2 years	310
2 to 3 years	465
3 to 4 years	255
4 to 5 years	175
Over 5 years	135
Total	1,575

[1] Time elapsed between the date the deportation order was signed and 4 January 1999, the date of the database snapshot
[2] Figures are rounded to 5

Mr. Coleman: To ask the Secretary of State for the Home Department how many asylum seekers who are waiting for their applications to be processed are currently held in one of Her Majesty's prisons; and if he will list *(a)* in which prisons they are located and *(b)* how long they have been in their current accommodation. [92101]

Mr. Mike O'Brien: The available information relates to the snapshot of all asylum seekers detained solely under Immigration Acts powers, at any location in the United Kingdom, as at 29 June for port applicants and 30 June for in-country applicants. 351 such persons were recorded as awaiting an initial decision on their asylum application; the lengths of time they had been continuously detained solely under Immigration Acts powers are given in the table. Regrettably, information relating specifically to asylum seekers detained in prisons is available only at disproportionate cost.

Number of people recorded as being detained [1,2] on 29 June 1999 [3] and 30 June 1999 [4] who were awaiting an initial asylum decision [5] by length of detention [6]

Length	*Number of persons*
0 to 1 month	72
1 to 2 months	60
2 to 6 months	105
6 to 12 months	92
Over 12 months	22
Total	351

[1] Persons detained solely under the powers contained in Schedule 2 or 3 of the Immigration Act 1971.
[2] These figures are approximate because of the delay in recording receptions into, and releases from, detention and the large number of persons detained for a short period.
[3] Port figures obtained at 29 June 1999. After entry figures obtained at 30 June 1999.
[4] Principal asylum applicants only.
[5] In some cases the date a person enters detention may be understated due to the method of recording.

Mr. Coleman: To ask the Secretary of State for the Home Department (1) how many asylum seekers who are waiting for their applications to be processed are currently being housed by local authorities in temporary accommodation in London; and if he will list the numbers in each of the boroughs; [92104]

(2) how many children of asylum seekers who are waiting for their applications to be processed are currently in the care of local authorities. [92102]

Mr. Mike O'Brien: This information is not available to the Home Office. Currently, asylum seekers who would otherwise be destitute may receive support in one of two ways. Those who apply at their port of entry are eligible for social security benefits and can find their own accommodation. Those who apply in-country may be supported by local authority social services departments under the terms of the National Assistance Act 1948 or the Children Act 1989. Asylum seekers make applications for support by local authorities direct to an individual local authority. The Home Office does not co-ordinate this information centrally.

Corruption

Mr. Colman: To ask the Secretary of State for the Home Department when he plans to publish the Government's proposals for consolidation and amendment of the law on corruption; and what length of consultation he proposes prior to introducing legislation. [92124]

Mr. George Howarth: An interdepartmental Working Group is currently considering the reform of the criminal law of corruption. We expect to receive their conclusions shortly. The Government hope to publish a discussion paper towards the end of the year, and will ensure that adequate time is allowed for responses.

First Offences

Mr. Cox: To ask the Secretary of State for the Home Department how many people who appeared before magistrates courts in England and Wales were convicted on their first offence and sent to prison in 1998. [91987]

Mr. George Howarth: Estimates from the criminal histories of offenders in 1997 showed that there were around 3,700 people who appeared before magistrates courts in England and Wales who were given an immediate custodial sentence on their first court appearance for a standard list offence.

Compulsory Voting

Mr. Love: To ask the Secretary of State for the Home Department (1) if he will list and publish the research he has commissioned into the practice of compulsory voting in other countries; and if he will make a statement; [92132]

(2) what plans he has to increase public awareness of the issues raised by compulsory voting; and if he will make a statement. [92131]

Mr. George Howarth: The Government are aware of academic research which has been published on voting practices in other jurisdictions, including compulsory voting, but has not commissioned any direct research on the subject. My right hon. Friend the Home Secretary has welcomed the recommendation by the Home Affairs Select Committee in its report on Electoral Administration and Law, published last year, that there should be a public debate on this subject, but we have no present plans to mount any public awareness campaigns on the issue.

Prisons (Health Care)

Mr. Hesford: To ask the Secretary of State for the Home Department (1) when the *(a)* Joint Prison Health Policy Unit and *(b)* Joint Prison Health Care Task Force was established; [92198]

(2) if he will list the members of *(a)* the Joint Prison Health Policy Unit and *(b)* the Joint Prison Health Care Task Force. [92209]

Mr. George Howarth: Following the review on the future organisation of prisoners' health care, my right hon. Friend the Home Secretary announced in a reply to my hon. Friend the Member for Basildon (Angela Smith) on 29 March 1999, *Official Report*, columns *556–58*, that a Joint Prison Health Policy Unit and a Joint Prison Health Care Task Force would be established in the course of 1999.

To enable an early start to be made with prison health reform, acting appointments to the positions of head of the Prison Health Care Task Force and Prison Health

Policy Unit were made on 14 July 1999. Mr. Peter Coe is leading the Task Force, and Dr. Michael Longfield the Policy Unit, pending substantive appointments to be made following an open competition. Both posts are being advertised in the course of July 1999. Other staff appointments are expected to be made in the course of this autumn.

Official Documents

Mr. Wilshire: To ask the Secretary of State for the Home Department if he will publish a list of all those official documents of the last Administration which have been seen by *(a)* him, *(b)* other Ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92175]

Mr. Straw *[holding answer 20 July 1999]:* A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, the Department has been guided by the convention governing access to the papers of a previous Administration, as set out in the then Prime Minister's reply to a written question on 24 January 1980, *Official Report*, columns *305–07*.

Immigration and Nationality Directorate

Mr. Gapes: To ask the Secretary of State for the Home Department if he will make a statement on changes in the membership of the Immigration and Nationality Directorate Complaints Audit Committee. [92878]

Mr. Mike O'Brien: Ms Mercy Jeyasingham has been appointed as a new Member of the Complaints Audit Commission to replace Blair Greaves, whose five-year appointment has come to an end. Ms Jeyasingham is the Chief Executive of the Association for All Speech Impaired Children. She was formerly the Director of Education and Information at the National Eczema Society and the Head of Care Standards at Hammersmith and Fulham Social Services.

Forensic Science Service

Gillian Merron: To ask the Secretary of State for the Home Department when he plans to lay before Parliament the Annual Report for the Forensic Science Service. [92877]

Mr. Straw: I have today laid before Parliament copies of the Forensic Science Service's (FSS) Annual Report and Accounts for 1998–99.

The FSS met its financial target to recover its full costs and widened its accreditation through external bodies. However, it did fail to achieve the efficiency gain target and service delivery target. This was a challenging year for the FSS—expanding its work force by 400 and absorbing the associated recruitment and training costs. This is part of a two-year strategy to increase the capacity of the FSS to meet demand and eliminate backlogs of certain types of scientific work. The targets and plans agreed for 1998–99 were ambitious, and while the FSS failed to achieve two key targets mentioned above, it has already demonstrated a rapid improvement in quality of service during the latter part of 1998–99 and early 1999–2000. I am confident that this, and the move to Trading Fund from 1 April 1999, should be the springboard for further successes.

The targets for 1999–2000, the agency's first year of trading fund, are:

FSS Agency targets 1999–2000

	Targets
1. Financial indicators	
Return on capital employed	Minimum 3 per cent.
Efficiency gain (three year rolling target)	Minimum 10 per cent.
2. Quality of Service indicators	
Turnaround time	24 days
Achieve 90 per cent. agreed delivery dates	
3. Milestone targets	
Put in place service level agreements with police forces	
Put in place routine and robust customer satisfaction measurement processes	
4. Quality indicators	
Maintain external quality accreditation	

Tote

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department what estimate he has made of the amount to be received by the Exchequer from the sale of the Tote. [R] [91095]

Mr. George Howarth: No estimate of this kind has yet been made. Further work is currently being undertaken to determine the best method for a sale of the Tote. Until that is completed, we shall not be in a position to indicate how the sale proceeds will be allocated.

Fox Hunting

Mr. David Taylor: To ask the Secretary of State for the Home Department how many foxes he estimates have been killed as a result of hunting with dogs in each of the last 10 calendar years by hunts based in *(a)* the county of Leicestershire, *(b)* the East Midlands and *(c)* England. [91822]

Mr. George Howarth: The information requested is not collected centrally.

TREASURY

Structural Funds

14. **Mr. Alan W. Williams:** To ask the Chancellor of the Exchequer if he will review the Departmental Expenditure Limit for the Welsh Office for 2000–01 to take into account recent decisions on structural funds. [91107]

Mr. Milburn: No. The National Assembly for Wales Departmental Expenditure Limit for 2000–01 was fixed in last year's CSR and is not open to review.

Married Couples Allowance

15. **Mr. Gerald Howarth:** To ask the Chancellor of the Exchequer if he will make a statement on his plans for the married couples allowance. [91108]

Dawn Primarolo: The recent Budget contained a generous package of tax and benefit reforms designed to target more help to families with children. As part of this package, the married couples allowance and related reliefs—which were not fulfilling their purpose—will be replaced by a new children's tax credit worth up to £416.

Low-income Families

16. **Mr. Best:** To ask the Chancellor of the Exchequer what measures he has put in place to help working families on low incomes. [91109]

22. **Mr. Healey:** To ask the Chancellor of the Exchequer what measures he plans to increase the net income of people in low-paid work. [91116]

31. **Mr. Win Griffiths:** To ask the Chancellor of the Exchequer if he will make a statement on progress with his plans to help working families on low incomes. [91128]

Ms Stuart: To ask the Chancellor of the Exchequer what plans he has to help working families on low incomes. [91098]

Mrs. Roche: In October, we are introducing the Working Families Tax Credit with the new, generous child care tax credit. It will benefit nearly 1.5 million families on low incomes, almost twice as many as under the old system, and around 3 million children. It will provide a Minimum Guaranteed Income for a family with someone in full time work of £200 a week—£80 more than they would receive on Income Support. On average, families will gain £24 per week.

Together with the National Minimum Wage, the largest ever increase in Child Benefit, and tax and NICs reform, the WFTC will help lift around 800,000 children out of poverty.

The WFTC is a central part of a programme of extra support for families being delivered by the Government: by the end of this Parliament we will be spending an extra £6 billion a year on Britain's 13.8 million children.

Pollution

17. **Mr. Baker:** To ask the Chancellor of the Exchequer what steps he is taking to ascribe an economic value to pollution. [91110]

Ms Hewitt: Government guidance on appraisal and evaluation encourages the valuation of all costs and benefits where possible, and qualitative assessment of those costs and benefits where monetary valuation is not practicable.

Windfall Tax

18. **Mrs. Organ:** To ask the Chancellor of the Exchequer what assessment he has made of the effectiveness of the use made of the funds raised by the Windfall Tax; and what further plans he has for their use. [91111]

Mrs. Roche: The Windfall Tax has enabled the Government to embark on the New Deal—the biggest ever programme to get unemployed and economically inactive people into work. The Windfall Tax has also enabled the Government to inject much-needed capital into over 10,000 schools across the country, enhancing our drive to raise pupil standards so that children begin to acquire the skills they will need to succeed later in life.

Early findings on the New Deal for Young People are largely positive, but we will need to wait for further evaluation in the Autumn to provide more accurate figures. The latest figures for young people show that 105,000 young people have secured jobs through the New Deal and a further 89,000 are gaining valuable training experience through one of the other options.

The Government have constantly extended and developed programmes under the New Deal since taking office. Its purpose is to give people new hope and new chances, and a route out of poverty and benefit dependency. This principle will guide future policy development, as resources allow.

Mr. David Taylor: To ask the Chancellor of the Exchequer what further plans he has for the use of the proceeds of the windfall tax. [91105]

Mr. Gordon Brown: The Windfall Tax, which raised £5.2 billion, has enabled the Government to embark upon the New Deal—the biggest ever programme to get the unemployed into work. Over 284,000 have now entered the New Deal on the young persons scheme, and there are nearly 100,000 of the long-term unemployed. The Windfall Tax has also enabled the Government to put much-needed capital investment into over 10,000 schools. We will launch the New Deal for the over-50s in the autumn. Therefore, we are continuing to expand the New Deal over the next few months.

Travel (Low Income Groups)

20. **Mr. Peter Bradley:** To ask the Chancellor of the Exchequer what estimate he has made of the proportion of income spent on travel by low income groups in *(a)* urban and *(b)* rural areas; and if he will estimate the percentage of that expenditure which was accounted for by the fuel duty escalator since its introduction. [91113]

Ms Hewitt: The latest available data on household spending patterns by gross income decile group are published in tables 1.1 to 1.3 of Family Spending 1997–98. For those households in the lowest gross income decile, approximately 12 per cent. of gross income was spent on motoring, fares and other travel costs. Approximately 0.5 of a per cent. of gross income was spent on the amount of fuel duty attributable to the fuel duty escalator. Separate estimates for urban and rural areas are not available.

Hypothecation

21. **Dr. Tony Wright:** To ask the Chancellor of the Exchequer what his policy is on introducing hypothecation into the tax system. [91115]

Dawn Primarolo: In general, the Government determines their expenditure according to need, not according to the sources of their revenue. However, we will continue to look at each case on its merits.

Budget Statement

23. **Mr. Bill O'Brien:** To ask the Chancellor of the Exchequer what representations he has received over the proposals in his Budget statement of 9 March relating to work; and if he will make a statement. [91120]

Mrs. Roche: Treasury Ministers have received a number of representations. Measures announced in the Budget will provide a better deal for working people. From October, every family with children and with full-time earnings will have a minimum income guarantee of £200 per week under the Working Families Tax Credit. People in work will have seen the gains from the new 10p rate of Income Tax in their May pay packets, and, from next April, the basic rate will be cut to 22p to reward work and ensure working families are better off. Over 450,000 people have already benefited from the New Deal and over 130,000 have found jobs.

Bank of England

24. **Mr. McNulty:** To ask the Chancellor of the Exchequer what representations he has received on his policy of independence for the Bank of England. [91121]

Ms Hewitt: Many groups have commented and made representations to the Government on the monetary policy framework, of which the great majority have welcomed the Chancellor's decision to grant the Bank of England more independence. Because we have given the Bank of England operational responsibility to set interest rates to pursue the Government's inflation target, the public can be confident that low inflation will be delivered in practice. Inflation is currently close to target and expected to remain so.

Community Initiatives

25. **Mr. Sheerman:** To ask the Chancellor of the Exchequer what tax incentives he has proposed to encourage businesses to support community initiatives. [91122]

Mrs. Roche: There is already a wide range of tax incentives to encourage businesses to support community initiatives, and many businesses make use of them.

This Government are considering as part of the Review of Charity Taxation how the tax system can best encourage businesses to support charitable causes. As part of this review, we issued a consultation document on Budget day which set our various proposals for further discussion, inviting responses by 31 August 1999.

EU Anti-fraud Office

26. **Mr. Ben Chapman:** To ask the Chancellor of the Exchequer if he will make a statement on the role of the EU Anti-fraud Office. [91123]

Ms Hewitt: The ECOFIN Council adopted a Regulation on 25 May regarding a new European Anti-fraud Office which will be operationally independent within the Commission. The Office was established on 1 June. The final form of Office is in line with the Chancellor's initiative at the January ECOFIN Council.

The Office will be responsible for investigating fraud in the Community institutions and recommending follow-up action to be taken as a result of its investigations. It will also assist member states to co-ordinate anti-fraud work in respect of the EU budget and contribute to the design and development of methods of fighting fraud and other illegal activity.

Working Families Tax Credit

27. **Mr. Lock:** To ask the Chancellor of the Exchequer what progress he is making with the implementation of the Working Families Tax Credit. [91124]

Dawn Primarolo: The Working Families Tax Credit will be introduced from October 5 this year, providing much needed assistance to an additional 500,000 low and middle-income families. The Tax Credits Act 1999, which will bring WFTC into existence, received Royal Assent on 30 June.

Growth Forecast

28. **Mr. Amess:** To ask the Chancellor of the Exchequer what representations he has received about his latest forecast for growth. [91125]

Ms Hewitt: The Chancellor of the Exchequer receives numerous representations on all aspects of UK economic developments, including growth prospects.

Employment Growth

30. **Mr. Gapes:** To ask the Chancellor of the Exchequer when he next plans to meet EU Finance Ministers to discuss prospects for growth in employment in Europe. [91127]

Ms Hewitt: To help promote best practice and job creation throughout Europe, the Chancellor will be discussing with other EU Finance Ministers Employment Guidelines for 2000 at ECOFIN on 8 November.

Health Insurance

32. **Mr. Efford:** To ask the Chancellor of the Exchequer if he will introduce an ombudsman for individuals denied payments by permanent health insurers under the powers invested in him by the Insurance Companies Act 1982; and if he will make a statement. [91129]

Ms Hewitt: There are currently (i) a non-statutory Insurance Ombudsman, (ii) a Personal Insurance Arbitration Service and (iii) a Personal Investment Authority Ombudsman. To simplify redress for consumers, the Financial Services and Markets Bill provides for the establishment of a single Ombudsman Scheme. In establishing that scheme, the Financial Services Authority will be able to specify the types of activities, carried on by authorised persons, which fall within its remit. We envisage that will include complaints relating to Permanent Health Insurers.

EU (Payments)

33. **Sir Teddy Taylor:** To ask the Chancellor of the Exchequer what was the *(a)* gross and *(b)* net amount paid to the EU in the most recent calendar year for which figures are available. [91130]

Mr. Milburn: Details of the United Kingdom's gross and net contributions to the EC Budget for the 1998 calendar year are set out in Table 3 of the White Paper "European Community Finances" (Cm 4382).

Resource Accounting

Dr. Lynne Jones: To ask the Chancellor of the Exchequer what assessment he has made of the implications of moving to Resource Accounting for public borrowing for investment. [91112]

Mr. Milburn: Our plans for public borrowing for investment are defined by the fiscal rules that will continue to be adhered to. Forecasts for net investment and net borrowing are as set out in the Financial Statement and Budget Report. The move to Resource Accounting and Budgeting will ensure that the full economic costs of capital are properly measured and provide the correct incentives to manage capital properly once purchased.

Regional Development Agencies

Dr. George Turner: To ask the Chancellor of the Exchequer what plans he has to consult Regional Development Agencies in the preparation of his economic targets. [91126]

Ms Hewitt: The Regional Development Agencies will be producing their first Regional Economic Strategies by the autumn, and these will be updated over time. The Government have asked that the strategies include a clear analysis of the regional economy. This will provide the Treasury with information which will contribute to the development of Government economic policy.

Private Finance Initiative

Ms Lawrence: To ask the Chancellor of the Exchequer when he will respond to the reviews undertaken by Sir Malcolm Bates and Peter Gershon, examining, respectively, the conduct of the Private Finance Initiative and Civil Procurement; and if he will make a statement. [93099]

Mr. Milburn: I am today placing in the Library of the House copies of Sir Malcolm Bates' Report and Peter Gershon's Report. We have accepted in full all the recommendations and our plans for taking forward these are set out in a document "Modern Government, Modern Procurement" which has also been placed in the Library.

Gibraltar

Mr. Gill: To ask the Chancellor of the Exchequer if he will make a statement on progress towards Gibraltar becoming passported to provide banking services. [88848]

Ms Hewitt: HMG intend to approve shortly the passporting of banking services into the UK by Gibraltar-based credit institutions.

Appointments (Quangos)

Mr. Singh: To ask the Chancellor of the Exchequer (1) how many members of Britain's *(a)* ethnic minority communities and *(b)* Asian community he appointed to quangos between (i) 1 June 1997 and 31 May 1998 and (ii) 1 June 1998 and 31 May 1999; [92116]

(2) how many appointments to quangos he made between (i) 1 June 1997 and 31 May 1998 and (ii) 1 June 1998 and 31 May 1999. [92045]

Ms Hewitt: The Government announced in their publication "Quangos: Opening up Public Appointment 1999–2002" (copies deposited in the Libraries of both Houses) their commitment to the equal representation of women and men in public appointments and a pro rata representation of members of ethnic minority groups. In moving towards achieving these commitments, the Chancellor's departments have set an ambitious overall goal that each of the Chancellor's departments' public bodies should include at least one appointment from a member of the ethnic minorities by 2003, and that ethnic minorities should account for a minimum of 4 per cent. of appointments to larger bodies. In 1998, about 5.4 per cent. of all appointments by the Chancellor's departments and agencies were held by members of the ethnic minorities.

The table gives details of those appointments made to NDPB's of the Chancellor's departments and agencies over the periods requested. Information on the number of appointments by ethnic origin cannot be provided since the number of new appointees in each category is less than five:

	Appointments	
NDPB	*1 June 1997 to 31 May 1998*	*1 June 1999 to 31 May 1999*
Policyholders Protection Board	4	1
Royal Mint Advisory Committee	3	2
Statistics Advisory Committee	2	0

Official Documents

Mr. Wilshire: To ask the Chancellor of the Exchequer if he will publish a list of all those official documents of the last Administration which have been seen by *(a)* him, *(b)* other Ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92169]

Ms Hewitt *[holding answer 20 July 1999]:* A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, HM Treasury has been guided by the convention governing access to the papers of a previous Administration, as set out in the Prime Minister's reply to a written question on 24 January 1980, *Official Report*, columns *305–07*.

Correspondence

Mr. Alan Williams: To ask the Chancellor of the Exchequer what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92457]

Ms Hewitt: I refer my right hon. Friend to the answer given by my right hon. Friend the Minister for the Cabinet Office to the hon. Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out the performance against departmental targets for answering correspondence from right hon. and hon. Members in the 1998 calendar year. More detailed

information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

Monetary Policy

Mrs. Anne Campbell: To ask the Chancellor of the Exchequer what assessment he has made of the conduct of monetary policy since May 1997. [91118]

Mr. Milburn: The new monetary policy framework has enhanced the credibility and transparency of monetary policy and is delivering results: inflation is low and close to target, inflation expectations have fallen and long-term interest rates and mortgage rates are at their lowest for over 30 years.

Inland Revenue (Bournemouth)

Mr. Chope: To ask the Chancellor of the Exchequer for what reason the Bournemouth office of the Inland Revenue is described as Inland Revenue South East. [92411]

Dawn Primarolo: The two Inland Revenue offices in Bournemouth are called Bournemouth 1&2 and are within the area of responsibility of the Director of the Inland Revenue South East Regional Executive Office.

Financial Services

Ms Keeble: To ask the Chancellor of the Exchequer what plans he has to ensure access to financial services in poorer communities. [91119]

Ms Hewitt: We are studying the reports of the two Treasury-led Policy Action teams, established following the September 1998 report of the Social Exclusion Unit, "Bringing Britain together".

Organic Farming

Joan Ruddock: To ask the Chancellor of the Exchequer how many people were employed in the organic farming and foods sector in *(a)* 1997–98 and *(b)* 1998–99; and how many are forecast to be employed in 1999–2000. [92094]

Mr. Morley: I have been asked to reply.

The information is not available in the form requested. However, our records show that in 1997–98, 292 farmers in the UK had land registered as organic or in conversion to organic farming. The equivalent figures for 1998–99 and to date for 1999–2000 are 733 and 1,165.

HEALTH

Prescription Costs

Mr. Hammond: To ask the Secretary of State for Health what is the average total cost per item, net of VAT, dispensed during the most recent year for which figures are available for *(a)* prescriptions issued by dispensing doctors and *(b)* prescriptions issued by prescribing doctors. [87967]

Mr. Denham: The information requested is not available centrally.

Support Services

Dr. Fox: To ask the Secretary of State for Health if he will list the terms of reference for the current review of market testing of support services for NHS support services; when the review will be completed; if he will publish the results and conclusions of the review; and if he will make a statement. [89818]

Mr. Denham: The key results and conclusions of the National Health Service Executive internal review of market testing will be included within new guidance on NHS support services which will be published later this year.

Consultant Charges

Mr. Gibb: To ask the Secretary of State for Health if consultant surgeons and other consultants working in the private sector are obliged to publish their charging arrangements; and what assessment he has made of the extent of differential pricing for operations and consultations charged to insurance compared with charges made directly to patients. [91275]

Mr. Denham: Consultants working in private sector healthcare are not obliged to publish their charges and are free to charge whatever they wish and to offer preferential rates if they see fit to do so. The Department has no powers to intervene in contracts outside the National Health Service.

Gender Impact Assessment

Jackie Ballard: To ask the Secretary of State for Health if he will list the subject of each gender impact assessment drawn up by his Department since June 1997, stating in each case whether the outcome has been *(a)* put out to consultation and *(b)* published. [91680]

Ms Jowell: The Government are committed to ensuring their policies are fair and inclusive and responsive to this issue. This aim is contained in guidance (published 1998) which helps Departments consider the impact of their policies on women and other groups, and is a cornerstone of the Modernising Government White Paper.

The Women's Unit undertook to supplement this general guidance by developing more specific guidelines for policy makers on how to consider the needs and requirements of women.

A cross-departmental project led by the Women's Unit will produce these guidelines by drawing together principles of good practice and will illustrate their application through a series of case studies.

Final guidelines on gender impact appraisal together with a project report and the progress being made by Departments to assess the impact of their policies on women will be circulated to Government Departments and placed in the Library when complete.

Progress will also be reflected in future Modernising Government milestone reports.

Invoice Payments

Mr. Hammond: To ask the Secretary of State for Health what assessment he has made of the performance of NHS trusts in complying with Government targets on payment of invoices. [91723]

Mr. Denham: The Public Sector Payments Policy (PSPP) target is for 95 per cent. of bills to be paid within contract terms or 30 days where no terms have been agreed.

National Health Service performance in paying bills promptly has improved significantly over the last few years. Currently the NHS pays 83 per cent. of its bills within 30 days—85 per cent. if the value of bills is taken into account. This is a significant improvement on the 79 per cent. performance reported in 1997–98.

NHS Executive regional offices monitor closely the PSPP performance of individual NHS trusts and work with poor performing NHS Trusts to improve compliance with the policy.

Children in Care

Mr. Love: To ask the Secretary of State for Health (1) what records are kept of the drugs administered to children in care; and if he will make a statement: [91714]

(2) in what circumstances a parent of a child in care may refuse prescribed medical treatment for the child; and if he will make a statement; [91715]

(3) what safeguards are in place to ensure that children in care are protected from receiving *(a)* inappropriate medical treatment and *(b)* incorrect prescribing of drug treatment; and if he will make a statement. [91716]

Mr. Hutton: Whenever possible, children placed in local authority care should be given a medical examination and a written health assessment before they are placed. A child should then be medically examined every six months up to the age of two, and at least every twelve months thereafter. Once assessed, the medical needs of children in local authority care should be set out in the general care plan for each child. Children would be registered with a general practitioner and any necessary medical treatment and drug prescribing would be carried out under the supervision and guidance of the child's general practitioner or, if a child is in a hospital, under the supervision and guidance of the appropriate hospital medical staff.

Details have to be kept of all medicinal products administered to children placed in a residential home, and by whom they are administered. This must be recorded in writing on each occasion in a central record and on the child's individual record. Where a medicinal product may not be safely self-administered by a child it should be undertaken only by a member of staff of the home or by a doctor or nurse. Children aged 16 and over are in general entrusted with the retention and administration of their own medication, and should be provided with a secure place to keep medication.

Children of 16 and 17 are entitled to consent on their own behalf to medical treatment, as are those under 16 who have sufficient understanding of what is proposed. Where a child is subject to a care order, the local authority acquires parental responsibility for the child and may consent to treatment on behalf of the child, including in circumstances where the child's parent has refused to consent.

Nurse Consultants

Mr. Swayne: To ask the Secretary of State for Health what is his target for the recruitment of nurse consultants; what estimate he has made of the impact on NHS employment costs of this initiative; and if he will make a statement. [91543]

Mr. Denham: It will be for National Heath Service bodies to determine the number of nurse, midwife and health visitor consultants they wish to employ. Terms and conditions of employment are being negotiated and we will issue guidance to the NHS about establishment of such posts when these have been completed.

Student Nurses (Greater London)

Mr. Cox: To ask the Secretary of State for Health how many student nurses are working at NHS hospitals within the Greater London area. [91773]

Mr. Denham: There are currently 9,972 whole time equivalent nurses and midwifes studying for degrees or diplomas within London. During their period of training, a student nurse or midwife would either be on a clinical placement or in a university carrying out academic work.

Cancer Care

Mr. Love: To ask the Secretary of State for Health what research his Department has commissioned on the impact on cancer services *(a)* in Greater London and *(b)* the South East of the decision to designate St. Bartholomew's as a cancer centre; when the research will be published; and if he will make a statement. [91780]

Mr. Denham: The National Health Service Executive's London Regional Office is undertaking a review of the planned commissioning of cancer services in North East and North Central London. The review forms part of the assessment of the current development programmes at Bartholomew's and The London NHS Trust, University College London Hospitals NHS Trust and Havering Hospitals NHS Trust. Ministers will receive a report upon the review's completion.

Mr. Paul Marsden: To ask the Secretary of State for Health if he will list the Government bodies involved in formulating cancer care policies and strategies, with a brief outline of each organisation's work; and if he will make a statement. [92036]

Mr. Hutton: We recognise the importance of seeking expert advice to assist in the development of policy for cancer detection and care. The National Cancer Forum has been established to advise on the on-going implementation of the Policy Framework for Commissioning Cancer Services. It includes leading cancer clinicians, specialist nurses, representatives from cancer research, voluntary and patient organisations, and regional National Health Service representation. The National Cancer Forum is chaired by the Chief Medical Officer.

The Cancer Care Action Group is a forum which brings together a larger group of voluntary organisations with the NHS Executive regional structure. It is chaired by the Chief Nursing Officer and its role is to advise, and make recommendations to the National Cancer Forum, on key issues on developments in cancer and palliative care

policy at a national level and the implications for voluntary sector organisations, and to represent those with cancer and their carers in so doing.

The United Kingdom National Screening Committee, chaired by Dr. Henrietta Campbell, Chief Medical Officer for Northern Ireland, advises UK Health Ministers about the introduction, modification or withdrawal of national screening programmes. The Advisory Committee on Breast Cancer Screening and the Advisory Committee on Cervical Screening are both currently chaired by Professor Martin Vessey. Their role is to advise on the development of the breast and cervical screening programmes. The Advisory Committee on Cancer registration advises on the strategy and development of the national cancer registration scheme.

Acute Care

Mr. Norman: To ask the Secretary of State for Health what is set by the NHS as the minimum acceptable *(a)* distance between hospital beds in acute care wards and *(b)* accommodation space per patient in acute care wards. [91934]

Mr. Denham: Health Building Note (HBN) No. 4 "Adult Acute Wards" (1990) stipulates a minimum requirement for bed space (in multi-bedded wards) as 2900 mm x 2500 mm. More recent guidance published in 1995 in HBN 40 volume 2 indicates that this should be increased to 2900 mm x 2700 mm to reflect the increasing use of hoists, extra space around the bed for access and movement and in recognition of the space needs for those who depend on walking frames and wheelchairs to assist mobility.

Accommodation space per patient in an acute ward will vary depending on several factors, eg the mix of single rooms with en-suite facilities and multi-bedded bays, the extent of support area provided, the physical layout of the ward and the total number of beds.

HBN 4 provides a notional figure of 23.96 square metres per bed.

HBN 4 and HBN 40 are available in the Library.

Mr. Norman: To ask the Secretary of State for Health what is *(a)* the minimum acceptable provision of bath facilities in an acute care hospital ward and *(b)* the maximum acceptable number of patients per bath and per toilet facility. [91933]

Mr. Denham: Health Building Note (HBN) 4, "Adult Acute Wards" (1990), recommends one bathroom and one assisted bathroom for 24 or 28 bedded wards.

HBN 4 also includes a schedule of accommodation that indicates two bathrooms to 28 patients, one being an assisted bath, but that basic ratio would need to be considered by planners in the light of the specific medical requirements of the ward.

More single bedrooms with en-suite facilities are being provided in new ward accommodation and this will affect the general level of toilet provision. HBN 4 schedule of accommodation indicates a ratio of one toilet to 3.5 patients in a 24 bedded ward which has 3 single rooms with en-suite facilities.

Copies of HBN 4 are available in the Library.

Ambulance Travel Times

Mr. Norman: To ask the Secretary of State for Health what proportion of the population has a blue light ambulance travel time greater than 40 minutes from home to the nearest accident and emergency department. [91976]

Mr. Denham: The information requested is not available centrally.

Beta Interferon

Mr. Todd: To ask the Secretary of State for Health how many patients are recorded as having been prescribed beta interferon through the NHS for the latest period for which data is available. [91876]

Mr. Denham: The information requested is not available. Beta interferon is mainly prescribed and dispensed within hospitals. Hospital dispensing data, and the number of patients for whom drugs are prescribed, are not held centrally.

Patient Survey

Mr. Paul Marsden: To ask the Secretary of State for Health if patient groups were consulted on the development of the NHS survey of patients; and if he will make a statement. [92050]

Mr. Denham: A reference group, including representatives from the National Consumer Council, community health councils and the College of Health has advised on the general population and coronary heart disease surveys. A separate working group, including a number of cancer patient bodies, is currently working with the National Health Service Executive on the best approach to surveying patients with cancer. Qualitative research to establish the views of patients has also been undertaken in designing each of the surveys.

Mr. Paul Marsden: To ask the Secretary of State for Health what steps were taken to ensure that a fair representation of minority groups, with particular reference to *(a)* ethnic minorities, *(b)* those with sight and hearing difficulties and *(c)* those with learning difficulties, were included in the NHS survey of patients. [92049]

Mr. Denham: The patient survey questionnaire was issued to respondents drawn from the electoral roll. A comparison with independent data sources on a range of variables—such as ethnicity, social class, economic activity, and household composition—confirmed that the sample was nationally representative. A helpline was set up by the consortium administering the survey specifically to assist people who may have had difficulty in completing the questionnaire.

Code of Practice on Openness

Mr. Paul Marsden: To ask the Secretary of State for Health how the Code of Practice on Openness in the NHS is distributed and made accessible to the general public; and if he will make a statement. [92037]

Mr. Denham: A leaflet for the public which summarises the Code of Practice on Openness in the National Health Service is widely available on NHS premises and in general practitioners' surgeries.

Copies of the Code of Practice on Openness itself are available to any member of the public, on request from the Department or any NHS trust or health authority.

NHS Direct

Mr. Paul Marsden: To ask the Secretary of State for Health when the NHS Direct service will be available to the public in Shropshire; and if he will make a statement. [92040]

Mr. Denham: The roll-out of NHS Direct in the West Midlands Region is proceeding according to plan and NHS Direct will be available in the whole of the region by the end of the year 2000. Shropshire Health Authority, working closely with local stakeholders including general practitioners, is contributing to the planning of the provision of NHS Direct in the area, and this work is currently progressing well.

Patient Information

Mr. Paul Marsden: To ask the Secretary of State for Health what assessment he has made of the new guidance from the General Medical Council on patient information; and if he will make a statement. [91982]

Mr. Denham: The General Medical Council (GMC) consulted the Department in the course of developing new guidance on "Confidentiality: Providing and Protecting Information". The guidance, which updates previous guidance issued by the GMC, provides helpful clarity on a number of issues that are of concern to the medical profession.

Antibiotics

Mr. Paul Marsden: To ask the Secretary of State for Health what assessment of risk to human health he has made of the use of antibiotics used as growth promoters in farm animal food products; and if he will make a statement. [92038]

Ms Jowell: The Advisory Committee on the Microbiological Safety of Food's (ACMSF) report on microbial antibiotic resistance in relation to food safety will be published shortly. The use of antibiotics as growth promoters is one of the topics covered in the report. Both the Veterinary Products Committee and the ACMSF have taken public health concerns into account when advising the Government on the use of antibiotics as growth promoters.

National Electronic Library for Health

Mr. Paul Marsden: To ask the Secretary of State for Health how patients and members of the public will be consulted on the development of the National Electronic Library for Health; and if he will make a statement. [91985]

Mr. Denham: The National Electronic Library for Health is one of the major initiatives highlighted in the new National Health Service Information Strategy "Information for Health", which places great importance on information for the public. The National Electronic Library for Health project team is working closely with the NHS Direct initiative and the Centre for Health Information Quality to ensure that the Library properly addresses patient information needs. The project team receives feedback from the public and patient interest groups through those initiatives, and from clinicians and information specialists who work directly with the public.

In addition, a colloquium on the interests of patients, carers, service users and the public was held on 21 April 1999. This was attended by representatives of Community Health Councils, voluntary groups and patient self help groups. There is also a public website on the internet at http://www.nelh.nhs.uk which describes the proposed strategy for the Library in detail.

Appointments (Quangos)

Mr. Singh: To ask the Secretary of State for Health (1) how many members of Britain's *(a)* ethnic minority communities and *(b)* Asian community he appointed to quangos between (i) 1 June 1997 and 31 May 1998 and (ii) 1 June 1998 and 31 May 1999; [92117]

(2) how many appointments to quangos he made between (i) 1 June 1997 and 31 May 1998 and (ii) 1 June 1998 and 31 May 1999. [92046]

Mr. Denham: The information requested is given in the tables. The Department's most recently set goals and objectives for ensuring recruitment from all sections of society were published by the Government on 25 May in "Quangos: Opening Up Public Appointments 1999–2002" copies of which are available in the Library.

Appointments to NHS Boards and NDPBs

	Appointments made during the period 1 June 1997 to 31 May 1998			
	White	*Ethnic minority*[2]	*Asian*[3]	*Total*
NHS Boards[1]	968	114	53	1,082
NDPBs	137	24	11	161
Total	1,105	138	64	1,243

	Appointments made during the period 1 June 1998 to 31 May 1999			
	White	*Ethnic minority*[2]	*Asian*[3]	*Total*
NHS Boards[1]	1,243	179	78	1,422
NDPBs	117	15	6	132
Total	1,360	194	84	1,554

[1] Does not include three month health authority re-appointments made on 1 April 1998.

[2] Includes those from the Asian community.

[3] Made up of the ethnic categories of Indian, Pakistani, Bangladeshi and Chinese.

Pontefract and Pinderfields Hospitals

Mr. Trickett: To ask the Secretary of State for Health if he will provide guidance to Wakefield Health Authority in relation to their next strategic outline case for capital finance for Pontefract and Pinderfields Hospitals. [92065]

Mr. Denham: On 16 July 1999 senior officers of the National Health Service Executive met the chief executives of the Wakefield Health Authority and the Pinderfields and Pontefract Hospitals National Health Service Trust. Items discussed included how the Wakefield Health Authority might progress its case for new capital finance.

Health Authority Finance

Mr. Trickett: To ask the Secretary of State for Health if he will make a statement on his Department's timetable for the next round of health authority bids for capital finance. [92097]

Mr. Denham: An announcement will be made in due course on the timing of future waves of capital prioritisation.

Clinical Negligence

Mr. Malins: To ask the Secretary of State for Health, pursuant to his answer of 2 July 1999, *Official Report*, columns *399–400*, on clinical negligence, what was the nature of the comparison made by the NHS Executive between the costs of commercial versus public sector insurance for clinical negligence risks; when it was carried out; what was the indicative margin between NHS-provided clinical negligence insurance premiums and comparable commercial cover; and if he will list the features of NHS-provided clinical negligence cover that cannot be provided by commercial insurers. [92108]

Mr. Denham *[holding answer 20 July 1999]:* The decision to establish the clinical negligence scheme for NHS trusts as a voluntary risk pooling scheme took account of the fact that no established commercial insurance arrangements were available for clinical negligence. As I said in my answer of 2 July 1999, *Official Report*, columns *399–400*, the NHS Executive has consistently discouraged trusts from using commercial insurance for clinical negligence risks on value for money grounds.

Mr. Hinchliffe: To ask the Secretary of State for Health what was the cost to the NHS of clinical negligence claims, indicating separately the cost of legal fees, for 1997–98; and what is the estimated cost for 1998–99. [92112]

Mr. Denham: Clinical negligence costs charged to expenditure in the 1997–98 summarised accounts for the National Health Service in England amounted to £144 million. Information on the cost of legal fees is not available. Accounts for 1998–99 are not yet available.

Mr. Oaten: To ask the Secretary of State for Health how much was paid by NHS trusts in premiums for clinical negligence cover through the clinical negligence scheme for trusts for the latest year for which data is available. [92305]

Mr. Denham: The amount charged to National Health Service trusts in 1998–99 was approximately £15.2 million.

Official Documents

Mr. Wilshire: To ask the Secretary of State for Health if he will publish a list of all those official documents of the last Administration which have been seen by *(a)* him, *(b)* other Ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92176]

Mr. Denham *[holding answer 20 July 1999]:* A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, the Department has continued to be guided by the convention governing access to the papers of the previous Administration, as set out in the then Prime Minister's reply to a written question on 24 January 1980, *Official Report*, columns *305–07*.

Operating Department Practitioners

Mr. Barry Jones: To ask the Secretary of State for Health if he will establish a statutory scheme for registration of operating department practitioners; and if he will make a statement. [92440]

Mr. Denham: We expect the employment of operating department practitioners to be confined to qualified and competent practitioners and propose to consult on guidance to health authorities and National Health Service trusts about the practical steps required to implement this effectively. We will keep the matter of statutory regulation under review for the longer term.

Medical Devices Agency

Mr. Cox: To ask the Secretary of State for Health if he will publish the 1998–99 Annual Report and Accounts of the Medical Devices Agency. [92873]

Ms Jowell: We have received the Report and Accounts of the Medical Devices Agency and copies have today been laid before both Houses of Parliament in accordance with the requirements of Sections 5(2) and 5(3) of the Exchequer and Audit Departments Act 1921. Copies have also been placed in the Library.

NHS Estates Executive Agency

Mr. Cox: To ask the Secretary of State for Health if he will publish the Annual report and Accounts 1998–99 for the NHS Estates Executive Agency. [92874]

Mr. Denham: We have received the report and copies have today been laid in accordance with the requirements of Section 5 of the Exchequer and Audit Departments Act 1921. Copies have also been placed in the Library.

Mr. Cox: To ask the Secretary of State for Health if he will publish the Corporate Plan 1999–2000 to 2001–02, Key Tasks and Targets for 1999–2000 and Business Plan 1999–2000 for the NHS Estates Executive Agency. [92876]

Mr. Denham: We have agreed the Agency's Corporate Plan 1999–2000 to 2001–02, Key Tasks and Targets for 1999–2000 and Business Plan 1999–2000 and have placed copies in the Library.

NHS Pensions Agency

Mr. Cox: To ask the Secretary of State for Health if he will publish the Annual Report and Accounts of the NHS Pensions Agency. [92875]

Mr. Denham: We have approved the Report and Accounts which has today been laid before both Houses of Parliament in accordance with the requirements of Sections 5(2) and 5(3) of the Exchequer and Audit Departments Act 1921. Copies have also been placed in the Library.

Adverse Incidents

Mr. Hinchliffe: To ask the Secretary of State for Health how many investigations into adverse incidents have been carried out by each NHS regional office in each of the last 10 years. [92111]

Mr. Denham: Inquiries into adverse incidents are usually carried out by or on behalf of National Health Service trusts and health authorities rather than by NHS Executive regional offices. Regional offices may be involved in making sure such inquiries take place where there are statutory or other requirements for them to do so.

Accident and Emergency (Leicestershire)

Mr. David Taylor: To ask the Secretary of State for Health if he will assess the adequacy of the current emergency and accident services for North West Leicestershire; and what changes are planned thereto. [92079]

Mr. Denham: The provision of accident and emergency services for Leicestershire is an integral part of Leicestershire Health Authority Health Improvement Programme which is reviewed annually by the National Health Service Executive and agreed with local primary care groups.

As part of the national accident and emergency modernisation programme Leicester Royal Infirmary has been made an award of £3.7 million to modernise accident and emergency services to meet likely future demand.

Correspondence

Mr. Alan Williams: To ask the Secretary of State for Health what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92451]

Ms Jowell: I refer my right hon. Friend to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06* which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members, in the 1998 calender year. More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

SCOTLAND

Data Series

Jackie Ballard: To ask the Secretary of State for Scotland what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90537]

Dr. Reid: None.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for Scotland how many parliamentary questions were tabled to his Department for written answer on a named day between May 1997 and 14 April 1999; and what percentage of them received a substantive response on that named day. [91058]

Dr. Reid: I refer the hon. Member to the answer given by my predecessor my right hon. Friend the Member for Glasgow, Anniesland (Mr. Dewar) on 15 April 1999, *Official Report*, column *309*, which covered the period May 1997 to 31 March 1999. Ten parliamentary questions were tabled to my Department for written answer on a named day in the remaining period 31 March 1999 to 14 April 1999. Of these, 70 per cent. received a substantive reply on the named day.

New Deal (Young People)

Mr. Bercow: To ask the Secretary of State for Scotland how many individuals his Department has recruited under the New Deal for Young People. [91883]

Dr. Reid: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*.

Crown Estate

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will make a statement on his responsibilities with regard to the Crown Estate. [92206]

Dr. Reid: Although the functions of the Crown Estate Commissioners in managing the Crown Estate are reserved, properties and interests which form the Crown Estate in Scotland are subject to the legislative competence of the Scottish Parliament. However, the power of direction over the Crown Estate Commissioners will remain with the United Kingdom Government and is exercised jointly by the Chancellor of the Exchequer and myself.

Correspondence

Mr. Alan Williams: To ask the Secretary of State for Scotland what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92453]

Dr. Reid: I refer my right hon. Friend to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members in the 1998 calendar year. More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

LORD CHANCELLOR'S DEPARTMENT

Gender Impact Assessment

Jackie Ballard: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the subject of each gender impact assessment drawn up by his

Department since June 1997, indicating in each case whether the outcome has been *(a)* put out to consultation and *(b)* published. [92000]

Mr. Vaz: I refer the hon. Member to the answer given to her today by my noble Friend the Minister for Women. As part of the Government's commitment to ensuring that its policies are relevant to the lives that people live today, my Department is working closely with the Women's Unit to develop good practices for carrying out gender impact appraisal. When developing policies, we have considered how they would affect different parts of the community, although since new guidance on Equal Treatment was promulgated in November 1998, we have not had occasion to carry out any formal Gender Impact assessments.

Legal Aid

Mr. Cox: To ask the Parliamentary Secretary, Lord Chancellor's Department what responses he has received from the public on his reforms of the legal aid system. [92014]

Mr. Vaz: Since the publication of the White Paper "Modernising Justice" on 2 December 1998, and the introduction of the Access to Justice Bill in the other place on 3 December 1998, my predecessor and I have received 337 letters about the reforms of the legal aid system from members of the public, directly and through their MPs.

Appointments (Quangos)

Mr. Singh: To ask the Parliamentary Secretary, Lord Chancellor's Department how many appointments to quangos he made between *(a)* 1 June 1997 and 31 May 1998 and *(b)* 1 June 1998 and 31 May 1999; and in each case of those how many were members of Britain's (i) Asian and (ii) ethnic minority communities. [92144]

Mr. Vaz: Of the non-judicial public appointments to the Lord Chancellor's non-departmental public bodies, 303 were made in the first period, of which five were Asians and none were other ethnic minorities, and 199 were made in the second period, of which six were Asians and five other ethnic minorities.

My Department's plan on equal opportunities was included in the plan published by the Government on 25 May 1999 and deposited in the Libraries of both Houses.

Correspondence

Mr. Alan Williams: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92445]

Mr. Vaz: I refer my right hon. Friend to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members in the 1998 calendar year. More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

PRESIDENT OF THE COUNCIL

Orders in Council

Mr. Matthew Taylor: To ask the President of the Council how many orders in council have been made since 1 January 1998. [92244]

Mrs. Beckett: 927, up to and including the Council held on 21 July 1999. The Orders are broken down as follows:

Orders relating to the appointment and swearing in of Privy Councillors: 53 (5.7 per cent.)

Orders relating to Royal Charters: 65 (7 per cent.)

Statutory Orders relating to domestic business: 171 (18.4 per cent.)

Statutory Orders relating to overseas business: 42 (4.5 per cent.)

Orders relating to the Channel Islands: 85 (9.2 per cent.)

Orders relating to University Statutes: 31 (3.3 per cent.)

Orders relating to appointments: 34 (3.7 per cent.)

Orders under the Burial Act 1853: 25 (2.7 per cent.)

Orders approving schemes of the Church Commissioners: 274 (29.6 per cent.)

Orders giving consent to Royal Marriages: 5 (0.5 per cent.)

Civil Service Orders: 4 (0.4 per cent.)

Orders approving Judicial Committee reports: 129 (13.9 per cent.)

Sealing Orders for Proclamations: 6 (0.6 per cent.)

Prorogation of Parliament: 1 (0.1 per cent.)

Orders on ecclesiastical matters: 1 (0.1 per cent.)

Orders relating to the Royal Navy: 1 (0.1 per cent.)

This does not equate to the number of new Privy Councillors, since some Councillors are appointed by Order and sworn in at a subsequent Council. In such cases there will be two Orders.

EDUCATION AND EMPLOYMENT

New Deal

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment what is the number and proportion of young people who on leaving the New Deal employment option then move on to unsubsidised employment. [90317]

Mr. Andrew Smith: In the period January 1998 to April 1999, of the 5,800 young people who have left the New Deal employer option for known destinations, 50 per cent. moved into unsubsidised employment. In addition, 2,500 left for unknown destinations. A recent independent and reliable survey showed that 43 per cent. of leavers into unknown destinations had, in fact, left the New Deal for paid employment.

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what plans the Government have to increase the clarity of information made available to firms wanting to join the New Deal. [90192]

Mr. Andrew Smith *[holding answer 13 July 1999]:* The main vehicle for providing information to employers wanting to join New Deal is the "New Deal for Employers" booklet. This was produced in consultation with employers in order that the information contained in it is useful and relevant and presented in a clear, user-friendly way. A telephone survey of employers showed that 95 per cent. of employers were positive about its presentation. 83 per cent. said that they found the content relevant or very relevant.

In addition to this main item of literature, the Employment Service staff, including Business Managers, pro-actively communicate with both large and small employers. This includes meetings with large groups and one-to-one discussions to explain the New Deal and provide a contact within the Employment Service to whom the employer can address any questions.

The New Deal Task Force is stimulating wider engagement in the New Deal through employer coalitions in major cities, and through contact groups of Human Resource Directors, small and medium employers, and intermediary bodies with employer customers.

The Task Force and Employment Service are working with key employers and employer organisations in major growth sectors such as hospitality, construction and retail to improve the information and enhance the engagement of employers in the New Deal in these sectors.

Mr. Stephen Twigg: To ask the Secretary of State for Education and Employment what help will be given to widows, widowers and carers by the recently announced New Deal 50-plus; and if he will make a statement. [93059]

Mr. Andrew Smith: We will be giving extra help to carers receiving Invalid Care Allowance and widows and widowers receiving the proposed new Bereavement Allowance and Widowed Parent's Allowance by opening up access to the New Deal 50-plus. I expect this to be in place from the autumn of this year.

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement on the work done to date by the Training Standards Council to establish a system for evaluation of local partnerships for New Deal. [92311]

Mr. Andrew Smith: The Training Standards Council published in June "Partners for Quality", a framework developed specifically for the inspection of education and training provision within the New Deal for Young People Options. The inspection programme starts in October 1999.

A-levels

Mr. Alan W. Williams: To ask the Secretary of State for Education and Employment how many students were submitted for examination at A level in *(a)* mathematics, *(b)* physics and *(c)* chemistry in England and Wales in (i) 1970, (ii) 1980, (iii) 1990 and (iv) the latest year available; and in each case what was that figure as a percentage of the total A-level entries in all subjects in that year. [91146]

Mr. Mudie: The information available for GCE A-level examinations by selected subject in England and Wales is shown in the table.

Number of entries at GCE A level in mathematics, physics and chemistry and, as a percentage of all entries in each year shown in England and Wales

	Mathematics	*Physics*	*Chemistry*	*All entries*
1970				
Number of entries (000s)	64.4	41.5	30.8	441.9
Percentage of all entries	14.6	9.4	7.0	—
1980				
Number of entries (000s)	86.2	52.3	45.1	589.3
Percentage of all entries	14.6	8.9	7.6	—
1992				
Number of entries (000s)	69.8	38.9	39.8	704.5
Percentage of all entries	9.9	5.5	5.6	—
1998				
Number of entries (000s)	67.4	32.7	40.4	760.7
Percentage of all entries	8.9	4.3	5.3	—

Data are not directly comparable with figures for 1992 and 1998 due to changes in data sources.
Figures for 1986 to 1991 were not published in this format, so are unavailable. 1992 data are therefore provided as they are comparable to 1998 data.
Source:
Department for Education and Employment; National Assembly for Wales; Welsh and English Examining Boards.

Maintained-school Places (Costs)

Mr. Clappison: To ask the Secretary of State for Education and Employment what is the average cost of *(a)* a place in a maintained school in the secondary sector and *(b)* a place in a maintained school in the secondary sector to age 13 years according to the most recent figures. [91672]

Ms Estelle Morris: It is not possible to differentiate by age the average cost of pupils. However, the average cost per secondary school pupil in England based on 1998–99 budget figures was £2,930.

Right to Study Initiative

Mr. Alan Campbell: To ask the Secretary of State for Education and Employment how many 16 and 17 year

olds will qualify over the next year for the Right to Study Initiative in *(a)* England and Wales, *(b)* the North-East of England and *(c)* the Tynemouth constituency. [91941]

Mr. Mudie: The latest estimate, at the end of 1997, was that 110,000 employees in England were aged 16 or 17, not qualified to level 2, and not working towards a level 2 qualification. Comparable figures for Wales and particular regions of England are not available.

Higher Education

Mr. Alan Campbell: To ask the Secretary of State for Education and Employment how many students enrolled in full-time higher education courses to study *(a)* physics and *(b)* mathematics in England and Wales in each of the years from 1993 to 1998. [91943]

Mr. Mudie: The information is given in the following table.

Full-time entrants to higher education courses[1] England and Wales[2]

	Year of entry					
	1993[3]	1994	1995	1996	1997	1998
Subject of study[4]						
Physics	4,684	4,205	3,957	3,650	3,801	3,650
Mathematics	5,633	4,955	4,842	5,313	5,268	4,822

[1] Postgraduate and undergraduate courses

[2] Excluding a small number of HE students in Further Education Colleges

[3] Excluding a small number of HE students in HEIs in Wales. Figures for 1993–94 were collected on a different basis to those in later years

[4] Excluding combined courses which contain mathematics or physics in combination with other subjects

Appointments (Quangos)

Mr. Singh: To ask the Secretary of State for Education and Employment how many appointments to quangos he made between *(a)* 1 June 1997 and 31 May 1998 and *(b)* 1 June 1998 and 31 May 1999; and in each case of those how many were members of Britain's (i) Asian and (ii) ethnic minority communities. [92136]

Mr. Mudie: My right hon. Friend the Secretary of State made a total of 96 appointments and re-appointments to non-departmental public bodies (NDPBs) between 1 June 1997 and 31 May 1998. Of these, one was of Asian origin, from a total of two who were of ethnic minority origin.

From 1 June 1998 to 31 May 1999, my right hon. Friend made a total of 119 appointments and re-appointments to NDPBs. Of these, nine were of Asian origin, from a total of 19 who were of ethnic minority origin.

Child Labour

Mrs. Mahon: To ask the Secretary of State for Education and Employment if the Government will *(a)* ratify the ILO Convention on the Worst Forms of Child Labour and *(b)* encourage other Governments to ratify the Convention. [92125]

Mr. Andrew Smith: I hope to be in a position to make an announcement on ratification of Convention 138 in the near future.

Official Documents

Mr. Wilshire: To ask the Secretary of State for Education and Employment if he will publish a list of all those official documents of the last administration which have been seen by *(a)* him, *(b)* other ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92180]

Mr. Mudie *[holding answer 20 July 1999]:* A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, the Department has been guided by the convention governing access to the papers of a previous Administration, as set out in the Prime Minister's reply to a written question on 24 January 1980, *Official Report*, columns *305–07*.

Long-term Unemployed

Mr. Stephen Twigg: To ask the Secretary of State for Education and Employment what new measures he is taking to help the adult long-term unemployed. [93060]

Mr. Andrew Smith: We consulted widely on new Employment Zones with personal job accounts (PJAs) earlier in the year. I am today launching our invitation to tender to run the new Zones at a conference in London. A copy of the bidding procedures will be placed in the Library. There will be 12 Zones in England, two in Wales and one in Scotland, which will help 48,000 long-term unemployed people in areas where the problem still exists despite the improvement in the economy. The new Zones will offer both those who run them and those who benefit from them real flexibility in the way existing funds are used to move from benefits to employment. After a first step lasting no more than three months, those who have not left the register will move on to a personal job account with a fully costed action plan agreed between participants and their personal advisers. Personal job accounts will enable unemployed people to take more responsibility for their path back to employment. We intend to run Employment Zones in the following areas from April 2000: Brighton and Hove; Birmingham; Brent; Caerphilly, Blaenau Gwent and Merthyr Tydfil; Doncaster; Glasgow; Haringey; Liverpool and Sefton; Middlesbrough, Redcar and Cleveland; Newham; North West Wales; Nottingham City; Plymouth; Southwark and Tower Hamlets.

Employment Service

Mr. Stephen Twigg: To ask the Secretary of State for Education and Employment if he will publish the revised Employment Service Framework Document; and when the five-year review of the Employment Service is to take place. [93061]

Mr. Andrew Smith: A revised Framework Document for the Employment Service (ES) will be published on 30 July and copies will be placed in the Library. The document includes the ES's current Aim and Objectives, new financial arrangements, and arrangements for liaison with Scotland and Wales following devolution.

The next five-year review of the Employment Service will be completed not later than 31 December 2000.

Student Loans

Mr. Boswell: To ask the Secretary of State for Education and Employment how many student loans are now overdue; if he will provide a breakdown of the amounts by bands; and what steps are being taken by his Department and the Student Loans Company to recover them. [92309]

Mr. Mudie: At 31 March 1999, 125,000 accounts were overdue out of a total of 999,400 due to repay. These figures are provisional and include loans sold to the private sector. The breakdown of amounts overdue by banding is not available, but the Company had collected 90 per cent. of moneys due by 31 March 1999.

The Student Loans Company follows rigorous collection procedures. Its procedures currently are comparable with industry standards and will increasingly reflect the influence of the private sector owners of sold loans in improving collections practice.

British Sign Language

Mr. Boswell: To ask the Secretary of State for Education and Employment what information he has collected on the number of persons currently qualified in British Sign Language and to what levels; and what action he is taking to encourage the attainment of these qualifications. [92312]

Mr. Mudie: The Department does not have information on those holding qualifications in Sign Language. A number of qualifications in Sign Language and aiding communication for deaf people are included in Schedule 2(a) of the 1992 Further and Higher Education Act and are therefore eligible for funding by the Further Education Funding Council. The Qualifications and Curriculum Authority has supported the Council for the Advancement of Communication with Deaf People in developing individual units in Sign Language which are designed to aid take-up of qualifications.

Commission for Racial Equality

Mr. Boswell: To ask the Secretary of State for Education and Employment what reply he has sent to recent representations from the Commission for Racial Equality on ethnicity and employment in higher education. [92379]

Mr. Mudie: Ministerial colleagues and I have received copies of the Commission for Racial Equality's summary report on ethnicity and employment in higher education. Most of the recommendations are for higher education institutions and their representative bodies. We have agreed to meet the Commission once the full report is published.

Correspondence

Mr. Alan Williams: To ask the Secretary of State for Education and Employment what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92443]

Mr. Mudie: I refer my right hon. Friend to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns 403–06, which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members in the 1998 calendar year. More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

AGRICULTURE, FISHERIES AND FOOD

Executive Agencies

Ms Bridget Prentice: To ask the Minister of Agriculture, Fisheries and Food when he will publish the 1998–99 Annual Report and Accounts for the Pesticides Safety Directorate. [93153]

Mr. Nick Brown: I am pleased to announce that the 1998–99 Annual Report and Accounts for the Pesticides Safety Directorate were laid before Parliament today. Copies are available in the Library of the House.

I should like to congratulate all staff on their achievements during the year.

Mr. Edwards: To ask the Minister of Agriculture, Fisheries and Food when he will publish the 1998–99 Annual Report and Accounts for the Central Science Laboratory. [93154]

Mr. Nick Brown: I am pleased to announce that the 1998–99 Annual Report and Accounts for the Central Science Laboratory were laid before Parliament today. Copies are available in the Library of the House.

I should like to congratulate all staff on their achievements during the year.

Mr. Hopkins: To ask the Minister of Agriculture, Fisheries and Food when he will publish the 1998–99 Annual Report and Accounts for the Meat Hygiene Service. [93155]

Mr. Nick Brown: I am pleased to announce that the 1998–99 Annual Report and Accounts for the Meat Hygiene Service were laid before Parliament today. Copies are available in the Library of the House.

I should like to congratulate all staff on their achievements during the year.

Mr. Savidge: To ask the Minister of Agriculture, Fisheries and Food when he will publish the 1998–99 Annual Report and Accounts for the Centre for Environment, Fisheries and Aquaculture Science. [93156]

Mr. Nick Brown: I am pleased to announce that the 1998–99 Annual Report and Accounts for the Centre for Environment, Fisheries and Aquaculture Science were laid before Parliament today. Copies are available in the Library of the House.

I should like to congratulate all staff on their achievements during the year.

Caroline Flint: To ask the Minister of Agriculture, Fisheries and Food when he will publish the 1998–99 Annual Report and Accounts for the Farming and Rural Conservation Agency. [93157]

Mr. Nick Brown: I am pleased to announce that the 1998–99 Annual Report and Accounts for the Farming and Rural Conservation Agency were laid before Parliament today. Copies are being placed in the Library of the House.

I should like to congratulate all staff on their achievements during the year.

Mrs. Dean: To ask the Minister of Agriculture, Fisheries and Food when he will publish the 1998–99 Annual Report and Accounts for the Veterinary Medicines Directorate. [93158]

Mr. Nick Brown: I am pleased to announce that the 1998–99 Annual Report and Accounts for the Veterinary Medicines Directorate were laid before Parliament today. Copies are available in the Library of the House.

I should like to congratulate all staff on their achievements during the year.

Cattle Movement Service

Mr. Caton: To ask the Minister of Agriculture, Fisheries and Food if he will set out the standards of service for the British Cattle Movement Service. [93159]

Mr. Rooker: The British Cattle Movement Service is making available its standards of service to organisations in the cattle industry and other groups with an interest. I am putting a copy of the BCMS Citizen's Charter in the Library of the House today.

BCMS is committed to issuing all cattle passports within 10 working days of receipt of a valid and complete passport application, and also to updating its database of cattle movements in all cases within 10 working days of receiving a valid and complete notification that an animal has moved. These are demanding standards, which I am confident BCMS will meet.

Copies of the BCMS Citizen's Charter will be sent to all cattle farmers in Great Britain later in the year.

Meat Hygiene Service

Mr. Paterson: To ask the Minister of Agriculture, Fisheries and Food what information he has given to Meat Hygiene Service personnel on their future roles under the Food Standards Agency. [88291]

Mr. Rooker: MHS personnel have been provided with a detailed question and answer briefing outlining their future roles under the Food Standards Agency (FSA). As the date for the launch of the Agency gets closer, further information will be provided.

Mr. Paterson: To ask the Minister of Agriculture, Fisheries and Food if he will instruct all operational staff of the Meat Hygiene Service to record in writing complaints made to them by staff or management of slaughterhouses, meat cutting plants and poultry processing plants concerning the conduct or performance of Meat Hygiene Service staff and to forward those records to the Chief Executive of the Meat Hygiene Service for response within a reasonable time, and require that those records be available for inspection by auditing staff of the Joint Food Safety and Standards Group. [88292]

Mr. Rooker: No; this is not necessary. The Meat Hygiene Service (MHS) has already established modern customer complaints procedures which provide arrangements for dealing with complaints quickly at the point of service delivery, and those needing to be raised formally and escalated for senior management attention.

A simple guide was issued to all MHS customers in March 1999 outlining how customers can make complaints or comment about MHS services. These procedures meet the latest best practice principles promoted by the "Service First" unit of the Cabinet Office and are part of the MHS Quality Management System, which was registered by the British Standards Institution to the international standard BS EN ISO 9002:1994 in June 1998. The MHS is committed to continual improvement in delivering quality services, and it will continue to keep under review the effectiveness of its complaints mechanisms.

Genetically Modified Crops

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food what reports he has received on research conducted in the People's Republic of China about *(a)* the yields of genetically modified crops and *(b)* the quantities of chemical treatments used for such crops as opposed to non-genetically modified crops. [91731]

Mr. Rooker: I have received no such reports about research conducted in the People's Republic of China.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of reports from the industry that genetically modified crops grown in the United States and in China produce higher yields and are treated with lower levels of chemicals than the equivalent non-genetically modified crops grown in the same countries. [92098]

Mr. Rooker: I have received no such reports from either the United States or the People's Republic of China.

However, a summary of a US Department of Agriculture Report comparing GM and non-GM crops appears on the internet and indicates that there was no difference in yield and pesticide use in some areas; a significant increase in yield in six out of 18 areas; and a decrease in pesticide use in some regions. UK farming conditions are different to those in the US and it is difficult to tell how relevant the results may be to this country.

OTMS

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food what steps he has taken towards ending the over-30-month scheme; and if he will make a statement. [91899]

Mr. Rooker: The over-30-month scheme (OTMS) is an EU scheme, the rules of which are set by the European Commission. The Spongiform Encephalopathy Advisory Committee have identified criteria against which the controls on beef over-30-months of age can be reviewed in the future and began addressing this at its meeting in March. However, the Committee recognise that this will

require careful study and will almost certainly need to be considered at several meetings. In the light of the Committee's conclusions, and after consultation with all interested parties, the Government will consider what changes to the OTMS (if any) could be made consistent with the continued protection of public health and which they might then recommend to the Commission for their consideration.

Antibiotics

Mr. Paul Marsden: To ask the Minister of Agriculture, Fisheries and Food what safety assessments he has made of the use of antibiotics as growth promoters in farm animals; and if he will make a statement. [92039]

Mr. Rooker: The use of additives in animal feedingstuffs, including antibiotic growth promoters, is controlled in the EU by Council Directive 70/524/EEC as amended. No feed additive is permitted unless it satisfies criteria of safety and efficacy. Recent concerns about the development of microbial resistance to antibiotics has led to a ban on the use of four antibiotic growth promoters in the EU, which took effect on 1 July 1999. The Government are advised on the use of antibiotics as growth promoters by the independent scientific Veterinary Products Committee, which is keeping the matter under close review.

Bovine Tuberculosis

Mr. Bob Russell: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 24 June 1999, *Official Report*, column *449*, to the hon. Member for Rochdale (Lorna Fitzsimons), if he will suspend badger culling while alternatives are considered in response to recommendation 69 of the Standing Committee to the Bern Convention on the Conservation of European Wildlife and Natural Habitats. [92032]

Mr. Rooker: No. The Government believe that their present strategy and actions in controlling bovine TB, including the badger culling trial, represent the best means of finding a scientifically sound and sustainable policy for the long term. The Agriculture Select Committee report "Badgers and Bovine Tuberculosis" (HC 233) endorses this view. The Government have responded to the Bern Convention recommendation explaining why the action they are pursuing is fully consistent with the provisions of the Convention.

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food what action he proposes to take to counter the rise in TB in dairy herds. [92432]

Mr. Rooker: In August 1998, the Government announced a five-point strategy of research and controls to deal with bovine tuberculosis, taking forward the recommendations of Professors Krebs and Bourne. This strategy was recently endorsed by the House of Commons Agriculture Select Committee as representing the best way forward. The Government's response to the Committee's report was published on 5 July (HC612) and sets out the steps being taken to control this disease.

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what were the conclusions of the MAFF programme on the link between badgers and the spread of bovine TB at East Offaly in the Irish Republic. [92221]

Mr. Rooker: Professor Krebs reviewed the data from previous large-scale badger clearances, including in the area of East Offaly in the Irish Republic. His conclusion was that the sum of evidence

> "strongly supports the view that badgers are a cause of herd breakdowns".

Krebs noted, however, that the absence of adequate experimental controls in previous badger clearances, including the East Offaly clearance, made it impossible to eliminate alternative explanations for the observed fall in herd breakdown rates or to quantify the contribution that badgers made to bovine TB. He recommended a controlled experiment to test rigorously the effectiveness of different strategies in Great Britain and to provide a sound basis for future policy.

The Government accepted the Krebs' recommendations, and established the Independent Scientific Group on Cattle TB, chaired by Professor John Bourne, to oversee their implementation and advise on other relevant scientific work. The work now in hand, including a randomised badger culling trial and new epidemiological and disease control research, aims to provide the information needed to secure a sustainable future policy to control TB in cattle.

Official Documents

Mr. Wilshire: To ask the Minister of Agriculture, Fisheries and Food if he will publish a list of all those official documents of the last Administration which have been seen by *(a)* him, *(b)* other Ministers in his Department, *(c)* special advisers in his Department and *(d)* non-career civil servants appointed since May 1997 in his Department. [92185]

Mr. Nick Brown *[holding answer 20 July 1999]:* A large number of official documents were generated during the period of the previous Administration, many of which were published or put in the public domain. Since May 1997, the Department has been guided by the convention governing access to the papers of a previous Administration, as set out in the then Prime Minister's reply to a written question on 24 January 1980, *Official Report*, columns *305–07*.

Farm Medicines

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what representations he has received about the cost of farm medicines; and if he will make a statement. [91993]

Mr. Rooker *[holding answer 21 July 1999]:* We have received representations about comparatively high prices of veterinary medicinal products in the UK and we are carefully considering the issues and whether further action is called for. However, the pricing of veterinary medicinal products is not controlled by either UK or European Community legislation. Decisions on the wholesale costs of veterinary medicines are matters for the companies manufacturing the products, taking into account commercial factors such as development and production costs and anticipated volume of sales in the member state concerned.

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the relative prices for farm medicines in the United Kingdom and the Irish Republic; and if will make a statement. [91994]

Mr. Rooker *[holding answer 21 July 1999]:* There are no price controls on veterinary medicines in the EU. Prices generally reflect the market conditions and distribution practices in each member state. A comparison of wholesale prices in the UK and the Republic of Ireland shows that some products are cheaper in Ireland and others are cheaper in the UK.

BSE (USA)

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food on what dates his Department asked the United States Government to comment on the recent reports of the presence of BSE in the USA; to which United States department these requests were addressed; and on what dates the United States Government replied. [92250]

Mr. Rooker: I refer the hon. Member to the reply given to him on 12 July 1999, *Official Report*, column *88*.

Farming (Financial Support)

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food what is the level of Government financial support allocated for the year 1998–99 for *(a)* organic farming and *(b)* conventional farming; how much has been spent to date; and how much is expected to be so allocated in 1999–2000. [92405]

Mr. Rooker: The forecast for the UK for programmes on agriculture for 1998–99 is £762.2 million, and £660.0 million for 1999–2000, of which £1.9 million and £4 million respectively is for aid for conversion to organic farming. These figures are for national expenditure and do not include contributions from the Guarantee Section of the EAGGF. With EAGGF contributions, the figures for aid for conversion to organic farming are £3.8 million for 1998–99 and £8 million for 1999–2000.

In addition, organic farmers are entitled to receive all support payments available generally to farmers.

Labelling

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what UK regulations govern the labelling of produce deriving from *(a)* other European states, *(b)* applicant countries to the European Union and *(c)* elsewhere. [92223]

Mr. Rooker: General labelling rules for food sold within the European Union are set out in Directive 79/112/EEC. They apply no matter where the food has come from, and are implemented here by the Food Labelling Regulations 1996 (as amended).

Cattle Identification

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if he will list the charges in each EU member state for passport and tagging of calves. [92219]

Mr. Rooker: Most member states charge their farmers for cattle identification, although often on bases which cannot be compared with the proposed charges for passports here. For member states for which we have information, the position in early 1999 was:

Austria: Farmers pay for ear tags: no charge otherwise.

Belgium: Charge of about £0.85 per animal per year.

Denmark: Charge of £1.50 per animal per year, plus £2 per passport (issued for exported cattle).

Finland: Tagging and registration fee of around £2.50 per animal.

France: £2.30 per animal.

Germany: Around £1.60 per animal but some additional costs recovered from levies paid by farmers.

Luxembourg: No charge.

Netherlands: £1.70 per animal per year.

Sweden: Charge for registering animals:

up to £0.90 for registration by phone or letter;

£5.40 for passports (issued for exported cattle).

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if he will assess the advantages of putting out the Cattle Moving Database to private tender. [92220]

Mr. Rooker: The Cattle Tracing System (CTS) is currently administered by the British Cattle Movement (BCMS), which is part of MAFF. The CTS has been in operation for less than a year. Any assessment of the current arrangements for administering it, and alternatives, would be premature.

Pesticide Tax

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what other European countries are subject to a pesticide tax; and at what levels. [92222]

Mr. Rooker: I understand that, currently, Denmark, Sweden and Norway tax all pesticides, while Belgium applies a tax to non-agricultural uses of the herbicides atrazine, diuron, isoproturon, simazine and pentachlorophenol. The latest rate of tax in each country is understood to be as follows:

Denmark

ad valorum tax on highest retail value:

insecticide: 54 per cent.

herbicide: 33 per cent.

Non-agricultural use: 3 per cent.

Sweden

20 Swedish krone (about £1.50) per kg active ingredient

Norway

basic rate = 15 Norwegian krone (about £1.20) per ha—varied according to banding:

Seed treatment pesticides and biological products—basic rate × 0.5

Products constituting low risk to health and environment—basic rate × 1.0

Products constituting high risk to health/low risk to environment or, low risk to health and high risk to environment—basic rate × 4.0

Products of high risk to health and to environment—basic rate × 8.0

There are higher rates pro-rata for household use.

Belgium 1999

10,000 Belgian francs (about £160) per kg of active ingredient.

I am not aware of specific pesticide taxes in other European countries.

Beef (Export)

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food when abattoirs other than St. Merryn's in Cornwall will be approved for the processing of beef for export; and what estimate he has made of the number of abattoirs which will be approved for the processing of beef for export in the year following 1 August. [92336]

Mr. Nick Brown: It is up to abattoirs to apply for approval. If they do so we will deal with their application as quickly as possible.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food (1) when he expects the remaining restrictions on the export of beef to be lifted; [92373]

(2) if he will make a statement on his policy pressing for the export of beef-on-the-bone and of live cattle to be resumed. [92374]

Mr. Nick Brown: In my statement to the House on 14 July 1999, *Official Report*, column 405, I made it clear that I am working for the day when we are able to trade in beef on equal terms with other member states. I will put proposals to the European Commission for further relaxations of the export ban when I judge that we have a strong case which can be justified by science. In particular, the resumption of trade in beef on the bone, and beef from cattle more than 30 months old, will need to be informed by the views of the Government's scientific advisers.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what the final inspection and approval by his Department needed before an abattoir can export beef will involve; and for what reason these inspections had not been carried out in preparation for the lifting of the beef export ban. [92344]

Mr. Nick Brown: To gain approval, a slaughterhouse must demonstrate that it has the facilities and control procedures to meet the requirements of the DBES. The assessment of premises seeking approval, which will include an inspection visit, will be made by a specially trained officer of the State Veterinary Service.

It was not possible to carry out these inspections or to grant approval until we had received and considered the recommendations in the Commission Inspectors' final report.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if cattle over 30 months old can be exported. [92342]

Mr. Nick Brown: No live cattle can be exported. Beef exported under the Date-based Export Scheme must be from cattle aged under 30 months at the time of slaughter.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what assessment his Department has made of the impact on animal welfare of the only abattoir licensed to process beef for export being located in Cornwall. [92345]

Mr. Nick Brown: Statutory rules are in place concerning the welfare of livestock during transport and at slaughter. They apply irrespective of where in the country the animals are transported or where the slaughter is taking place.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what help the Government plan to give to beef exporters in Great Britain. [92337]

Mr. Nick Brown: My Department has sent detailed advice about the Scheme to all abattoirs that may be eligible to participate in the Scheme and set up a helpline to give advice. Abattoirs can, free of charge, make test applications to determine the proportion of their animals which might be DBES eligible. This is designed to help them make their commercial decisions, and my officials are prepared to offer any further advice necessary to help abattoirs and other meat processing establishments in their consideration of how they might benefit from the Scheme. The Department has established a Beef Export Liaison Group to exchange views of those involved in beef exports which will monitor progress of the DBES and identify key markets. In addition, I and my colleagues will be taking every opportunity to promote the Date-based Export Scheme (DBES) to industry here and customers abroad.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food when European Commission inspectors were invited to Britain to examine the facilities through which beef exports would be channelled. [92335]

Mr. Nick Brown: The inspection arrangements were the outcome of discussions and correspondence between my officials and Commission officials during January and February, which covered points of detail on the proposed operation of the scheme and the scope of and timetable for the inspection. We agreed with the inspectors that they would come at the end of March or during April. The date was subsequently confirmed for the week commencing 12 April.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what help the Government will provide with the running costs of the export scheme for slaughterhouses during the initial period of export build up after 1 August. [92338]

Mr. Nick Brown: The Government's policy is to recover the costs of operating the Date-based Export Scheme (DBES) from those who choose to benefit from it. The Government have, however, spent more than £1 million on developing the scheme, including the IT systems which are necessary to support it, which will not be recovered through charges.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food when he expects British beef supplies to be resumed to British service men serving abroad. [92339]

Mr. Nick Brown: The provisioning of the armed forces is a matter for my right hon. Friend the Secretary of State for Defence. The worldwide ban will be lifted from 1 August, so it will be legally possible to export beef for the use of British service men serving in the European Union and, subject to the rules of the Governments of the countries concerned, to service men serving in third countries.

Beef (School Meals)

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food when he will write to local authorities to encourage them to put British Beef back on their school menus; and if he will place a copy of his letter in the Library. [92340]

Mr. Nick Brown: Ultimately it is for Local Authorities themselves to decide whether or not to have beef, or indeed any other food products, on school menus. Nevertheless, I am currently preparing a letter to Local Authorities setting out the case for British Beef, following my earlier representation on this matter. Once this has been issued, I will place a copy of the letter in the Library of the House.

WALES

New Deal (Young People)

Mr. Bercow: To ask the Secretary of State for Wales how many individuals his Department has recruited under the New Deal for Young People. [91881]

Mr. Michael: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*.

An additional three people were recruited by the Welsh Office between 25 May and 30 June. Of the eight people, six were recruited under the New Deal for 18–24s and two under the New Deal for 25-plus.

On 1 July, all staff working for the Welsh Office in Wales transferred to the National Assembly for Wales.

Waterhouse Report

Mr. Llwyd: To ask the Secretary of State for Wales when he expects to publish the Waterhouse report; if the report will be published bilingually; and if he will make a statement. [87795]

Mr. Michael: As soon as the Tribunal of Inquiry submits its report, it will be presented to Parliament and published as quickly as possible.

The degree of bilingual publication will be considered in the light of the desirability of early publication in the public interest and of the Welsh language scheme.

National Assembly for Wales

Mr. Llwyd: To ask the Secretary of State for Wales when the Government plan to issue the concordats for the National Assembly for Wales; and if he will make a statement. [90897]

Mr. Michael: I refer the hon. Gentleman to my reply to my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) on 7 July 1999, *Official Report*, column 1019.

Correspondence

Mr. Alan Williams: To ask the Secretary of State for Wales what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92452]

Mr. Michael: I refer my right hon. Friend to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members in the 1998 calendar year. More detailed information about the percentage of correspondence replied to within the time scales specified could be provided only at disproportionate cost.

Objective 1 Status

Mr. Alan Williams: To ask the Secretary of State for Wales what information has to be supplied to the EU Commission before 1 November relating to the West Wales Objective One status application; and if he will make a statement. [92377]

Mr. Michael: By 1 November, the National Assembly will need to submit a full single programming document for objective 1 to the European Commission. This will need to meet the Commission's requirements as laid out in the Vade Mecum.

Objective 1 status has already been secured. Release of the funds depends on the acceptance by the Commission of the submitted plan.

Written Answers to Questions

Friday 23 July 1999

PRESIDENT OF THE COUNCIL

Millennium Compliance

Mr. Savidge: To ask the President of the Council what recent assessment she has made of the state of readiness of Government Departments and the wider public sector for millennium compliance. [93205]

Mrs. Beckett: Good progress continues to be made with work on the Government's business critical systems and in most Departments the bulk of the work is already complete.

However, I remain concerned that a number of programmes continue to show slippage in their planned completion dates. Four departments are indicating for the first time that they will not now complete their programmes until September or later. They are the Intervention Board, the Serious Fraud Office, the Inland Revenue and the Northern Ireland Prison Service. In all these cases I have written to Cabinet colleagues asking them personally to monitor progress very carefully, and to ensure that any necessary remedial action is taken.

The Government will continue to manage the process closely. This includes ensuring that full Business Continuity Plans are in place, and tested, by October—indicating how seriously the Government are taking this problem, and how hard we are working to resolve it. However we should remember that slippage at this stage is an inevitable part of the process. Across the private and public sectors, those working on this problem find that the more they do, the more they find there is to do.

Although there has been good progress in the wider public sector since I last reported, organisations in many sectors have still to complete their programmes. However, all infrastructure providers reported an improved position at the National Infrastructure Forum on 13 July. This included the NHS, and police and fire services, which no longer have any organisations assessed as having "red" status (severe risk of material disruption which there may not be enough time to rectify)—and all of whom included some organisations with "blue" status (the assessment has not identified any risk of material disruption). In local government, the assessment process was started later, and this sector still shows a small percentage of red authorities—2 per cent. in England and 12 per cent. in Scotland. Government Offices in England and the Scottish Executive will continue to work with these authorities, and with the others, to meet the target of blue status by the next Forum meeting in October. The great majority of infrastructure providers are currently rated "amber", that is, there is still some risk of material disruption but plans are in place to deal with this, and the target is again "blue" by October.

In order that hon. Members can see at a glance the position in central Government and the wider public sector, I am publishing a set of tables showing progress in Government Departments up to the end of June, and a table of the Action 2000 colour codes for the wider public sector, as announced to the National Infrastructure Forum on 13 July. In addition, a full set of the returns completed by Government Departments, agencies and key bodies in the wider public sector will be placed in the Libraries of the House and published on the internet. This is in line with the Government's commitment to openness that has characterised our handling of the millennium bug issue since day one.

I said last month that I would report to the House on a monthly basis from now on. As the next returns from Government Departments and agencies will be received during the parliamentary recess, we propose to write to all Members in late August.

Ministerial Travel

Mr. Baker: To ask the President of the Council on what date she last used a train in the course of her official duties. [92650]

Mrs. Beckett: On 20 July 1999.

CABINET OFFICE

Government Annual Report

Mr. Geraint Davies: To ask the Minister for the Cabinet Office when the Government's Annual report for 1998–99 will be published. [93258]

Dr. Jack Cunningham: The Report will be published on 26 July. Copies will be laid before the House (Cm 4401) and placed in the Libraries of the House. Members of this House, Ministers in the House of Lords and Opposition spokesman in the Lords will each be sent a copy of the Report. In addition, I shall be placing in the Libraries of the House a summary of the comments received on last year's report. I understand that my right hon. Friend the Leader of the House intends to find time for the report to be debated when the House returns after the summer recess.

Civil Service Fast Stream Report

Mr. Roy: To ask the Minister for the Cabinet Office when he expects to publish the fourth annual Civil Service Fast Stream report. [93259]

Dr. Jack Cunningham: I have today placed in the Libraries of the House the Fourth Annual Civil Service Fast Stream Recruitment Report. It covers the year from 1 April 1998 to 31 March 1999, and reports the results of Fast Stream competitions completed during that period and action undertaken for future competitions.

The report shows that in most areas the Civil Service did not fill all its Fast Stream vacancies in 1998, in line with the experience of other major employers. Recruits continued to be drawn from a variety of backgrounds and the standard of entry to the Fast Stream Development Programme has remained consistently high. Despite the fall in numbers, the quality of the applicant field has continued to increase.

Special Advisers

Mr. Tyrie: To ask the Minister for the Cabinet Office if he will estimate the average cost of providing *(a)* office accommodation and *(b)* secretarial support for (i) a departmental special adviser and (ii) one official at Grade 5 and above in the last year for which figures are available. [87964]

Mr. Kilfoyle: There are no set rules on the level of provision of office accommodation and secretarial support for civil servants, including special advisers. Information on actual costs is not held centrally. It is therefore not possible to provide the information requested. However, in respect of the Cabinet Office, members of the Senior Civil Service with a JESP score of between 7 and 12 (equivalent to an old style Grade 5) normally have their own office and a dedicated secretary. The two special advisers appointed by my right hon. Friend, the Minister for the Cabinet Office, share an office and a secretary.

Ministerial Travel

Mr. Baker: To ask the Minister for the Cabinet Office on what date he last used a train in the course of his official duties. [92652]

Dr. Jack Cunningham: In accordance with the terms of the Ministerial Code, Ministers are required always to make efficient and cost-effective travel arrangements. Trips in and around London (Edinburgh/Cardiff/Belfast), which account for the majority of my working week, will normally be made by Government car. The last time I used a train in the course of my official duties was yesterday when visiting Lancaster in my capacity as Chancellor of the Duchy of Lancaster.

Government Car Service

Mr. Baker: To ask the Minister for the Cabinet Office if he will make a statement on the expenditure on the Government Car Service in the last year for which figures are available, separately identifying the cost of ministerial cars. [92674]

Mr. Kilfoyle: Responsibility for this matter has been delegated under the terms of the Framework Document to the Government Car and Despatch Agency. I have asked its Chief Executive, Mr. Nick Matheson, to write to the hon. Member.

Letter from Nick Matheson to Mr. Norman Baker, dated 23 July 1999:

The Parliamentary Secretary has asked me in my capacity as the Chief Executive responsible for the Government Car Service to reply to your Parliamentary Question about the cost of the Government Car Service.

The total cost of providing all Government Car Service services in 1997/98 (the last year for which figures are available) was £7.79 million. The estimated cost of vehicles and drivers allocated to Minsters and their private offices was £4.3 million, although they are also used for several other purposes such as the movement of documents and for use by officials as directed by the ministerial private office.

The Government Car and Despatch Agency charges customer departments for the services provided on a basis that recovers all costs.

Consultation Papers

Mr. Hawkins: To ask the Minister for the Cabinet Office, pursuant to his answer to the hon. Member for Shrewsbury and Atcham (Mr. Marsden) of 24 June 1999, *Official Report*, column *456*, on consultation papers, if the statement in the Cabinet Office guide on conducting written consultation exercises, concerning using the internet to publish and receive replies, indicates that the Government's policy is that responses to consultations should be published. [92772]

Mr. Kilfoyle: The Cabinet Office guide on conducting written consultation exercises states that, where circumstances permit, a summary of views and information collected from the consultation exercise should be produced and made available. But where respondents request confidentiality for their comments, their wishes should be respected, in accordance with the existing Code of Practice on Access to Government Information. Following the best practice principles contained in the guide is the responsibility of individual Departments, agencies and other relevant bodies.

INTERNATIONAL DEVELOPMENT

Ministerial Travel

Mr. Baker: To ask the Secretary of State for International Development on what date she last used a train in the course of her official duties. [92651]

Mr. Foulkes: My right hon. Friend the Secretary of State last used a train in the course of her official duties on Thursday 22 July 1999.

CULTURE, MEDIA AND SPORT

New Millennium Experience Company

Mr. Caplin: To ask the Secretary of State for Culture, Media and Sport when he will make available to the House the Annual Report and Financial Statements 1998–99 of the New Millennium Experience Company. [93263]

Janet Anderson: Copies of the New Millennium Experience Company's Annual Report and Financial Statements 1998–99 have today been placed in the Libraries of the House.

Millennium Dome (Refrigerants)

Mr. Green: To ask the Secretary of State for Culture, Media and Sport what steps he is taking to ensure that commercial operators in the Millennium Dome use non-HFC refrigerants; and if he will make a statement. [89934]

Janet Anderson: New Millennium Experience Company (NMEC) has recognised the unique opportunity afforded by the project to demonstrate that an undertaking of this scale can be developed within the framework of a positive environmental policy. In the context of a single year of operation and the attendant time and budgetary constraints, the Company's aim is to improve on prevailing standards wherever possible, and to mitigate any adverse impact where such impact might occur. As a result a number of innovative environmental initiatives are integral to the project—for example a comprehensive

Environmental Plan underpinning all aspects of policy and new river bank ecology; and the transformation of a derelict jetty into a wildlife haven.

As regards commercial operators in the Dome—who will primarily be caterers—NMEC is procuring the majority of the refrigeration equipment that they will use and is aiming to adopt "greenfreeze" technology wherever practical. In those instances where equipment is procured by others, NMEC is strongly encouraging them to adopt the same approach.

Millennium Dome (Performers)

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport (1) what period of rest performers of the main show in the Dome will have between performances on *(a)* normal days and *(b)* peak days for visitors; [91264]

(2) how many different companies will be used to perform the main show in the Dome on *(a)* normal days and *(b)* peak days for visitors. [91265]

Janet Anderson: New Millennium Experience Company (NMEC) is establishing and training an ensemble company of 160 performers, forming two casts of 80 each. Each cast will comprise 60 on stage and 20 understudies. On "one session" days, one cast will be used. On "two session" days, the two casts will be used. The terms and conditions of the cast members (including rest periods) will be in accordance with an Equity approved contract and in accordance with the Working Time Directive.

Millennium Dome (Visitor Information)

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport what information systems will be in place to inform visitors to the Dome of the estimated queueing times for individual zones and other attractions. [91270]

Janet Anderson: New Millennium Experience Company's (NMEC) operational strategy which covers all aspects of visitor management, safety and comfort has been developed with the aim of ensuring an exemplary visitor experience. Information about the capacity of each exhibit zone and any related queueing time (which NMEC aims to keep to a minimum) will be notified throughout the Dome via an information display system and staffed information points.

Millennium Dome (Policing)

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport how many police will be on duty at the Dome; how they will be paid for; and what estimate he has made of the cost of their service. [91268]

Janet Anderson: Police will not be on duty within the Dome site although, as with other visitor attractions and public events, they will attend as necessary in response to any situation requiring their presence. The New Millennium Experience Company (NMEC) is in close and continuous liaison with the Metropolitan Police Service who are responsible, as normal, for the costs of their services where situations require their attendance.

Additional officers are being seconded into Greenwich Division to ensure that sufficient resources are available both on New Year's Eve and throughout the Millennium year.

Millennium Dome (Photography)

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport if photography *(a)* with and *(b)* without a flash will be permitted inside the Dome. [91257]

Janet Anderson: Photography with and without flash will be permitted inside the Dome.

Millennium Dome (Safety)

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport if the designers of the zones were instructed to build a maximum evacuation time into their designs. [91263]

Janet Anderson: Emergency exit requirements are a fundamental aspect of the design of the Millennium Experience at Greenwich and have been the subject of expert advice prior to submission of plans for approval by the relevant licensing authority.

Millennium Dome (Merchandising)

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport what royalties the New Millennium Experience Company has negotiated in respect of the entertainments and merchandise developed for the Millennium Experience; and who will receive such income after 2000. [91269]

Janet Anderson: Details of contractual arrangements between the New Millennium Experience Company (NMEC) and suppliers are commercially confidential. Arrangements for the disposal or assignment of all the company's assets after the Millennium Experience are subject to the approval of the Millennium Commission and the Government. Final decisions on the future use of the Dome will not be taken until 2000, when the Millennium Experience is up and running for all to see.

Millennium Dome (Catering)

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport if visitors will be permitted to bring food and drink into the Dome. [91266]

Janet Anderson: Visitors to the Millennium Experience at Greenwich will be allowed to bring food and drink into the Dome.

Gender Impact Assessment

Jackie Ballard: To ask the Secretary of State for Culture, Media and Sport if he will list the subject of each gender impact assessment drawn up by his Department since June 1997, stating in each case whether the outcome has been *(a)* put out to consultation and *(b)* published. [91676]

Mr. Chris Smith: As part of the Government's commitment to ensuring that their policies are relevant to the lives that people live today, my Department is working closely with the Women's Unit to develop good practices for carrying out gender impact appraisal.

The Women's Unit guidance: "Policy appraisal for equal treatment" has been circulated to policy Divisions in the Department.

New Deal (Young People)

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport how many individuals his Department has recruited under the New Deal for Young People. [91891]

Mr. Chris Smith: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*.

Since that time my Department has employed a further New Dealer making a total of two since 1 April 1999.

Holocaust Remembrance Day

Mr. Dismore: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on his Department's involvement in the proposed Government committee on Holocaust Remembrance Day. [92158]

Mr. Chris Smith *[holding answer 20 July 1999]*: I refer my hon. Friend to the reply given by my right hon. Friend the Secretary of State for the Home Department on 19 July 1999, *Official Report*, column *400*.

United Christian Broadcasters

Ms Atherton: To ask the Secretary of State for Culture, Media and Sport where the petition handed in to the Government by United Christian Broadcasters in 1990 is now kept. [92265]

Janet Anderson: I understand that the petition was presented to the previous Administration by UCB during the passage of the Broadcasting Act 1990. It has not been possible to locate this petition among the papers that were transferred to this Department when it was created.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport on what date he last used a train in the course of his official duties. [92659]

Mr. Chris Smith: In accordance with the terms of the Ministerial Code, Ministers are required always to make efficient and cost-effective travel arrangements. Trips in and around London, which account for the majority of my working week, will normally be made by Government car. The last time I used a train in the course of my official duties was earlier this month when visiting Leeds.

ATTORNEY-GENERAL

Ministerial Travel

Mr. Baker: To ask the Attorney-General on what date he last used a train in the course of his official duties. [92658]

The Attorney-General: I travelled to the Crown Prosecution Service in Colwyn Bay by rail on 8 March this year.

SOCIAL SECURITY

Benefits Agency

Mr. Rendel: To ask the Secretary of State for Social Security (1) when the contract to develop the Benefits Agency Customer Accounting and Payment Strategy IT system was awarded; and to which company or consortium; [92833]

(2) what the deadline is for completion of the Benefits Agency Customer Accounting and Payment Strategy IT system; [92835]

(3) what the estimated cost is of developing the Benefits Agency Customer Accounting and Payment Strategy system. [92834]

Angela Eagle: The Customer Accounting and Payments Strategy (CAPS) is a continuing programme involving new systems and processes to create a single customer account in order to improve the way in which the Benefits Agency manages customer details and benefit payment information and, until the cancellation of the Payment Card element of the Horizon project, to support the payment of benefit by Card at post offices.

The systems to do this were built by the Department's Information Technology Services Agency including the integration of an accounting package purchased from IBM during the Spring of 1996.

Following the cancellation of the Payment Card and the announcement of the intention to pay benefits by Automated Credit Transfer, it will be necessary to reassess what further work should be undertaken on CAPS in addition to those elements that have already been implemented. Consequently no estimate of final completion dates or future development costs is presently available.

However, the work to create a single, consistent, source of customer details for use by all benefits is already well advanced. All the Benefits Agency major benefit systems are now linked to the CAPS systems and there are presently 17 million customer records held on the new system that is in daily and constant use by staff in the Benefits Agency. The work to complete the transfer of records is due to be completed in 2002.

Departmental Expenditure (Wales)

Mr. Alan Williams: To ask the Secretary of State for Social Security what was the level of spending on social security in Wales in each of the last five years *(a)* in total and *(b)* as a percentage of the United Kingdom total broken down to show spending on (i) benefit payments, (ii) Wales's pro-rata share of United Kingdom administration costs and (iii) actual spending on central and local administration and the branch network for facilities in Wales. [92644]

Mr. Timms: DSS accounts for its administrative costs operationally (by Agency and Business Unit). It does not maintain accounting records by geographical territory and

it is therefore not possible to provide reliable expenditure information covering all Departmental operations in the format requested. An estimate of Social Security Benefit Expenditure in Wales in the past five years can be found in the table.

Estimated Social Security benefit expenditure in Wales (and as a percentage of Great Britain expenditure)

	Expenditure (£million)	*Percentage*
1994–95	4,910	6.1
1995–96	5,160	6.1
1996–97	5,540	6.3
1997–98	5,490	6.2
1998–99	5,660	6.2

Note:

1. Expenditure excludes payments of certain benefits to people living overseas

2. Expenditure figures have been rounded to nearest £10 million

Source:

The above figures are consistent with those published in the Departmental Report 1999

Mr. Alan Williams: To ask the Secretary of State for Social Security if he will list the amounts his Department and its agencies spends on *(a)* running costs, *(b)* wage costs and *(c)* other administrative costs for those facilities and staff based in Wales, indicating the headquarters administration costs and the total costs for the branch network. [92640]

Mr. Timms: DSS accounts for its administrative costs operationally (by Agency and Business Unit). It does not maintain accounting records by geographical territory and it is therefore not possible to provide reliable expenditure information covering all Departmental operations in the format requested. Information for the Benefits Agency's operations in Wales is provided in the table.

1998-99 Expenditure

AD7 Wales	*Salaries*	*Goods/services*	*Estate costs*	*Total spend*
Operational Directorate East	18,588,724	1,436,343	—	20,025,067
Operational Directorate North	10,928,534	988,656	—	11,917,190
Operational Directorate West	16,136,083	1,311,969	—	17,448,052
Other	10,485,323	17,585,267	9,846,196	28,070,590
Total	56,138,664	21,322,235	9,846,196	77,460,899

Note:

1. Other—This covers all expenditure on Human Resources Directorate, Fraud Investigation Services, Area Directors Support Team, Facilities Management Team, Voluntary Early Retirement and Finance and Business Development Directorate.
2. Estate Costs are charged at Area level only and are therefore included in other.

Benefit Forecasts

Mr. Alan Williams: To ask the Secretary of State for Social Security for each state benefit, if he will forecast the number of claimants and total cost by benefit for Wales for the next three years together with forecasts for *(a)* Wales's pro-rata share of the United Kingdom administration costs and *(b)* budgeted costs for the central and local administration and the branch network for facilities in Wales. [92641]

Mr. Timms: Forecasts of future expenditure and number of claimants for each Social Security benefit by country are not readily available. A breakdown by country of the future costs of administering the Department and its agencies is also not readily available.

Pensioners (Wales)

Mr. Alan Williams: To ask the Secretary of State for Social Security what were the numbers in Wales of *(a)* single pensioners and *(b)* married couple pensioners (i) in 1980 and (ii) at the latest available date. [92642]

Mr. Timms: Information is not available in the format requested. Such information as is available is as follows.

State retirement pensions are paid to individuals. Category A pension is payable on a person's own contribution record and Category B pension is paid to a married woman (or a widow) on her husband's insurance record. It is not possible to identify someone's marital status from the category of pension.

Number of people in receipt of retirement pensions in Wales November 1980 and March 1999

	November 1980	*March 1999*
Men and women	455,000	561,000
Men	160,000	206,000
Women	295,000	355,000

Notes:

1. Figures have been rounded to the nearest thousand.
2. Figures for November 1980 exclude Graduate Pension only cases.

Source:

November 1980—Pensions Computer System, 10 per cent. sample of 'live' cases.

March 1999—Pensions Strategy Computer System (PSCS), 5 per cent. sample of 'live' cases.

Stakeholder Pensions

Mr. Willetts: To ask the Secretary of State for Social Security when his Department will publish a regulatory impact assessment of the burden on employers of administering stakeholder pensions. [92850]

Mr. Timms: A regulatory impact assessment for the Welfare Reform and Pensions Bill, including the estimated effects of stakeholder pension proposals, was published when that Bill was introduced in the House of Commons on 10 February 1999. A revised assessment was issued when the Bill was introduced in the House of Lords on 21 May 1999. Copies are available in the Library.

Winter Fuel Payments

Mr. Willetts: To ask the Secretary of State for Social Security how many pensioners households were entitled to winter fuel payments in 1998–99, broken down between those in receipt of income support and others. [92854]

Mr. Timms: An estimated 7.6 million pensioner households were entitled to a payment in 1998–99, of which 1.4 million were receiving Income Support. The remaining eligible households were receiving one or more of the other qualifying benefits.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for Social Security on what date he last used a train in the course of his official duties. [92664]

Mr. Darling: On 7 July 1999, when I travelled to Leicester to visit the Braunstone Estate, a New Deal for Communities partnership.

Chief Adjudication Officer

Mr. Gardiner: To ask the Secretary of State for Social Security when he will publish the 15th annual report of the Chief Adjudication Officer; and if he will make a statement. [93204]

Mr. Darling: The report is being published today. The Chief Adjudication Officer's findings record that, in a difficult year for the Agencies, standards have in general been maintained. He is, in particular, encouraged by the fact that the Agencies continue to look for ways to effect improvements, with numerous initiatives at both the local and national level. Quite rightly the Chief Adjudication Officer has taken the opportunity to praise his own staff for their work.

The Chief Adjudication Officer welcomes the changes to decision-making and appeals that are being introduced this year. These changes will create a simpler, clearer, more accessible system.

Chief Executives will take on the Chief Adjudication Officer's responsibilities for guidance to decision-makers and monitoring and reporting on standards. They will be accountable for the quality of decision making in their agencies. The changes will help to get decisions right. If a mistake is made, it can be put right more easily. Notifications will be clearer and easier to understand.

Improvements will be made to the handling of appeals. The ending of the rigid requirement for three person tribunals means that expert resources can be better focused on the issues raised in each appeal. Appeal waiting times will be cut. A new agency will be set up to handle the administration of appeals and I will set demanding targets for clearing appeals. Some improvements have already been made. People who appeal now receive the papers at an earlier stage in the process. Record numbers of appeals were cleared last year. The backlog of oldest cases is being systematically cleared.

These changes will deliver real improvements in service to clients. Also we are preserving the essential elements of the current system. Decisions will continue to be made impartially by applying the law to the facts of each case. Clients will still have the right of appeal to an independent tribunal.

The post of Chief Adjudication Officer will disappear in November. There will be a final report for the period April 1999 to November 1999. This will be published early next year. From July to November, as the new Decision Making and Appeals system is implemented, the responsibility for monitoring and reporting on the standards of decision making within the Agencies will pass to Agency Chief Executives.

Domestic Violence (Immigration Rules)

Ms Moran: To ask the Secretary of State for Social Security (1) if he will provide public funds for those eligible under the concession to immigration rules in respect of domestic violence and the one year rule; [92466]

(2) what assessment he has made of the feasibility of reclaiming public funds from liable relatives in instances where such support may be given to those subject to the concession in the immigration rules in respect of domestic violence and the one year rule. [92469]

Angela Eagle: People who are awarded indefinite leave to remain in the United Kingdom under the concession to the immigration rules announced by the Home Secretary can claim Social Security benefits. Those people who are pursuing an application for indefinite leave under the concession will continue not to have access to the benefit system until a favourable decision has been made on their application.

Married couples are liable to maintain one another under section 78 of the Social Security Administration Act 1992. The Benefits Agency aims to pursue liable relatives for spousal maintenance wherever a separated person claims an income related benefit.

Departmental Estate (Scotland)

Ms Roseanna Cunningham: To ask the Secretary of State for Social Security, pursuant to his answer of 2 July 1999, *Official Report*, columns *305–07*, (1) if he will list the running costs including *(a)* staff costs and *(b)* payments to Trillium and Newcastle Estate Partnerships in relation to his Department's estate in Scotland; [91307]

(2) if he will list the services offered at each of the properties detailed; which are involved in the processing and assessment of entitlement to benefits; what stages of the assessment are carried out at each centre; and if he will make a statement. [91308]

Angela Eagle *[holding answer 19 July 1999]:* During the financial year 1998–99, the salaries of staff employed in Scotland amounted to £130 million. During the same period, the costs of running the estates, including payments to Trillium, amounted to £28 million. In addition the Information Technology Services Agency has two properties in Scotland, which are sub-let to Electronic Data Services Ltd. on a full cost recovery basis which includes rent paid to Trillium. It is not possible to apportion accurately the costs of centrally administered benefits and services which relate to Scotland. The Newcastle Estate Partnership is not involved in the running of DSS buildings in Scotland.

Through its network of local offices, the Benefits Agency provides a comprehensive and accessible service throughout Scotland for over 20 different social security

benefits. These offices also accept claims applications and notices of change of circumstances for centrally administered benefits.

Applicants for Child Support in Scotland are administered from the Agency Centre in Falkirk.

TRADE AND INDUSTRY

Departmental Bills

Mr. Burgon: To ask the Secretary of State for Trade and Industry what proportion of bills were paid on time by Government Departments and their agencies during the financial year 1998–99. [93427]

Mr. Byers: There has been a further improvement in the payment performance of Central Government as a whole. The majority of Departments met the previous target of paying 95 per cent. of their suppliers' bills on time.

There is no room for complacency and it is disappointing to see that a number of Departments and Agencies, including DTI, failed to meet this year's target of 97.5 per cent. I have taken steps to remind all Departments and Agencies, including DTI, of the importance of paying suppliers' bills on time and meeting the target.

The target for the 1999–2000 financial year has been increased: to pay 100 per cent. of undisputed suppliers' bills on time. It is particularly important that the public sector sets an example to business and is seen to pay its bills on time.

We are committed to improving the UK's payment culture. Late payment is a serious problem, particularly for small businesses. Not knowing when customers' bills will be paid means uncertain cashflow, increased borrowings, higher costs and reduced profits.

Government Departments and their Agencies are required to monitor their payment performance and to publish the results in their Departmental or annual reports. The following table lists, by Department, the proportion of bills paid within 30 days, or other agreed credit period, of receipt of a valid invoice for financial year 1998–1999.

Government Departments payment performance 1998–99

Percentage

Main departments	*Paid on time*
Privy Council Office	100
National Investment and Loans Office	100
Scotland Crown Office	99.9
Ministry of Defence	99.8
Government Actuary's Department	99.4
Radiocommunications Agency[1]	99.3
Office of the National Lottery	99.3
Ordnance survey	99.1
Office of Water Services (OFWAT)	99
Insolvency Service[1]	99
HM Land Registry	98.6
Office of Electricity Regulation	98.4
Registry of Friendly Societies	98.4
Intervention Board for Agricultural Produce	98.3
Office of Fair Trading	98
OFSTED	97.9
Department of Culture, Media and Sport	97.9
Foreign and Commonwealth Office	97.7
Building Societies Commission	97.5
HM Customs and Excise	97.5
Office of Telecommunications	97.3
Welsh Office	97.3
Department for Education and Employment	97.2
Inland Revenue	97.2
Public Records Office	97.1
Scottish Office	96.8
Forestry Commission	96.7
Lord Chancellor's Department (including Public Trust Office)	96.7
Department for National Savings	96.7
Home Office	96.6
Department of Trade and Industry	96.3
Office of the Rail regulator	96.3
Department for International Development	96.3
Cabinet Office	96.3
Treasury Solicitors Department	96.2
Northern Ireland Office	96.1
Crown Prosecution Service	96
Office for National Statistics	95.6
Serious Fraud Office	95.4
Royal Mint	95
Office of Passenger Rail Franchising	95
Office of Gas Supply	94.9
Export Credits Guarantee Department	94.4
Charity Commission	94.1
Health and Safety Executive[2]	94.1
Department of Health	94
Ministry of Agriculture Fisheries and Food	93.3
Department of Environment, Transport and the Regions	93.1
HM Treasury	93
Department of Social Security	91.7
Total	96.8

[1] Insolvency Service and Radiocommunications Agency are Executive Agencies of the Department of Trade and Industry.

[2] Health and Safety Executive is an Executive Agency of the Department of Environment Transport and the Regions.

Weights and Measures

Dr. Iddon: To ask the Secretary of State for Trade and Industry if he will make a statement about weights and measures. [93428]

Dr. Howells: I have today placed in the Library of the House a report by my Department on the adoption of the International System of Units—the modern version of the metric system. Copies of the report are available from the Vote Office.

Since 1965, successive Administrations have promoted the use of metric weights and measures in order to assist industry to compete in an increasingly metric global market. The debate since 1965 has been about the pace and timing of the change from imperial to metric units for specific purposes.

Metrication is now under way in the United States. Other Commonwealth countries have gone metric. The metric system has been taught in our schools since 1974. Metric units are now used by the public sector for most purposes.

The retail sector has adopted metric weights and measures gradually, for an ever-increasing range of goods. Today, more than 90 per cent. of consumer goods sold by weight or measure are sold in metric units. Under

legislation made in 1994, goods sold loose by weight—mainly fresh food—must be priced and weighed in grams and kilograms after 31 December 1999.

I am pleased to be able to announce that in response to representations from the Government and others, the European Commission has proposed that non-metric units may be used alongside metric units until 31 December 2009, pending completion of the US metrication programme. This will enable UK manufacturers and retailers, who wish to do so, to dual mark quantity and price in metric and imperial units over the next ten years. Retailers can continue to display the price per imperial unit alongside the price per metric unit. Consumers can continue to express in ounces and pounds the quantity they wish to buy. Retailers will weigh out the equivalent quantity in grams and kilograms.

The supermarket chains, which account for 80 per cent. of sales of loose goods, have started selling loose goods in metric weights. To assist small retailers and their customers with the change, DTI is publishing an information package. Further information and advice is also available from DTI's metric helpline and website.

Company Auditors

Mr. Colman: To ask the Secretary of State for Trade and Industry if he has received the 1998 annual reports of the recognised supervisory bodies for company auditors under Part II of the Companies Act 1989; and if he will make a statement. [93426]

Mr. Byers: I have received the 1998 annual reports of all the recognised supervisory bodies for company auditors, and have placed copies in the Library of the House. My Department will be discussing the contents of the reports with the bodies as necessary.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for Trade and Industry on what date he last used a train in the course of his official duties. [92657]

Mr. Byers: On 6 July 1999.

Indonesia

Mr. Cousins: To ask the Secretary of State for Trade and Industry if he will list the ECGD payments rescheduled with Indonesia since 1 May 1997; what was the size of such rescheduling; and whether any payments rescheduled related to exports of defence and security equipment and services. [92231]

Mr. Wilson: Indonesia's official creditors agreed in September 1998 to reschedule certain sovereign debt payments falling due between 6 August 1998 and 31 March 2000. The debt to be rescheduled relates to principal payments in respect of contracts entered into prior to 1 July 1997. Indonesia continues to maintain interest payments on this debt. ECGD expects to reschedule over 200 separate payments totalling around £260 million over the period, 75 per cent. of which is in respect of defence business.

Assisted Areas

Mr. John Smith: To ask the Secretary of State for Trade and Industry what representations he has received calling for the inclusion of Peterston Super Ely, Dinas Powys and Wemvoe Wards with the Vale of Glamorgan in the Tier 2 (Article 87(3)c) areas in the Government's proposals for new assisted areas. [92793]

Mr. Wills: Representations from the Vale of Glamorgan Council did not call for the inclusion of these wards.

Mr. John Smith: To ask the Secretary of State for Trade and Industry what potential development land exists in the Peterston Super Ely, Dinas Powys and Wemvoe Cyr Wards in the Vale of Glamorgan which might benefit from regional selective assistance. [92795]

Mr. Wills: This is a matter for the Vale of Glamorgan Council to consider in the context of its Development Plan.

Mr. John Smith: To ask the Secretary of State for Trade and Industry what representations he received from the Vale of Glamorgan, Cardiff and Newport county councils on the Government's proposals for new assisted areas. [92794]

Mr. Wills: My Department received two representations; one from Newport County Borough Council, the other jointly from the City and County of Cardiff Council, Newport County Borough Council and the Vale of Glamorgan Council.

Mr. John Smith: To ask the Secretary of State for Trade and Industry what criteria he used to designate the Peterston Super Ely, Dinas Powys and Wemvoe Wards in the Vale of Glamorgan as Tier 2 (Article 87(3)c) areas in the Government's proposals for new assisted areas. [92792]

Mr. Wills: The criteria are set out in the document, "The Government's proposals for new Assisted Areas". Some wards were included to provide compact contiguous connections to other proposed areas.

"Driving Productivity and Growth in the UK Economy"

Dr. Whitehead: To ask the Secretary of State for Trade and Industry if the report, "Driving Productivity and Growth in the UK Economy", has been brought to his attention. [92034]

Mr. Byers: The report, "Driving Productivity and Growth in the UK Economy", by the McKinsey Global Institute, was discussed at a set of joint DTI/HM Treasury productivity seminars in the summer and autumn of 1998. Its findings were taken into account in the framing of both the Competitiveness White Paper, "Our Competitive Future: Building the Knowledge Driven Economy", and the 1998 Pre-Budget Report.

Appointments (Quangos)

Mr. Singh: To ask the Secretary of State for Trade and Industry how many appointments to quangos he made between *(a)* 1 June 1997 and 31 May 1998 and *(b)* 1 June 1998 and 31 May 1999; and in each case of those how many were members of Britain's (i) Asian and (ii) ethnic minority communities. [92141]

Mr. Byers: Data on public appointments are not recorded centrally in the form requested. From the information we do hold centrally the details I can give in response to the request are as follows:

1 April 1997 to 31 March 1998

The total number of appointments made was 121 of which 4 (3.3 per cent.) were members of ethnic minority communities.

1 April 1998 to 31 March 1999

The total number of appointments made was 214 of which 10 (4.67 per cent.) were members of ethnic minority communities.

Full details of all the appointments made, including the identity of those appointed and the positions which they hold, are published in the Government's expenditure plans for DTI for both 1997 and 1998. Given the data that are publicly available about appointments it is not possible to disclose information that further breaks down the categories of ethnic minority appointees as to do so risks identifying individuals without their consent. Data on ethnic origin are gathered for monitoring purposes, not for disclosure leading to possible individual identification.

I also refer the hon. Member to the Department's equal opportunities goals as published, following an announcement by my hon. Friend the Parliamentary Secretary, Cabinet Office on 25 May 1999, *Official Report*, columns *116–17*, in "Quangos: Opening up Public Appointments 1999–2002". This sets out the DTI goals of achieving a year on year increase in the number of people of ethnic minority origin appointed to public bodies rising to 6 per cent. by 2002 (currently 4.4 per cent.) and an increase for the number of women appointees rising to 33 per cent. by 2002 (currently 27 per cent.).

National Assembly for Wales

Mr. Wigley: To ask the Secretary of State for Trade and Industry if he will publish, before the summer adjournment, the most recent draft of the concordats between his Department and the National Assembly for Wales. [92325]

Mr. Byers: Work on the concordats is proceeding well. We hope to be in a position to put the concordats to the Assembly Cabinet shortly. It is not our intention to publish the concordats in advance of that.

New Deal (Young People)

Mr. Bercow: To ask the Secretary of State for Trade and Industry how many individuals his Department has recruited under the New Deal for Young People. [91884]

Mr. Byers: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to the hon. Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*.

Ministerial Meetings

Mr. Matthew Taylor: To ask the Secretary of State for Trade and Industry how many times Ministers in his Department have held meetings with Ministers and officials of the Irish Government since 1 January 1998, indicating the dates and locations of each meeting, the Ministers involved and the names of the Irish Ministers and officials at each meeting. [90408]

Mr. Byers: Since 1 January 1998 DTI Ministers have held meetings with Irish Ministers on the following occasions:

Date	*Ministers*	*Venue*
Secretary of State for Trade and Industry		
25 February 1998	Mary Harney Deputy Prime Minister and Minister for Enterprise and Employment	London
Minister for Trade		
11 January 1999	Tom Kitt Minister of State at the Department of Enterprise and Trade	Dublin
Minister for Industry and Energy		
21 May 1999	Joe Jacobs Minister of State for Public Enterprise	Dublin

Irish officials attended as required by their Ministers.

Departmental Travel

Mr. Brake: To ask the Secretary of State for Trade and Industry how many kilometres have been travelled on his Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by his Department's employees; and if he will make a statement. [91026]

Mr. Byers *[holding answer 13 July 1999]:* The information on business travel is not collected in the form requested and therefore cannot be provided.

Electronic Commerce

Dr. Ladyman: To ask the Secretary of State for Trade and Industry what plans the Government have to promote electronic commerce. [93429]

Mr. Wills: The Government have set the ambitious goal of making the UK the best place in the world for electronic trading by 2002. The Government have been translating this vision into a reality, through a range of measures, culminating in today's publication of the draft Electronic Communications Bill. On 6 May 1999, *Official Report*, columns *446–47*, I announced the terms for introducing third generation mobile phones, allowing high speed mobile access to the Internet, among other things. On 5 July I launched a consultation on licensing new radio spectrum to allow broadband wireless services to be offered across the country. On 6 July Oftel announced the opening up of BT's local network to enable broadband services to be available across the country. These measures will give us world-beating broadband access.

On 22 July 1999, *Official Report*, columns 1342–55, my right hon. Friend the Secretary of State for Trade and Industry announced the White Paper "Modern Markets, Confident Consumers". It offers a new deal for

consumers, including core principles for e-commerce codes of conduct to promote consumer confidence in on-line shopping.

I am launching a consultation on the draft Electronic Communications Bill today. The draft Bill and the Government's response to the Trade and Industry Committee's recent report are published in a Command Paper—"Promoting Electronic Commerce". I have also published a summary of responses to our previous consultation. Copies of these documents have been placed in the Vote Office and are available on the DTI website at http://www/dti.gov.uk/cii/elec/ecbill.html. I am asking for comments on the draft Bill by 8 October and the Government will then introduce a Bill to Parliament in the next session.

The Bill will put in place a light-touch legal framework to allow electronic commerce to flourish. The Bill establishes conclusively that all electronic signatures, however produced and of whatever form, are admissible in Court. The Bill also provides for the modernising of the statute book, to remove legal barriers to using electronic means, as an alternative to pen and paper. The power will help modernise dealings with Government and allow the electronic option for other transactions constrained by statute. The Bill will do this by giving the relevant Minister the power to amend existing legislation by Statutory Instrument.

I am pleased to announce that the DTI intends to use this power to amend the Companies Act 1985 to enable companies to use electronic means to deliver company communications, including sending annual reports to shareholders, to receive shareholder proxy and voting instructions and to incorporate. Savings on the printing and distribution of Annual Reports and accounts alone could amount up to £10 for every shareholder who participates.

The Bill will promote confidence in electronic signature and other cryptography services. Such services allow people to ensure that their credit card details and other personal information cannot be read by others when they shop on-line. They allow businesses to protect their intellectual property and stop sensitive information being read by competitors. They will also, by allowing the verification of who is at the other end of an electronic communications, give confidence to those conducting business with companies they have not dealt with before. An approval scheme, for those delivering these services, would build trust, both in the technology and the bodies offering it, by ensuring that minimum standards of quality and service are met.

The Government have been working closely with the Alliance for Electronic Business who are leading the development of a non-statutory, self-regulatory scheme. Such a scheme bringing together providers and users, including consumers, should offer a more flexible and effective way of meeting the Government's objectives than a statutory scheme. The Alliance's scheme is still in its infancy, so the draft Bill proposes to take powers to set up a statutory voluntary scheme by secondary legislation. The Government will only use these powers should the industry fail to work out a suitable model for self-regulation consistent with our e-commerce and law enforcement interests.

In seeking to promote electronic commerce, it is also vital that the Government ensure that the ability of the agencies tasked with combating crime and threats to national security is not critically undermined by criminal use of the very technologies, such as encryption, which are needed to make the electronic commerce revolution happen, and which the Bill seeks to promote. By way of addressing this threat, the proposed Bill establishes new powers to enable the agencies to require the surrender of decryption keys or specified data in an intelligible form in response to the service of a properly authorised written notice. The powers will operate on a case by case basis and will only apply to material which itself has been, or is being, lawfully obtained. The procedures contain strong safeguards. The Bill also establishes oversight and complaints mechanisms covering use of the new powers.

The Bill will also introduce a more flexible process for amending existing Telecommunication Act 1984 licences, a deregulatory measure which will reduce the need for costly references to the Competition Commission.

The Bill will be a light-touch framework for facilitating electronic commerce, building on the UK's traditional strengths including our history as a trading nation, our dynamic IT industries, the City, the English language, our framework of commercial law, our inventiveness and our competitive telecommunications environment.

LORD CHANCELLOR'S DEPARTMENT

Ministerial Travel

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department on what date *(a)* he and *(b)* the Lord Chancellor last used a train in the course of their official duties. [92662]

Mr. Vaz: In accordance with the terms of the Ministerial Code, Ministers are required always to make efficient and cost-effective travel arrangements. Trips in and around London, which account for the majority of my working week, will normally be made by Government Car. Since being appointed Parliamentary Secretary on 17 May I have not had reason to travel by train in the course of my official duties. The Lord Chancellor last used a train on Friday 16 July when he travelled to Cambridge to speak at the Canadian Institute for Advanced Legal Studies Annual Conference.

Magistrates Courts

Mrs. Organ: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Government intend to publish the Annual Report of the Chief Inspector of the Magistrates Courts Service; and if he will make a statement on the modernisation of magistrates courts. [93262]

Mr. Vaz: Copies of the Chief Inspector's Annual Report have today been placed in the Library of both Houses. The Annual Report records the significant achievements of the local Magistrates Courts Committees in rising to the challenges of this Government's modernisation agenda.

The programme of amalgamating local Courts Committees to align their boundaries with others in the criminal justice system is on tract, leading to better

planning and communication between agencies; and local Courts Committees are becoming more accountable and more business like in their approach to performance management and improving the efficiency of their administration of the courts.

The Chief Inspector highlights areas for improvements in the future. The Lord Chancellor's Department is providing the national framework to support Committees in their administration of local justice into the next millennium. Local Committees have, for the first time, been set performance targets in a Public Service Agreement for 1999–2000. The Lord Chancellor has increased their accountability to their local community by requiring Committees to produce an Annual Report covering key areas of performance.

The Access to Justice Bill provides new powers for the Lord Chancellor to introduce a Code of Conduct for Committee members, maintaining the highest standards in public life. The Lord Chancellor has also taken powers to ensure that specific recommendations made by the Inspectorate are implemented, intervening where the service provided in an area is falling short.

EDUCATION AND EMPLOYMENT

Maths Examinations (Special Needs)

Mr. Boswell: To ask the Secretary of State for Education and Employment what special arrangements will be made for those required to sit a maths paper for which the use of calculators is forbidden at GCSE who suffer from dyslexia or other specific difficulties. [92728]

Mr. Mudie: Special arrangements are operated by the examining boards with special needs. The special arrangements provide for additional examination time to be made available to candidates with dyslexia and other learning difficulties giving them more time to read the paper and to plan and correct their answers.

University Engineering Courses

Mr. Crausby: To ask the Secretary of State for Education and Employment how many students are currently taking engineering courses at universities in the United Kingdom; and if he will make a statement. [92289]

Mr. Mudie: Figures for 1998–99 show there are approximately 120,000 people sudying engineering and technology subjects in UN universities.

The Government recognise the importance of engineering and technology to he UK economy, place high value on education in these disciplines and are seeking to encourage more people to study in these areas.

Bolton Schools (Damage)

Mr. Crausby: To ask the Secretary of State for Education and Employment how many schools in the Bolton area were damaged by *(a)* vandalism and *(b)* arson during each of the last five years; what was the cost to the education authority of this damage; if he will make a statement. [92287]

Ms Estelle Morris: Most schools in Bolton have been subject to some form of vandalism such as broken windows and guttering over the last three years. Some 50 arson attacks have been reported over the last five years with some schools being subjected to more than one incident.

Bolton LEA have provided the available information on the cost to the Authority of vandalism and arson attacks:

£

Year	*Vandalism*	*Arson*
1998–99	32,518	275,000
1997–98	46,748	239,000
1996–97	45,820	829,000
1995–96	[1]—	74,000
1994–95	[1]—	53,000

[1] not available

Since 1997–98 the Government has made funding available to support measures to improve security in schools, including measures to reduce the incidence of crime against schools. In the last three years Bolton LEA has had over £370,000 of support from Government grant and the LEA's own contributions for expenditure on school security measures. This is in addition to the continuing revenue and capital spending by the LEA and school on school security. The decisions about detailed arrangements for the distribution of the grant and for assessing needs in individual schools will be for the LEA, on the basis of risk assessments undertaken in individual schools. This should reflect priorities in school and LEA security strategies.

Teachers (State Schools)

Mr. Crausby: To ask the Secretary of State for Education and Employment how many people aged 40 years and over have trained since 1994 to become teachers and are now employed in state schools; and if he will make a statement. [92290]

Ms Estelle Morris: The table shows teachers who qualified in 1994, 1995 and 1996, when aged 40 or above, and those in service in the maintained nursery, primary, secondary and special sector in England and Wales at 31 March 1997.

	Year qualified		
	1994	*1995*	*1996*
Total qualifiers[1,2]	1,850	2,190	1,970
In service in the maintained schools sector[2]			
Full-time	920	1,000	850
Part-time	130	190	160
Full-time and part-time	1,050	1,190	1,010

[1] Includes those for whom service details are not recorded; entrants to the 'old' university sector; entrants to the independent sector; entrants to part-time service outside the maintained nursery, primary and secondary sector who are not in the TPS.

[2] Data are provisional. The numbers shown as in service will increase as a result of late receipt of annual service returns.

Concordat (Wales)

Mr. Wigley: To ask the Secretary of State for Education and Employment if he will publish, before the

summer adjournment, the most recent draft concordat between his Department and the National Assembly for Wales. [92332]

Mr. Mudie: Work on the concordat is proceeding well. We hope to be in a position to put a draft concordat to the First Secretary of the National Assembly for Wales shortly. We do not intend to publish the concordat in advance of that.

Teachers (Retirement)

Mr. Alan Campbell: To ask the Secretary of State for Education and Employment how many *(a)* primary and *(b)* secondary school teachers took early retirement in each year since 1993. [91931]

Ms Estelle Morris: The following table shows early retirement from the maintained nursery, primary and secondary sector, England and Wales, in financial years 1992–93 to 1998–99.

	Nursery/primary		*Secondary*		*Nursery, primary and secondary*	
Financial year	*Premature*	*Ill-health*	*Premature*	*Ill-health*	*Premature*	*Ill-health*
1992–93	3,370	2,110	4,120	1,760	7,480	3,870
1993–94	3,490	2,350	4,800	2,270	8,290	4,610
1994–95	3,450	2,670	3,870	2,290	7,320	4,960
1995–96	3,800	2,600	4,910	2,270	8,710	4,870
1996–97	4,900	2,810	5,360	2,350	10,260	5,160
1997–98	5,730	1,830	6,370	1,560	12,100	3,390
1998–99	1,040	1,160	1,370	1,010	2,410	2,170

[1] 1998–99 data are provisional

Pupil Exclusions

Mr. Love: To ask the Secretary of State for Education and Employment how many *(a)* primary and *(b)* secondary school pupils have been (i) temporarily and (ii) permanently excluded from school; and what proportion of each were from ethnic minorities in each London borough over the last five years. [91784]

Mr. Charles Clarke: Information on fixed period exclusions is not held centrally. However, in the autumn, my Department will begin collecting this information for the current school year, 1998–99. Information available on permanent exclusions is shown in the table.

Number of permanent exclusions, maintained primary and secondary schools in the London Boroughs 1995/96–1997/98

	1995–96			
	Primary		*Secondary*	
Borough	*Total exclusions*	*Percentage Ethnic minorities*[1]	*Total exclusions*	*Percentage Ethnic minorities*[1]
City of London	0	0	0	0
Camden	6	83	41	46
Greenwich	17	35	71	45
Hackney	11	91	25	84
Hammersmith and Fulham	9	56	55	64
Islington	13	46	58	52
Kensington and Chelsea	8	88	19	53
Lambeth	11	91	45	69
Lewisham	16	63	59	64
Southwark	13	54	71	73
Tower Hamlets	8	38	44	61
Wandsworth	9	89	85	71
Westminster	5	60	66	73
Barking	17	24	50	16
Barnet	10	40	67	43
Bexley	8	0	52	8
Brent	5	80	103	84
Bromley	8	0	101	26
Croydon	12	17	101	51
Ealing	14	57	80	69
Enfield	3	67	89	39
Haringey	2	46	41	95
Harrow	5	0	59	47
Havering	3	0	69	3
Hillingdon	9	22	58	14
Hounslow	11	27	74	45
Kingston upon Thames	4	0	34	9
Merton	8	63	39	31
Newham	4	50	38	45
Redbridge	3	67	29	41
Richmond upon Thames	3	0	47	19
Sutton	7	0	23	9
Waltham Forest	11	55	101	55

1996–97

Borough	Primary		Secondary	
	Total exclusions	Percentage Ethnic minorities [1]	Total exclusions	Percentage Ethnic minorities [1]
City of London	0	0	0	0
Camden	9	44	55	44
Greenwich	17	41	61	51
Hackney	14	71	26	85
Hammersmith and Fulham	17	71	50	64
Islington	12	58	33	70
Kensington and Chelsea	6	50	18	61
Lambeth	7	57	54	83
Lewisham	10	60	43	65
Southwark	18	72	71	69
Tower Hamlets	8	38	52	75
Wandsworth	11	73	66	64
Westminster	6	50	49	65
Barking	18	22	71	14
Barnet	9	22	81	41
Bexley	11	9	48	10
Brent	8	88	89	87
Bromley	6	67	91	15
Croydon	21	38	110	55
Ealing	6	50	83	58
Enfield	6	67	94	39
Haringey	5	80	41	66
Harrow	5	0	54	48
Havering	6	0	50	10
Hillingdon	3	0	57	7
Hounslow	13	38	84	42
Kingston upon Thames	3	67	29	14
Merton	5	20	16	44
Newham	7	43	32	44
Redbridge	3	33	29	55
Richmond upon Thames	5	0	53	19
Sutton	3	67	32	13
Waltham Forest	8	38	92	61

1997–98

Borough	Primary		Secondary	
	Total exclusions	Percentage Ethnic minorities [1]	Total exclusions	Percentage Ethnic minorities [1]
City of London	0	0	0	0
Camden	11	36	34	56
Greenwich	8	38	48	38
Hackney	22	77	21	76
Hammersmith and Fulham	12	83	39	59
Islington	8	38	38	55
Kensington and Chelsea	5	80	33	48
Lambeth	15	73	40	85
Lewisham	22	86	50	66
Southwark	15	67	76	78
Tower Hamlets	5	40	39	67
Wandsworth	10	60	59	64
Westminster	3	33	60	68
Barking	9	22	38	16
Barnet	8	38	65	48
Bexley	11	9	59	10
Brent	7	100	90	82
Bromley	10	30	83	17
Croydon	17	41	85	42
Ealing	11	73	71	61
Enfield	10	40	74	47
Haringey	5	0	38	84
Harrow	5	20	50	64
Havering	4	25	66	8
Hillingdon	3	0	52	25
Hounslow	8	13	61	31
Kingston upon Thames	0	0	27	15
Merton	4	0	32	47
Newham	12	50	42	52
Redbridge	5	40	29	62

Borough	1997–98 Primary: Total exclusions	Primary: Percentage Ethnic minorities[1]	Secondary: Total exclusions	Secondary: Percentage Ethnic minorities[1]
Richmond upon Thames	1	0	53	21
Sutton	6	17	37	14
Waltham Forest	10	50	76	54

[1] Ethnic minorities include black Caribbean, black African, black other, Indian, Pakistani, Bangladeshi, Chinese and any other ethnic group.

New Deal (Young People)

Mr. Bercow: To ask the Secretary of State for Education and Employment how many individuals his Department has recruited under the New Deal for Young People. [91890]

Mr. Andrew Smith: As at 1 July 1999 the Department for Education and Employment had recruited 13, and the Employment Service 362, young people through the New Deal for Young People.

I would also refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Slough (Fiona Mactaggart) on 25 May 1999, *Official Report*, column *116*.

Education Initiatives

Mr. Don Foster: To ask the Secretary of State for Education and Employment, pursuant to his answer of 28 June 1999, *Official Report*, columns *56–58*, on education initiatives, if he will list for each initiative, the amount spent by his Department on external consultants and advisers. [91820]

Ms Estelle Morris *[holding answer 21 July 1999]:* The amounts spent by the Department of Education and Employment on external consultants and advisers for the initiatives listed in columns *56–58*, are given in the following table. The amounts spent on School Leadership include the cost of consultants previously contracted by the Teacher Training Agency to design the model for the delivery of the Leadership Programme for Serving Headteachers (LPSH), provide trainers to run the pilot programme, and to train over 170 trainers for the full LPSH programme. The figures for the literacy and numeracy strategies include the services of two National Directors, to provide advice on the strategic policy development of the two strategies, and the cost of Regional Directors to aid in the support, monitoring and implementation of the strategies by local education authorities, including the professional development of local education authority staff and teachers.

Amounts spent on external consultants and advisers

£

DfEE Specific Grant	1998–99	1999–2000	Total
School Effectiveness/Improvement	—	—	0
Induction for Newly-Qualified Teachers	—	–	0
Baseline Assessment	—	Part of School Improvement Grant	0
National Curriculum Assessment	—	Part of School Improvement Grant	0
Effective use of National Curriculum Results	—	Part of School Improvement Grant	0
School Leadership	1,953,363	2,913,770	4,867,133
Advanced Skills Teachers	—	—	0
Local Recruitment Measures	—	—	0
Early Years Training and Development 4 year olds	—	—	0
Early Years Training & Development 3 year olds	—	—	0
Early Excellence Centres	—	5,000	5,000
National Literacy Strategy—Primary	—	—	0
National Numeracy Strategy—Primary	—	—	0
National Numeracy Strategy—Key Stage 3	—	—	0
Summer Numeracy Schools	—	—	0
Total literacy and numeracy strategies	841,000	1,321,000	2,162,000
Summer Literacy Schools and Key Stage 3 Literacy	10,000	—	10,000
Playing for Success	—	—	0
Family Literacy	—	—	0
Family Numeracy	—	—	0
Local Authority Lifelong Learning Development Plans	—	—	0
Qualifications	—	—	0
Work Related Learning	—	—	0
Special Educational Needs	64,528	127,204	191,732
Social Inclusion: Pupil Support	—	100,000	100,000
Drug Prevention	—	—	0
Youth Service	—	—	0
National Grid for Learning	55,000	154,000	209,000
School Security	—	—	0
Beacon Schools	—	80,000	80,000
Specialist Schools	—	—	0
Education of Traveller & Displaced Persons	—	—	0
Expanding Central Music Services	—	—	0

Amounts spent on external consultants and advisers

£

DfEE Specific Grant	*1998–99*	*1999–2000*	*Total*
Protecting Central Music Services	—	—	0
Ethnic Minority Pupil Achievement	—	—	0
Access Fund for pupils aged 16–19 in schools	—	—	0
Year 6 Booster Classes	—	—	0
Asset Management Plans	—	—	0
Health Education Partnerships: Pilot projects	6,382	54,476	60,858
Numeracy Consultants & Leading Maths Teachers	—	—	0
Portable CD Rom Systems for SEN Coordinators	—	—	0
Books for Schools	—	—	0
Childrens Parliament	—	—	0
Reduction of Infant Class Sizes (Revenue)	—	—	0
Removal of Outside Toilets	—	—	0
Energy Management	—	—	0
New Deal for Schools	—	—	0
Reduction of Infant Class Sizes (Capital)	—	—	0
Education Action Zones	—	219,000	219,000
Nursery Education Grant	—	—	0
Total	2,930,273	4,974,450	7,904,723

Notes:
1. Spending on the literacy and numeracy strategies cannot be separated
2. Figures for School Leadership include significant amounts for training and coaching rather than general advisory work

School Playing Fields

Mr. Spring: To ask the Secretary of State for Education and Employment, pursuant to his answer of 13 July 1999, *Official Report*, column *167*, on school playing fields, what was the research carried out by the Central Council of Physical Recreation which was used by his Department. [92128]

Mr. Charles Clarke: The research referred to in my Answer of 13 July consisted of two national surveys carried out by the Central Council of Physical Recreation and reported in their September 1984 publication, "Sports Fields at Risk." This research found that 3,630 acres of recreational land were subject to disposal. This is equivalent to approximately 5,000 playing fields.

The research also noted that the actual number of school playing fields which have been lost to sport and recreation over the years is likely to be higher than this figure.

DEFENCE

Territorial Army

Mr. Evans: To ask the Secretary of State for Defence (1) which TA recruitment centre has the lowest level of recruitment in Wales; [82269]

(2) which TA centres in Wales have the highest levels of *(a)* recruitment and *(b)* retention. [82270]

Mr. Doug Henderson *[holding answer 27 June 1999]:* I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for Defence how many parliamentary questions have been tabled to his Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87321]

Mr. Spellar: According to our records 129 written Parliamentary Questions were tabled to my Department for answer on a named day between 15 April and 15 June. Of these, 50 per cent. received a substantive response on that day.

Ministerial Meetings

Mr. Matthew Taylor: To ask the Secretary of State for Defence on how many occasions Ministers in his Department have held meetings with Ministers and officials of the Irish Government since 1 January 1998 indicating the dates and locations, the Ministers involved and the names of the Irish Ministers and officials in each case. [87429]

Mr. George Robertson: My hon. Friend the Parliamentary Under-Secretary of State received a farewell call from Lt Gen Gerald McMahon, Chief of Staff, Irish Defence Force, on 10 August 1998.

Disabled People (Employment)

Mr. Key: To ask the Secretary of State for Defence (1) if he will make a statement on his policy on the employment of disabled people in the armed forces; [88368]

(2) how many registered disabled people work in *(a)* civilian and *(b)* uniformed posts in the Ministry of Defence; and if he will make a statement. [88367]

Mr. Doug Henderson *[holding answer 28 June 1999]:* My Department and its agencies employ some 3,780 civilian staff who have declared a disability or a long-term health condition in response to disability monitoring surveys. This represents some 3.7 per cent. of the total civilian workforce.

Data about registered disabled people are no longer requested in surveys because the register of disabled persons ceased to have effect with the introduction of the

Disability Discrimination Act 1995. We fully recognise the valuable contribution disabled people can make towards the achievement of defence objectives and, as part of our efforts to increase their representation in our civilian workforce, we have a three-year programme of action in place aimed at improving our performance as an employer of people with disabilities.

Members of the Armed Forces are exempt from the employment provisions of the Disability Discrimination Act. Disability or a history of disability is not compatible with the need for a combat effective fighting force, able to undertake a full range of military operations anywhere in the world. Service personnel disabled during the course of duty are, depending on circumstances, allowed to continue to serve as long as such service will not undermine overall combat effectiveness. This approach reflects the Services' duty of care to the individual and allows them to benefit from the individual's experience and ensure a return on their training investment.

Army (Medical Refusals)

Lorna Fitzsimons: To ask the Secretary of State for Defence if he will list the medical grounds on the basis of which admission to the Army may be refused; and if he will give the reasons in each case. [90420]

Mr. Doug Henderson: The Army, in common with the Naval Service and the Royal Air Force, applies medical standards that entrants must meet. I am placing a copy of the medical standards in the Library of the House.

Medical selection criteria are imposed to ensure, as far as possible, the ability of recruits to undertake military training and to operate in all Service environments, many of which may be hostile. Furthermore, the armed forces have a duty of care to avoid causing deleterious effects on any pre-existing condition which would be detrimental to the long term health and welfare of the individual. The bar on certain medical conditions also exists to minimise any liabilities which could arise from allowing individuals with known medical conditions into environments which have a high risk of adverse outcome for them.

Service Personnel (Council Tax)

Mr. Key: To ask the Secretary of State for Defence if he will set out the regulations for payment of council tax by service personnel; and if he will make a statement. [91569]

Mr. Doug Henderson: Service personnel living in private accommodation pay council tax under the same arrangements as civilians.

When occupying service accommodation service personnel pay my Department a Contribution in Lieu of Council Tax (CILOCT) as part of their accommodation charge. My Department then pays the relevant local authority an annual sum equivalent to the council tax for properties of the type occupied.

These arrangements have been put in place to minimise administration for local authorities and individuals, that would otherwise be necessary in view of the fact that service personnel and their families are often necessarily obliged to move house to meet service obligations.

Leave Entitlement

Mr. Key: To ask the Secretary of State for Defence what new regulations he has introduced about leave entitlement following postings outside the UK; and if he will make a statement. [91567]

Mr. Doug Henderson: On 19 July we announced the rationalisation of our forces in Kosovo, and are also introducing a number of welfare enhancements for personnel serving on operations in the Balkans and elsewhere. Among these is a guaranteed period of leave when personnel return from operational detachment. In the case of the Army, for instance, personnel who have completed a six month detachment will receive 20 working days post operational tour leave over and above their normal leave allowance.

Personnel in the other services will also be given extra time off, the period being governed by the time spent on detachment and the conditions under which they have worked. This will ensure that personnel returning from operations can spend time with their families and be fully rested before undertaking further duties.

Gender Impact Assessment

Jackie Ballard: To ask the Secretary of State for Defence if he will list the subject of each gender impact assessment drawn up by his Department since June 1997, stating in each case whether the outcome has been *(a)* put out to consultation and *(b)* published. [91686]

Mr. Spellar: I refer the hon. Member to the answer given by my right hon. Friend the Minister for Women, on 14 July 1999, *Official Report, House of Lords,* column *636.*

As part of the Government's commitment to ensuring that its policies are relevant to the lives that people live today, my Department is working closely with the Women's Unit to develop good practices for carrying out gender impact appraisal.

We have no historical records of gender impact assessments undertaken to date.

Future Large Aircraft

Mr. Cohen: To ask the Secretary of State for Defence what factors he will take into account in his decision on the procurement of a future large aircraft capability; and if he will make a statement. [92083]

Mr. George Robertson: As with all defence procurement projects, we will be taking a range of factors into account when making a decision on our future strategic airlift capability. These include performance, long-term cost effectiveness and industrial implications.

Nuclear Materials (Transport)

Mr. Jim Cunningham: To ask the Secretary of State for Defence what arrangements the Government have made to monitor the transport of nuclear materials *(a)* in the European Union and *(b)* internationally. [91694]

Mr. Doug Henderson *[holding answer 20 July 1999]:* My Department monitors all movements of defence nuclear materials, for which it is responsible. All movements of such materials are carried out by fully trained and equipped personnel in accordance with the highest standards of safety and security.

Sites of Special Scientific Interest

Mr. Baker: To ask the Secretary of State for Defence if he will list the Ministry of Defence sites that were surveyed by English Nature in the 1994 national Sites of Special Scientific Interest sample survey of lowland heathland, indicating in each case the condition and area of the site. [92212]

Mr. Spellar: The national Sites of Special Scientific Interest (SSSI) sample survey of lowland heathland was one of several pilot surveys undertaken by English Nature to develop a methodology for determining the condition of habitats on SSSIs, based on a sample of sites. The sample survey undertaken in 1994 and 1995 covered 93 lowland heathland SSSIs out of a possible 385 sites.

A number of sites owned or used by the Ministry of Defence (MOD) were included in this survey.

SSSI name	*Site name*	*Condition assessment*
West Lizard, Cornwall	Predannack	Favourable
Ham Common, Dorset	Hamworthy (Poole)	Unfavourable: no change
Hurn Common, Dorset	Hurn (St. Leonards)	Unfavourable: declining
Eelmoor Marsh, Hampshire	Farnborough	Unfavourable: no change[1]
Sutton and Hollesley Heaths, Suffolk	Woodbridge	Unfavourable: no change
Grimes Graves, Norfolk	Stanford	Unfavourable: declining
Kelling Heath, Norfolk—2 locations	Stanford	i. Unfavourable: recovering ii. Unfavourable: declining

[1] In 1998, the Defence Evaluation Research Agency Farnborough Conservation Group received an English Nature SSSI award for commitment to the positive management of the Eelmoor Marsh SSSI.

RAF Scampton

Mr. Colvin: To ask the Secretary of State for Defence what are his plans for the future of RAF Scampton. [92468]

Mr. Doug Henderson: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Naval Dockyards

Mr. Hancock: To ask the Secretary of State for Defence what is the (i) name, (ii) length, (iii) weight, (iv) type, and (v) displacement of the largest ship to have docked at the *(a)* Portsmouth Naval Base and Dockyards, *(b)* Rosyth Dockyard and *(c)* Devonport Dockyard; and if he will make statement. [92372]

Mr. Doug Henderson: The information requested is in the table. Accurate records are available only for the last 15 years.

	Name	*Length (metres)*	*Weight/ Displacement (tons)*	*Type*
Portsmouth Naval Base/Dockyard[1]	USS Iowa	270	57,000	Battleship
Devonport Naval Base[2]	RFA Brambleleaf	170	40,870	RFA (Royal Fleet Auxiliary)
Devonport Dockyard	HMS Invincible	209.1	20,600	Aircraft Carrier
	HMS Illustrious	209.1	20,600	Aircraft Carrier
	RFA Bayleaf	170.7	37,747	RFA
	RFA Orangeleaf	170.7	37,747	RFA
Rosyth Dockyard	HMS Ark Royal	209.1	20,600	Aircraft Carrier
	RFA Brambleleaf	170	40,870	RFA

[1] Portsmouth Dockyard ceased to be a fully fledged dockyard in 1984. The Fleet Maintenance Repair Organisation (FMRO) became its successor organisation. FMRO Portsmouth transferred to commercial management on 28 February 1998.
[2] Information for Devonport Naval Base has been included for completeness.

Royal Tournament

Mr. Bob Russell: To ask the Secretary of State for Defence, pursuant to his answer of 19 July 1999, *Official Report*, column *426*, on the Royal Tournament, when the first Military Festival to be performed in Colchester is planned to take place; and how many performances there will be. [92630]

Mr. George Robertson: The first military festival will be based on the Royal Navy's Festival of the Sea to be held in 2001 at Portsmouth. No decision has yet been taken as to where it will be held thereafter.

Mr. Bob Russell: To ask the Secretary of State for Defence, pursuant to his answer of 19 July 1999, *Official Report*, column *426*, on the Royal Tournament, what will be the principal differences between the Military Tattoo to be staged at Horse Guards Parade and the Military Festival to be held outside London. [92628]

Mr. George Robertson: The new military tattoo will be an evening event on Horse Guards Parade in London. It will build on the traditions of the Royal Tournaments, involving ceremonial, massed bands and pageantry. The new military festival will be an all-day experience, enabling spectators to see a wide range of military

activities, view the latest military equipment, meet personnel and participate in interactive displays. It will be held at varying locations outside London, starting in 2001 at Portsmouth.

TREASURY

Landfill Tax

Mr. Livsey: To ask the Chancellor of the Exchequer what revenue his Department has received from the landfill tax in each of the last five years. [92025]

Ms Hewitt: The information requested can be found in the Office for National Statistics publication "Financial Statistics". Table 2.1D "Customs and Excise taxes" shows figures for receipts from landfill tax.

Landfill tax was introduced on 1 October 1996.

Social Security Contributions

Mr. Alan Williams: To ask the Chancellor of the Exchequer what are the forecast levels of social security contributions for *(a)* the United Kingdom and *(b)* Wales, for each of the next three years. [92643]

Dawn Primarolo: The Budget forecast for social security contributions in 1999–2000 in the United Kingdom is £55.7 billion. The figure is shown in Table B10 of the Budget 1999 Financial Statement and Budget Report. Forecasts of social security contributions as a percentage of GDP for subsequent years up to 2003–04 are shown in Table B9 of the same publication. The corresponding forecasts of money GDP are shown in Table B4. Separate figures for Scotland and Wales are not available.

NIRS2

Mr. Webb: To ask the Chancellor of the Exchequer if he will estimate the amount which has been paid by his Department since April 1998 in compensation for delays to payment of age-related rebates of national insurance contributions arising from problems with the NIRS2 computer system. [92482]

Dawn Primarolo *[holding answer 22 July 1999]:* Responsibility for the NIRS computer system transferred from the Department of Social Security to the Inland Revenue on 1 April 1999.

The estimate for the amount of additional payments, since April 1998, for delays to payment of age-related rebates of national insurance contributions arising from problems with the NIRS2 computer system is £32.7 million.

Mr. Webb: To ask the Chancellor of the Exchequer if he will estimate the final total cost to the Exchequer of the problems associated with the NIRS2 computer system. [92483]

Dawn Primarolo *[holding answer 22 July 1999]:* Responsibility for the NIRS2 computer system transferred from the Department of Social Security to the Inland Revenue on 1 April 1999.

The estimated cost of additional payments to 1 July 1999 is £34.686 million. This includes additional payments to Pension Providers for the delay in the payment of age related rebates (£32.7 million).

Other additional payments (£76,000) have been made to individuals and corporate customers in relation to minor difficulties they have encountered with NIRS2.

Compensation paid to benefit recipients by the Department of Social Security amounted to £1.85 million at 1 July 1999.

Costs associated with contingency processing plans, contingency arrangements and the provision of information have been met from the existing administration budgets of both the DSS and IR.

The present programme of work, to deal with backlogs, is intended to avoid the need for such payments or keep them to a minimum.

Contributions Agency

Mr. Sarwar: To ask the Chancellor of the Exchequer how many staff at the Contributions Agency aged 60 years or over have been required to retire since April. [92200]

Dawn Primarolo: Between 1 April and 31 July 1999, 126 former Contributions Agency staff are due to retire, 18 at 60 and 108 after service beyond 60.

Mr. Sarwar: To ask the Chancellor of the Exchequer what changes have been made to the terms and conditions affecting Contributions Agency staff aged 60 years or over since April. [92201]

Dawn Primarolo: The normal retirement age for Contributions Agency (CA) staff was 60, and staff of the Inland Revenue also have a normal retirement age of 60. During negotiations on the terms and conditions of service on which agency staff would join the Revenue, the Revenue promised to honour the transitional arrangements the CA had agreed when it changed its retirement policy. Accordingly, the Revenue agreed to honour all extensions of service to 31 July 1999. This was part of the [redacted]le terms and conditions package published to CA staff in February 1999 and accepted by a majority vote in the subsequent ballot.

Earnings Statistics

Mr. Crausby: To ask the Chancellor of the Exchequer how many *(a)* weekly and *(b)* monthly paid people in the United Kingdom, are estimated to earn in excess of *(a)* £20,000 *(b)* £25,000 and *(c)* £50,000 per annum. [92286]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. David Crausby, dated 23 July 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on earnings in the United Kingdom.

The New Earnings Survey (NES) is based on a one per cent sample of employees in the PAYE system and is therefore likely to under-represent relatively low paid staff earning below the tax

threshold and in particular those who work part-time. However, this limitation is unlikely to affect those earning above £20,000 per annum.

The attached table gives estimates of the percentage of weekly and monthly paid employees in the UK with earnings above the specified thresholds.

Employees on adult rates, who have been in the same job for at least twelve months

Gross annual pay (£)

	Percentage earning over		
	£20,000	*£25,000*	*£50,000*
Full-time			
Weekly paid	16.6	5.9	0.1
Monthly paid	43.4	25.4	3.6
Part-time			
Weekly paid	1.5	0.8	0.0
Monthly paid	4.3	2.3	0.3
All			
Weekly paid	12.6	4.5	0.1
Monthly paid	35.3	20.6	2.9

Source:
New Earnings Survey, April 1998 (UK)

Limb Deficiency

Mr. Oaten: To ask the Chancellor of the Exchequer what statistics his Department collects on the number of children born with limb deficiency; and if he will list the figures for the last three years. [92306]

Ms Hewitt *[holding answer 22 July 1999]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Mark Oaten, dated 23 July 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question on limb deficiency.

The ONS collects information through the National Congenital Anomaly System. This system, which is voluntary at all stages, has been monitoring congenital anomalies in England and Wales since 1964. The primary purpose of this system is to detect changes in the frequency of reporting of any particular anomaly rather than trying to estimate the prevalence at birth.

The following table shows babies notified with limb reduction defects*, numbers and rates per 10,000 live and stillbirths, England and Wales 1995–1997.

	Number	*Rate*
1995	191	2.9
1996	195	3.0
1997	135	2.1

* International Classification of Diseases 10th revision Q71-Q73.
Note:
Data as at 20 July 1999
Source:
National Congenital Anomaly System

Population Statistics

Mr. Yeo: To ask the Chancellor of the Exchequer what percentage of the population in each parliamentary constituency live in settlements of less than 10,000 people. [92725]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Tim Yeo, dated 23 July 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your question asking what percentage of the population in each parliamentary constituency live in settlements of less than 10,000 people.

Mid-year population estimates are not compiled for areas such as parliamentary constituencies or smaller settlements. The lowest level at which these are available is the local authority level.

ENVIRONMENT, TRANSPORT AND THE REGIONS

M6 (Markings)

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what is the purpose of the new markings set out in the manner of a Vernier scale on the M6 motorway. [92502]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to the hon. Member.

Letter from Peter Nutt to Mr. Bernard Jenkin, dated 23 July 1999:

The Transport Minister, Glenda Jackson, has asked the Chief Executive of the Highways Agency, Lawrie Haynes, to reply to your recent Parliamentary Question about markings on the M6 motorway. I am replying on Lawrie's behalf in his absence.

The markings are put down on the carriageway when speed cameras are used on major maintenance schemes to help enforce a temporary 50mph speed limit. They enable the police to calculate traffic speeds that can then be used to back up recorded radar measurements.

Although the markings in themselves do not represent a hazard and the police do not object to their remaining on the carriageway, we do try to remove them once the work has been completed. However, where the new type of low noise thin surfacing is used, it is difficult to remove the markings without damaging the surface. For future projects we are trying a new type of removable paint which when applied to the marking allows them to be washed away.

If you need any further information, please contact the Agency's Route Manager, Howard Woolley at Sunley Tower, Piccadilly Plaza, Manchester M1 4BE—Tel: 0161 930 5680.

House Builders

Mr. Wyatt: To ask the Secretary of State for the Environment, Transport and the Regions on how many occasions the NHBC has taken court action against *(a)* Redrow and *(b)* other house builders over the past five years. [92496]

Mr. Raynsford: The NHBC is an independent private sector company and, with the exception of certain housing statistical returns provided by its subsidiary, NHBC Building Control Services Ltd., it does not report to my right hon. Friend on its day-to-day operations.

Conservation Areas

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government have taken to ensure the favourable conservation status of special areas of conservation. [92797]

Mr. Meale: The Conservation (Natural Habitats, &c.) Regulations 1994 transpose the requirements of the EC Habitats Directive in England, Scotland and Wales. The Directive requires that member states should nominate Special Areas of Conservation (SACs) which are the best areas to represent the range and variety of the habitats and species identified by the Directive.

The Government have recently announced that a virtually complete list of 340 wildlife sites nominated for special protection as candidate SACs under the Habitats Directive has been submitted to the European Commission.

It is a matter of Government policy that the Regulations should be applied to candidate sites as if the sites were already designated, and they are given the full protection of the Regulations to ensure their favourable condition. These sites are given the highest priority for conservation action by the nature conservation agencies.

Limestone Pavement

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the extent of trade within the UK of limestone pavement; what amount is traded with other European Union countries; and if the Government will ban trade in limestone pavements. [92798]

Mr. Meale: The Limestone Pavement Biodiversity Action Plan Working Group, chaired by the Countryside Agency, has commissioned research into the extent and nature of trade in waterworn limestone. In the light of the report the Group will be advising Ministers whether a ban on trade is feasible.

In the meantime the Department fully supports the activities of the Limestone Pavement Action Group in seeking to discourage the sale and purchase of waterworn limestone.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made towards completing the Limestone Pavement Order process under section 34 of the Wildlife and Countryside Act 1981 for England, Scotland and Wales; and when the process is expected to be completed. [92796]

Mr. Meale: The Yorkshire Dales National Park Authority recently made seven further Limestone Pavement Orders (LPO), bringing the total in England to 92, and proposes to make a further seven in 1999. It is, therefore expected that all pavements in England will be protected under section 34 by the end of this year.

Scottish Natural Heritage will be considering making use of this provision. Information about important localities in Wales is being passed to local authorities. Several local authorities are considering making LPOs under section 34.

The making of LPOs in Scotland and Wales is a matter for the authorities there.

Genetically Modified Crops

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the GM crops being tested in pre-commercial farm-scale trials, which contain antibiotic resistant marker genes, giving details of the marker genes concerned in each case. [92723]

Mr. Meale: None of the genetically modified (GM) crops being grown under the joint Government/SCIMAC farm-scale evaluations contain functional antibiotic resistant marker genes.

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions if it is the Government's policy to seek an amendment of EC Directive 90/220/EEC so that companies with marketing consents for genetically modified crops must inform the relevant local authority of their intention to plant genetically modified crops in their area. [82261]

Mr. Meale: The Government strongly support the revision of Council Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms (GMOs) on which political agreement was reached at the recent EU Environment Council. The political agreement did not include provision that companies with marketing consents for genetically modified (GM) crops must inform the relevant local authority of their intention to plant GM crops in their area. However, the agreement does provide for mandatory consultation of the public on all releases. Provisions require the Commission to make all summary notifications for applications to place GMOs on the market and assessment reports available to the public, which has the right to comment within 30 days. Assessment reports and the opinions of the Scientific Committees for all consents issued and rejected must also be made available to the public.

Mr. Llwyd: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department has commissioned or evaluated on the effects of herbicide-tolerant and insect-resistant genetically-modified crops on the environment; and if he will make a statement. [92712]

Mr. Meale: DETR carries out extensive research on the environmental impact of genetically modified (GM) crops. Two important recent reports are, "The Commercial use of Genetically Modified Crops in the United Kingdom: the Potential Wider Impact on Farmland Wildlife", that includes consideration of the environmental effects of both herbicide tolerant and insect resistant GM crops and "Environmental Risks of Herbicide Tolerant Oilseed Rape". Copies of both reports are in the Library.

The farm-scale evaluations—announced in response to a question from my hon. Friend the Member for Nottingham, South (Mr. Simpson) on 15 April 1999, *Official Report*, columns *301–02*—are investigating whether there are any differences in the diversity and abundance of wildlife associated with the management of genetically modified (GM) herbicide tolerant oil seed rape and maize compared with the management of equivalent conventional crops.

Mr. Llwyd: To ask the Secretary of State for the Environment, Transport and the Regions what reports he has received about the effect of genetically-modified pollen on butterfly survival rates. [92632]

Mr. Meale: My Department is aware of the potential risks of genetically modified (GM) insect resistant crops to non-target and beneficial organisms, and we are funding research to investigate these. This research will underpin future regulatory decision making.

My right hon. Friend the Minister for Environment reported in his reply to the hon. Member for Lewes (Mr. Baker) on 24 May 1999, *Official Report*, column *8*, that the Advisory Committee on Releases to the Environment (ACRE) had been asked to give consideration to the report in *Nature* about the possible adverse effects of pollen from genetically modified insect resistant maize on the Monarch Butterfly in America. ACRE concluded that the laboratory studies presented in the article are preliminary and that more work needs to be done, particularly to study the effects under field conditions. Despite the questions remaining about the study, the results do suggest that Bt pollen from the genetically modified maize is harmful to Monarch butterfly larvae under the laboratory conditions tested, although this may not necessarily reflect what actually happens in the natural environment.

This study alone does not justify any immediate action in the UK. There are currently no Bt crops being grown here and none will be for the next three years. The issues raised in the *Nature* article will be kept under review by ACRE and no GM crops will be given approval if there is reason to believe the pollen would harm the environment.

Mr. Llwyd: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department has commissioned or evaluated on the impact of gene escape from genetically modified crops on wild plants; and if he will make a statement. [92708]

Mr. Meale: DETR carries out extensive research on the environmental impact of genetically modified (GM) crops. Two important recent reports dealing with gene transfer from GM crops to wild relatives are "The Commercial use of Genetically Modified Crops in the United Kingdom: the Potential Wider Impact on Farmland Wildlife", and "Environmental Risks of Herbicide Tolerant Oilseed Rape". Copies of both reports are in the Library. Ongoing research commissioned by MAFF on pollen transfer will be published when the work is complete.

Local Transport Plans

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to give statutory force to local transport plans. [91529]

Ms Glenda Jackson: We believe that there would be advantages in making local transport plans statutory and propose to legislate in due course.

Genetically Modified Organisms

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what policy the UK Government are adopting with respect to the revision of EC Directive 90/220/EEC on the release of genetically modified organisms into the environment; and if he will make a statement. [88723]

Mr. Meacher: The Government strongly support the revision of Council Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms (GMOs) on which political agreement was reached at the recent EU Environment Council. Details of the political agreement are given in my reply to my hon. Friend the Member for Clydesdale (Mr. Hood) on 6 July 1999, *Official Report*, columns *438–40*.

GM Farms (Health and Safety Inspections)

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions how many HSE visits to GM farm scale trial sites were unannounced as a proportion of the total number of visits for each year since the trials started; and if he will make a statement. [87863]

Mr. Meale: No unannounced HSE visits have been undertaken. The first GM farm scale trials were planted in the spring of 1999 and are not yet at the stage when appropriate inspection could be undertaken.

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what checks HSE inspectors undertake when they visit GM farm scale trial sites; and if he will make a statement. [87861]

Mr. Meale: Under the Genetically Modified Organisms (Deliberate Release) Regulations 1997 (as amended) HSE inspectors review each release site visited in the light of the specific requirements imposed in the relevant consent.

Some of the important areas against which compliances are assessed include:

Location of the site against the notified grid references;

Isolation of the crop from other specified species and protected habitats;

Size and format of the trial;

Accuracy and currency of location specific information supplied at approval stage in support of the environmental risk assessment.

All specific consent details are available on the Public Register, held by Department of the Environment, Transport and the Regions at Ashdown House, 123 Victoria Street, London SW1E 6DE.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions on what date *(a)* he and *(b)* the Minister for Transport last used a train in the course of their official duties. [92660]

Mrs. Liddell: Ministers travel by public transport on a regular basis on official visits and journeys to their offices.

Ministers are required under the Ministerial Code to always make efficient and cost-effective travel arrangements.

Transport Council

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions when is the next EC Council of Transport Ministers' meeting; and what will be on the agenda. [92506]

Ms Glenda Jackson: The next EC Transport Council will take place on 6 October in Luxembourg. The agenda will not be confirmed until shortly before the Council, but it is expected that the agenda will include the following topics:

Strategy for integration of environmental considerations into transport policy (Report to Helsinki European Council)

Galileo satellite navigation project

Roadside inspection of roadworthiness of commercial vehicles

Package of proposals on railways

Harmonised rules for driving restrictions on heavy goods vehicles

Registration and use of certain recertificated jet aircraft.

M4 Bus Lane

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions when the M4 bus lane will move from pilot to full operational phase. [91483]

Ms Glenda Jackson *[holding answer 15 July 1999]:* The bus lane is fully operational. It is making journeys for all vehicles quicker. Buses and taxis are making savings of over three minutes (30 per cent.) during the morning and evening peak periods. In a period of severe congestion caused by an accident elsewhere buses using the bus lane were sixteen minutes quicker than other vehicles. On average cars are achieving savings of one minute (10 per cent.) during the morning peak period and two and a half minutes (25 per cent.) during the evening peak.

Overall the bus lane and its associated speed limits have increased the maximum capacity of the M4 in this location by up to 10 per cent. at peak times. This benefits all vehicles.

Wembley

Mr. Gardiner: To ask the Secretary of State for the Environment, Transport and the Regions (1) when the shadow Wembley Task Force will be formally constituted; [91702]

(2) what consultation the Wembley Task Force has had with *(a)* local community stakeholders, *(b)* Brent Council and *(c)* local community and business organisations. [91700]

Mr. Raynsford: No Task Force has been constituted for Wembley. As I said in response to my hon. Friend on 24 June 1999, *Official Report*, columns *443–45*, the Wembley Park Regeneration Partnership has secured Single Regeneration Budget funding of £15,255,000 towards a seven year programme for the Business Park there. Other work aimed at ensuring maximum impact and benefits flow from the redevelopment of Wembley Stadium is currently underway although, being essentially a sporting-related venture, the Department of Culture Media and Sport is taking lead responsibility. Proposals covering the wider regeneration interests involving a range of bodies and interests, including Government Office London, English Partnerships as facilitator, Brent Council and local community and business interests are under development. The Government hope to be able to announce further details soon.

Void Council Properties

Mr. Key: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of council-owned properties in *(a)* Salisbury district, *(b)* North Dorset district, *(c)* New Forest district, *(d)* Kennet district and *(e)* Test Valley district were declared void in 1998. [91795]

Mr. Raynsford: As reported by them on their respective Housing Investment Programme (HIP) Operational Information returns, 2.7 per cent. of council-owned properties were vacant within Salisbury District Council area on 1 April 1998, 0.6 per cent. in New Forest and 0.5 per cent. in Test Valley. There is likely to be some variation in the proportion of dwellings that are vacant in a local authority from one date to another during the year.

North Dorset and Kennet District Councils no longer own residential properties, having transferred their housing stock to the private sector in 1994 and 1995 respectively.

Rents

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for the latest year available the (i) average market rent for a *(a)* one, *(b)* two and *(c)* three bed property in the private rented sector, (ii) local reference rent and (iii) single room rent in each London borough. [91779]

Mr. Raynsford: Statistics of average market rents for all private rented stock are not available for individual London boroughs.

Average weekly local reference rents and single room rents in 1998 for housing benefit referrals of private rented stock in each London borough are as set out in the tables.

Average weekly local reference rent (LRR), London boroughs 1998

£/week

Rent Office Area	*1 bed*	*2 bed*	*3 bed*
Barking and Dagenham	76.87	109.37	132.70
Barnet	102.48	159.66	218.76
Bexley	80.44	104.83	124.45
Brent	103.50	150.95	194.16
Bromley	109.84	138.95	179.53
City	87.69	n/a	n/a
Camden	153.39	218.88	325.00
Croydon	84.56	110.60	141.41
Ealing	96.70	161.93	188.62
Enfield	87.95	123.92	152.64
Greenwich	84.51	112.68	132.24
Hackney	93.17	137.53	197.53
Hammersmith and Fulham	132.68	206.63	291.86
Haringey	88.53	144.10	189.85
Harrow	86.87	134.08	166.02
Havering	77.54	109.30	130.10
Hillingdon	80.25	125.57	150.74
Hounslow	85.64	134.23	152.81
Islington	116.84	217.04	326.36
Kensington and Chelsea	171.01	249.58	297.22
Lambeth	101.65	161.59	225.79
Lewisham	84.21	115.32	155.79
Merton	90.82	156.57	190.27
Newham	80.94	117.00	143.23
Redbridge	87.55	120.05	142.11
Richmond upon Thames	116.26	166.49	202.93
Southwark	91.76	142.99	197.64
Sutton	94.51	126.34	159.25

Average weekly local reference rent (LRR), London boroughs 1998

£/week

Rent Office Area	1 bed	2 bed	3 bed
Tower Hamlets	95.93	155.06	222.45
Waltham Forest	83.12	112.56	139.53
Wandsworth	105.18	180.24	236.62
Westminster	185.10	258.69	327.94

Average weekly single room rent (SRR), London boroughs 1998

£/week

Rent Office Area	1 bed	2 bed	3 bed
Barking and Dagenham	47.27	47.50	[2] —
Barnet	50.00	49.82	50.00
Bexley	46.65	45.00	[2] —
Brent	50.35	48.34	45.25
Bromley	56.33	56.37	[2] —
City	n/a	n/a	n/a
Camden	69.21	65.86	85.00
Croydon	49.32	49.56	49.72
Ealing	53.63	55.17	53.02
Enfield	45.47	45.60	45.45
Greenwich	49.72	50.05	49.85
Hackney	52.58	52.04	51.32
Hammersmith and Fulham	64.82	66.14	64.74
Haringey	51.18	52.97	52.12
Harrow	47.24	47.50	47.50
Havering	47.50	47.58	[2] —
Hillingdon	47.84	48.30	[2] —
Hounslow	46.04	47.83	46.67
Islington	63.68	62.53	62.50
Kensington and Chelsea	77.23	75.08	[2] —
Lambeth	64.58	64.40	63.46
Lewisham	51.58	51.76	51.15
Merton	54.86	56.18	56.68
Newham	45.11	45.11	45.19
Redbridge	45.00	45.00	45.00
Richmond upon Thames[1]	61.91	62.49	[2] —
Southwark	55.86	57.66	55.00
Sutton	50.65	54.61	[2] —
Tower Hamlets	54.36	54.47	55.38
Waltham Forest	46.07	46.22	46.33
Wandsworth	61.42	61.25	60.24
Westminster	84.65	84.14	[2] —

[1] Includes Kingston upon Thames

[2] Insufficient data

Notes:

1. 1 bed is assumed to be equivalent to 2 habitable rooms; 2 beds, 3 or 4 habitable rooms; 3 beds, 5 habitable rooms

2. Figures exclude cases where Rent Officers set a rent for over-large accommodation.

Source:

Rent Officer housing benefit determinations

Right to Buy

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions how many tenants exercised the right-to-buy their property in *(a)* Enfield, *(b)* Greater London and *(c)* Great Britain in each of the last five years; and in each case what was the cost to public funds of the discounts. [92018]

Mr. Raynsford: The table presents the latest information on the number of sales of council dwellings reported by local authorities in England. Not all authorities have provided full returns so the figures for Greater London and England are estimates to take account of missing returns.

Sales of council dwellings

	Enfield	Greater London	England
1994–95	176	6,363	43,336
1995–96	110	4,641	31,512
1996–97	118	5,220	33,206
1997–98	172	7,123	41,329
1998–99	163	n/a	n/a

A typical right-to-buy sale results in a net loss of around £10,000 in "net present value" terms. This includes the loss of rent and the need to eventually replace rented housing sold under the scheme. The net loss is largely due to the discount to which a tenant is entitled. Our consultation paper "Secure tenants' right to buy" published on 28 July 1998 (in particular paragraphs 8–10) set this out in detail, together with our proposals to reduce the cost by changing the discount rules. These proposals were implemented on 11 February. A copy of the paper is in the Library of the House.

Public Transport

Mr. Pearson: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the amount of Government capital investment in public transport in *(a)* the West Midlands and *(b)* London in each year since 1992; and what forecast he has made of investment levels for each year of the planning period. [92133]

Ms Glenda Jackson: The information is not available in the form requested.

The Department of the Environment, Transport and the Regions' Departmental Investment Strategy, published in April 1999, set out the major elements of public sector investment anticipated as a result of the resources allocated to the Department following the comprehensive spending review. The following table illustrates expected capital investment generated through and related to DETR programmes and policies for railways and local transport in all areas, and London Transport. Investment prior to 1998–99 is given as an average figure.

£ million cash

	Railways[1]	Local transport	Local transport
Average 1993–94 to 1997–98	n/a	894	1,041
1998–99	1,900	623	794
1999–2000	2,893	641	844
2000–01	2,612	724	775
2001–02	2,555	1,016	243

[1] Includes PPP/PFI generated investment.

[2] Total figures for England: not allocated to particular regions.

[3] Includes PFI investment. Does not include investment by the private sector in London Underground as part of the PPP.

Transport Plan Appraisals

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if major schemes in local transport plans will require appraisal of alternatives using the New Approach to Appraisal. [92213]

Ms Glenda Jackson: Our guidance on provisional local transport plans requires the appraisal of the whole provisional plan using a simplified Appraisal Summary Table (AST). The simplified AST is derived from the

New Approach to Appraisal. Where the provisional local transport plan includes a major road or public transport scheme simplified ASTs are also required for an alternative strategy without the major scheme. This process identifies the contribution of the major scheme to the overall plan.

Simplified ASTs will also be required to show the impact on the plan of any additional alternative strategies that are tested.

In addition to the appraisal of the impact on the provisional plan, the major transport scheme itself will also be subject to scrutiny. For provisional plans, major road schemes will be assessed using the existing New Approach to Appraisal. Major public transport schemes will be appraised using current Section 56 requirements. We intend to have a multi-modal version of the New Approach to Appraisal in place in time for the assessment of full local transport plans next year.

A1

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to increase the capacity of the A1 Newcastle Western bypass from the Gateshead Metrocentre Interchange to the Ponteland Road Interchange. [92226]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to my hon. Friend.

Letter from Peter Nutt to Mr. Jim Cousins, dated 23 July 1999:

The Secretary of State for the Environment, Transport and the Regions has asked the Chief Executive of the Highways Agency, Lawrie Haynes, to reply to your recent Parliamentary Question. You asked "What plans he has to increase the capacity of the A1 Newcastle Western Bypass from the Gateshead Metrocentre Interchange to the Ponteland Road Interchange." I am replying in Lawrie's absence from the office.

In advance of any recommendations from the Tyneside Area Study announced in 'A New Deal for Trunk Roads in England', the Highways Agency is looking at a variety of measures aimed at improving safety and reducing congestion on Gateshead and Newcastle Western Bypasses. These could include, variable message signs to warn drivers of problems ahead, closed circuit television cameras to monitor conditions, variable speed limits to improve the flow of traffic at busy times and rapid response breakdown vehicles to prevent, as far as possible, congestion from building up following an incident. We are pursuing the banning of certain slow moving vehicles at peak times.

We will be developing a rolling programme of worthwhile measures to be carried out in the next few years.

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to dispose of land held for the widening of the A1 between Scotch Corner and the junction with the A1/M1 Link; when such land disposal was approved; and if he will state the total area of land involved. [92227]

Ms Glenda Jackson: The Highways Agency currently owns 10 pieces of land or property bought in connection with the proposed widening of the A1 between Scotch Corner and the junction with the A1/M1 Link.

It is currently seeking to sell five of these plots, bought for the A1(M) Dishforth to Leeming and the A1(M) Bramham to Wetherby schemes. These schemes were withdrawn from the trunk road programme in 1996; and the decision to sell was taken shortly after that, when route protection was withdrawn.

The Highways Agency is also selling one plot that was bought in connection with the A1(M) Walshford to Dishforth improvement but was not required for the scheme. The decision to sell was taken in 1997 following completion of the road works in that area.

The other four plots, bought in connection with the A1(M) Leeming to Scotch Corner scheme, are being retained because they are directly affected by the extant Orders for that scheme.

The total area of land involved is about 52 acres, of which around 49 acres are being sold.

Northern Development Area

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions for what reasons the Highways Agency has agreed to support the plans for the Northern Development Area at the Inquiry called by the Secretary of State; and if he will estimate the Agency's costs of taking part in the Inquiry. [92229]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes to write to my hon. Friend.

Letter from Peter Nutt to Mr. Jim Cousins, dated 23 July 1999:

The Secretary of State for the Environment, Transport and the Regions has asked the Chief Executive of the Highways Agency, Lawrie Haynes, to reply to your recent Parliamentary Question. You asked "For what reasons the Highway Agency has agreed to support the plans for the Northern Development Area at the Inquiry called by the Secretary of State; and if he will estimate the Agency's costs of taking part in the Inquiry." I am replying in Lawrie's absence from the office.

I must make it clear that the Highways Agency will not be appearing at the Public Inquiry in order to advance a case in support of the grant of permission for the Northern Development Area. We have been called to appear before the Public Inquiry to address just one issue—the implications of the traffic generation from the proposed development, with particular reference to the effects of the A1 trunk road and the local highway network.

The Highways Agency's position is that the Northern Development Area will have a significant impact on the operation of the trunk road. However, prior to the Public Inquiry being arranged, the Highways Agency discussed with the developer what improvements to the trunk road would be needed to mitigate the effects of the development. Provided those agreed works are carried out, the Highways Agency has no reason to argue for the withholding of planning permission for the development.

On the subject of costs, the Agency has so far spent £26,750 on legal and consultants' fees. We anticipate spending a further £25,000 on such fees by the time the Inquiry is complete.

I hope this information is sufficient for your purposes.

Maritime and Coastguard Agency

Mrs. Ray Michie: To ask the Secretary of State for the Environment, Transport and the Regions when he will respond to the Environment, Transport and Regional Affairs Committee Sixth report of Session 1998–99 on the Maritime and Coastguard Agency (HC. 31). [92205]

Mr. Prescott: We will respond once consultation within Government has finished.

English Partnerships

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list English Partnerships property portfolio in Cumbria; [91461]

(2) if the ownership of the freehold of the Cockermouth offices of English Partnerships will be vested in the North West Regional Development Agency. [91456]

Mr. Meale *[holding answer 21 July 1999]:* Details of the properties transferred from English Partnerships to the North West Regional Development Agency are contained in a transfer scheme made under section 36 of the Regional Development Agencies Act 1998. A copy of the relevant pars of the scheme has been placed in the Library of the House.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions, (1) pursuant to his answer of 6 July 1999, *Official Report*, column *449*, what estimate has been made of the additional costs of relocating English Partnerships offices from Cockermouth to Penrith in *(a)* this and *(b)* the next financial year; [91466]

(2) if he will publish *(a)* the information concerning the transfer of staff from the Cockermouth offices of English Partnerships offices to Penrith which was taken into account when the value for money aspects of the move were considered by the North West Regional Development Agency and *(b)* the report into the value for money aspects of the move which was considered by the Agency prior to the decision being taken; [91467]

(3) if the report into the value for money aspects of the move from Cockermouth to Penrith by English Partnerships was made available to the two members of the Regional Development Agency from Cumbria prior to the decision being *(a)* taken and *(b)* announced. [91468]

Mr. Meale *[holding answer 21 July 1999]:* Decisions concerning location are a matter for the North West Regional Development Agency. I understand that it was the objective of the Board of the Agency to find a location for its Cumbria office which was accessible both within Cumbria and from the rest of the North West region. The Board took the view that Penrith meets these criteria, whereas Cockermouth does not, and other locations do so less well.

I understand that the Board took into account the implications for staff travel costs set out in my answer to my hon. Friend on 6 July 1999, *Official Report*, column *449*.

I understand that the Board Members from Cumbria were present during the discussion of the location of the Cumbria office and concurred both with the criteria to be applied and the choice of Penrith.

I understand that the additional cost of relocating from English Partnerships offices in Cockermouth to Penrith cannot be determined until negotiations are complete, but that in the Board's view the additional cost will be offset by increased public accessibility and operational efficiency.

Trains and Monorail Systems (London)

Mr. Amess: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on the use of *(a)* trains and *(b)* monorail systems in London. [92475]

Ms Glenda Jackson: We receive extensive correspondence on the use of trains in London, as elsewhere, but we receive representations on monorail systems only occasionally.

Emission Tests (London Boroughs)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions how many London borough councils run emission tests of motor vehicles travelling within their borough. [92242]

Ms Glenda Jackson: Seven councils around Great Britain are currently helping us to determine how local authorities might be able to help in the enforcement of vehicle exhaust emissions standards at the roadside. Westminster City Council is the only authority in London formally involved in this work, although some others are checking vehicle emissions for motorists on a voluntary basis in car parks and similar locations.

Secure Stations Scheme

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the progress of his Safer Stations Policy in London. [92402]

Ms Glenda Jackson: The Department's Secure Stations Scheme was launched in April 1998. The Scheme encourages rail operators to improve security for both passengers and staff at all overground and underground stations policed by the British Transport Police.

There are currently eight stations in London which have been accredited under the Scheme. We are continuing to work with station operators to make further progress with the Scheme.

Railway Agencies

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what new railway agencies were introduced in London during *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 and *(d)* 1998–99; and if he will make a statement. [92401]

Ms Glenda Jackson: Numerous new companies arose from railway privatisation, but with the possible exception of the Docklands Light Railway resulting from changes in company status, no new railway agencies were introduced in London over the period in question. The Office of the Rail Regulator (ORR) and the Office of Passenger Rail Franchising (OPRAF) were established following enactment of the Railways Act 1993. On 1 April 1999, we launched the Shadow Strategic Rail Authority (SSRA), which is essentially the British Railways Board (BRB) and OPRAF working together. OPRAF and the BRB continue to exist as separate statutory entities with their own functions and responsibilities. The remits of ORR and the SSRA include London. The legislation required to establish the Strategic Rail Authority proper was introduced into the House of

Commons earlier this month and received its Second Reading on 19 July 1999, *Official Report*, columns 789–894.

The Docklands Light Railway Ltd. was created in 1986 as a company limited by guarantee to manage light rail services in east London. On 6 April 1997, operation and maintenance of the whole of DLR services was franchised for seven years to Docklands Railway Management Ltd., and the DLR assumed a new role as a holding company, ownership of which was transferred from London Docklands Development Corporation to the Secretary of State on 31 March 1998.

Bus Travel (London)

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of people who travelled by bus in London in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 and *(d)* 1998–99; and if he will make a statement. [92427]

Ms Glenda Jackson: The estimated numbers of annual passenger journeys on London Transport bus services from 1995–96 onwards are as follows:

Year	*Million*
1995–96	1,198
1996–97	1,234
1997–98	1,277

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of passenger miles undertaken by London Transport bus services in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 and *(d)* 1998–99; and if he will make a statement. [92426]

Ms Glenda Jackson: The estimated numbers of annual passenger miles on London Transport bus services from 1995–96 onwards are as follows:

Year	*Million*
1995–96	2,497
1996–97	2,584
1997–98	2,703
1998–99	2,681

Millennium Pier

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions when the Millennium Pier at the Dome site will be ready for river boat services. [92403]

Ms Glenda Jackson: River services are planned to commence operation to and from the Millennium Pier when the Dome opens on 1 January 2000.

Councillors (London)

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions how many councillors were elected in 1998 for each London borough, broken down by gender and ethnicity. [92397]

Mr. Meale: The Local Government Management Board's 1997 census of councillors indicated that 230 out of 2,018 London Borough councillors who responded to this question were non-white. We do not have a breakdown for each London Borough for these figures.

The following table gives a breakdown of the gender ratios for the London Boroughs obtained by the Women's Unit last year:

Name of London borough	*Number of women councillors*	*Percentage*
Barking and Dagenham	17	33
Barnet	25	42
Bexleyheath	20	32
Brent	15	23
Bromley	16	27
Camden	22	37
City of London	20	15
Croydon	19	27
Ealing	19	27
Enfield	13	20
Greenwich	14	23
Hackney	18	30
Hammersmith and Fulham	14	28
Haringey	23	39
Harrow	20	32
Havering	17	27
Hillingdon	17	25
Hounslow	15	25
Islington	26	50
Kensington and Chelsea	13	24
Kingston	13	31
Lambeth	18	28
Lewisham	21	31
Merton	17	30
Newham	13	22
Redbridge	12	19
Richmond	20	38
Southwark	20	31
Sutton	21	38
Tower Hamlets	12	24
Waltham Forest	13	22
Wandsworth	16	26
Westminster	19	32

Driving Licences

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions for what reasons the Driver and Vehicle Licensing Agency will not accept digitally produced photographs; and whether the unacceptability of such photographs will be made clear on DVLA application forms for photographic driving licences. [92406]

Ms Glenda Jackson *[holding answer 22 July 1999]*: Digitally produced photographs are acceptable, provided they conform to the Driver and Vehicle Licensing Agency's requirements for photographs as prescribed on the appropriate application form.

Home Insulation

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions how many solid-walled properties have received publicly-funded assistance towards external wall insulation in each of the last five years. [92535]

Mr. Meale: Local authorities' programmes for maintaining and improving their social housing stock include external wall insulation. Local authorities also have powers to grant aid thermal insulation works under the house renovation grant system. Detailed figures are not available.

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions how many cavity-walled houses have received *(a)* Government and *(b)* local government assistance to have their walls insulated with cavity-wall insulation in each of the last five years. [92534]

Mr. Meale: The number of cavity-walled houses which have received Government assistance to have their walls insulated with cavity wall insulation since schemes began in 1996 are as follows:

	Number of installations
1996-1997	41,940
1997-1998	87,712
1998-99	120,595

The figure for 1998-1999 is not yet finalised.

Work by local authorities using Energy Saving Trust funds is included in the figures. Local authorities programmes for maintaining and improving their social housing stock include cavity wall insulation. Local authorities also have powers to grant aid thermal insulation works under the house renovation grant system. Detailed figures are not available.

Cycling (Leicestershire)

Mr. David Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the progress in the construction of cycle routes in *(a)* North West Leicestershire, *(b)* Leicestershire and *(c)* the United Kingdom; and what measures he is taking to encourage cycling. [91821]

Ms Glenda Jackson *[holding answer 22 July 1999]:* The responsibility for providing cycling facilities rests with individual local highway authorities. Statistics on cycle routes are not available centrally.

We expect all local authorities to develop local cycling strategies as part of their local transport plans. Good progress is being made in implementing the National Cycling Strategy, although it will take time for better provision for cyclists to feed through fully.

In addition, the first 3,500 miles of the National Cycle Network, being co-ordinated by the cycle charity, Sustrans, will be completed by mid-summer 2000.

Homelessness (Leicestershire)

Mr. David Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of homeless people in *(a)* North West Leicestershire, *(b)* Leicestershire with Leicester and *(c)* the East Midlands; and if he will make a statement on his strategy to combat homelessness. [92187]

Mr. Raynsford *[holding answer 22 July 1999]:* Local authorities in England report in their quarterly P1(E) returns the number of households accepted as unintentionally homeless and in priority need under the homelessness provisions of the 1985 and 1986 Housing Acts.

The latest available estimates are for the quarter ending March 1999, as follows[1]:

	Number	*Number per thousand households*
North West Leicestershire[2]	59	1.7
Other Leicestershire districts, including Leicester and Rutland unitary authorities	331	1.0
East Midlands region[2]	2,030	1.2

[1] Figure as reported

[2] Figures include estimates for non-responding authorities

My right hon. Friend, the Minister for Local Government and Housing, in answer to a question from my hon. Friend the Member for Luton, South (Ms Moran) on 19 May 1999, *Official Report*, columns *355–61*, stated that at June 1998 there were 1,850 people sleeping rough in England on any single night. The answer included details from all local authority districts which had counted the number of rough sleepers in their district or estimated more than 10 people sleeping rough on any one night.

The central aim of our housing policy is to offer everyone the opportunity of a decent home and so promote social cohesion, well-being and self-dependence. The Government are committed to reducing all aspects of homelessness. Then making an additional £5 billion of resources available for investment in housing in England over the lifetime of this Parliament. The Government have a manifesto pledge to increase the protection for unintentionally homeless people in priority need. We are considering what further steps should be taken to achieve this.

The Government have also set a tough new target to reduce the numbers of rough sleepers by two thirds by 2002. The Rough Sleepers Unit headed by Louise Casey has an integrated budget of £145 million to tackle and prevent rough sleeping and a £34 million Homelessness Action Programme has also been established to tackle rough sleeping outside London.

National estimates for acceptances in each quarter, which include estimates for non-responding local authorities, appear in a quarterly Information Bulletin which is available in the Library. The latest figures, for the first quarter of 1999, were released on 16 June 1999. An associated Supplementary Table, showing the figures as reported by individual local authorities, is released with the Information Bulletin.

[1] Source of data = information on English local authorities' activities under the homelessness provisions of the Housing Act 1996 is collected on Part E of the quarterly P1(E) returns from local authorities. The information is collected on homeless households rather than homeless people and relates to households which were eligible, unintentionally homeless, and in priority need.

Health and Safety at Work, etc Act 1974

Mr. Crausby: To ask the Secretary of State for the Environment, Transport and the Regions how many people have received jail sentences under the Health and Safety at Work, etc Act 1974. [92698]

Mr. Meale: Four people have been sent to jail for health and safety at work offences, all since January 1996. The jail sentences related to unlicensed asbestos removal or failure to comply with prohibition notices. I welcome the message the courts have sent in these cases to anyone else who is tempted to flout health and safety law and put employees and members of the public at risk.

AGRICULTURE, FISHERIES AND FOOD

Correspondence

Mr. Alan Williams: To ask the Minister of Agriculture, Fisheries and Food what is the average time for a substantive reply to be sent to hon. Members' correspondence; what proportion takes more than *(a)* four weeks, *(b)* six weeks and *(c)* eight weeks; and what is his estimate of the number of letters received in a year from hon. Members. [92446]

Mr. Nick Brown *[holding answer 22 July 1999]:* I refer my right hon. Friend to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Lincoln (Gillian Merron) on 11 June 1999, *Official Report*, columns *403–06*, which sets out performance against departmental targets for answering correspondence from right hon. and hon. Members, in the 1998 calender year. More detailed information about the percentage of correspondence replied to within the time scales specified could only be provided at disproportionate cost.

Intervention Board

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food when the Intervention Board will publish the 1998–99 Annual report and Accounts. [93494]

Mr. Nick Brown: I am pleased to announce that the Intervention Board's 1998–99 Annual Report and Accounts were laid before Parliament today. Copies are available in the Library of the House.

I should like to congratulate all staff on their achievements during the year.

Agriculture Council

Mr. Hood: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council held in Brussels on 19 and 20 July; and if he will make a statement. [93044]

Mr. Nick Brown: I represented the United Kingdom at a meeting of the European Union Agriculture Council in Brussels on 19 July.

The Council received a report from Commissioner Fischler on the Commission's plans to reform Community feedingstuffs legislation following the dioxin contamination in Belgium. I welcomed this report and indicated my preparedness to support measures that were effective, proportionate and enforceable in dealing with potential health problems.

A Decision to update the rules on the processing of animal waste to protect against transmissible spongiform encephalopathies was agreed by qualified majority. An extension of certain deadlines under the Zoonoses Directive was agreed by qualified majority.

The Council held a preliminary discussion on a proposal to promote and provide information on EU agricultural products in third countries. The Council agreed to decide on the proposal once further technical work had been completed.

WALES

National Assembly for Wales

Mr. Wigley: To ask the Secretary of State for Wales if he will publish, before the summer adjournment, the most recent draft concordat between his Department and the National Assembly for Wales. [92328]

Mr. Michael: Work on the concordat is proceeding well. I hope to be in a position to put a draft concordat to the Assembly Cabinet shortly. I do not intend to publish the concordat in advance of that. The Assembly will have full opportunity to consider the concordat in due course.

Police (Gas Sprays)

Mr. Alan Williams: To ask the Secretary of State for Wales what his responsibilities are in relation to Government policy on the use by police of *(a)* MIBK and *(b)* CS gas spray. [92639]

Mr. Michael: None. These are matters for my right hon. Friend the Home Secretary.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for Wales on what date he last used a train in the course of his official duties. [92665]

Mr. Michael: In undertaking my official duties, it has been my practice to use both road and rail travel, whichever is the most expedient and efficient. I last travelled by train on 16 March 1999 from Port Talbot to London.

SCOTLAND

Departmental Travel

Mr. Brake: To ask the Secretary of State for Scotland how many kilometres have been travelled on his Department's business in each of the last three years broken down by *(a)* foot, *(b)* bike, *(c)* bus, *(d)* train, *(e)* tram, *(f)* light-rail, *(g)* plane, *(h)* motorbike, *(i)* car, *(j)* taxi, *(k)* river-taxi and *(l)* other modes of transport; what plans and targets his Department has to reduce the kilometres travelled by private transport by his Department's employees; and if he will make a statement. [91021]

Dr. Reid *[holding answer 13 July 1999]:* The information on business travel is not collected in the form requested and therefore cannot be provided. As published in the Integrated Transport White Paper in July 1998, the Government have set a target that all Government Department headquarters buildings and main buildings occupied by Executive Agencies and Government Offices for the Regions should have green transport plans by March 1999 and all other key buildings by March 2000.

It has been agreed with the Government Office for London that an office of our size is not required to produce a specific plan.

Departmental Staff

Mr. Rowlands: To ask the Secretary of State for Scotland (1) if he will list the number, grade and previous experience of his staff in *(a)* London and *(b)* Edinburgh; [91321]

(2) how many staff he plans to employ during the next 12 months in *(a)* his London Office and *(b)* Scotland; and what will be the grade of those staff. [91400]

Dr. Reid: The staffing of my office is currently the subject of review following the establishment of the Scottish Executive and I will make a statement on any proposed changes when necessary.

At present the number and grades of staff in post in *(a)* London and *(b)* Scotland are as follows:

	(a) London	*(b) Scotland*
Senior Civil Service	3	—
Special Advisers	1	1
C2	1	—
C1	1	1
B3	2	—
B2	1(1)	(1)
B1	2(1)	—
A3	12(1)	1(2)
A1	4	—
Total	27(3)	3(3)

The figures are actual staff in post to which need to be added the figures in brackets which are vacancies.

The staff concerned have previously worked in either The Scottish Office or the Lord Advocate's Department and have been assigned to my office on loan from the Scottish Executive.

Ministerial Residence

Mr. Gordon Prentice: To ask the Secretary of State for Scotland if he has an official residence in Scotland. [91649]

Dr. Reid: No.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for Scotland on what date he last used a train in the course of his official duties. [92663]

Dr. Reid: On Monday 21 July.

HEALTH

Ashworth Hospital

Mr. Singh: To ask the Secretary of State for Health when he plans to publish his response to the Committee of Inquiry into the Personality Disorder Unit, Ashworth Special Hospital. [92647]

Mr. Dobson: I am today publishing my response to the Inquiry Report. Copies have been placed in the Library. We have accepted the broad substance of the Inquiry Report and are taking appropriate action to ensure that their concerns are properly addressed.

Single Currency

Dr. Fox: To ask the Secretary of State for Health how much expenditure his Department *(a)* has incurred to date and *(b)* has forecast that it will incur in the future, on preparations for possible United Kingdom entry into the European single currency; and if he will make a statement. [91554]

Mr. Hutton: Following the publication of the Government's Outline National Changeover Plan, the Department is considering what preparations may be necessary.

Category D Drugs

Mr. Hammond: To ask the Secretary of State for Health what category D drugs are currently not readily available in the United Kingdom; and what assessment he has made of the consequent impact on the percentage of generic drugs in the total prescribing mix. [92135]

Mr. Denham: For every drug which has been placed in category D of part VIII of the Drug Tariff it has been established that, at a particular point in time, community pharmacies in England and Wales may not be able to buy stock at the Drug Tariff price. However, we have no evidence at present of supplies being unavailable from any source, or of patients being unable to obtain the medicines that they need.

The pattern of drugs dispensed should not affect the proportion of prescriptions written generically.

Cancer Care

Mr. Paul Marsden: To ask the Secretary of State for Health if he will list the total spent by each NHS Regional Executive on funding cancer care advisers in the two most recent years; and if he will make a statement. [91981]

Mr. Hutton: Each of the National Health Service Executive regional offices has an appointed cancer co-ordinator to provide a focus for maintaining cancer policy implementation. In addition, regional offices have their own arrangements for supporting this work, drawing on relevant experience both within the regional office and from the NHS more widely, including buying in expertise as and when necessary. This means that the total expenditure on cancer co-ordination and its support cannot readily be identified separately on a consistent basis across regional offices.

NHS Direct

Mr. Dismore: To ask the Secretary of State for Health when NHS Direct will be made available to people living in Hendon. [92363]

Mr. Denham: NHS Direct is currently available to 2.7 million people in London and will be extended to cover a further 1.9 million people in London by

December of this year. NHS Direct will cover the whole of the capital, including residents in Hendon, by the end of the year 2000.

"Waiting to Hear"

Mr. Boswell: To ask the Secretary of State for Health what response he has made to the Royal National Institute for Deaf People's paper "Waiting to Hear". [92334]

Mr. Hutton *[holding answer 22 July 1999]:* The National Health Service Executive established a working group to take a closer look at hearing aid services and the part they play in a modern NHS. Innovative ways of developing services in this area are currently being considered.

National Health Service Act 1977

Mr. Hinchliffe: To ask the Secretary of State for Health how many public inquiries have been established under section 84 of the National Health Service Act 1977 in each of the last 10 years. [92110]

Mr. Denham *[holding answer 22 July 1999]:* Since 1989, two public inquiries have been established under Section 84 of the National Health Service Act 1977.

They are the Bristol Royal Infirmary Inquiry, established October 1998, and the Inquiry into The Personality Disorder Unit, Ashworth Special Hospital, established February 1997.

Disability Equipment

Mr. Oaten: To ask the Secretary of State for Health what the current budget is for research and development work on equipment for disabled people, under section 22 of the Chronically Sick and Disabled Persons Act 1970. [92304]

Mr. Hutton *[holding answer 22 July 1999]:* The Department has no specific budget for this work, which is currently funded under the National Health Service research and development strategy and programmes including MedLINK and the Teaching Company Scheme. Details of these funding sources are listed in the annual report laid under section 22 of the Act.

Mr. Oaten: To ask the Secretary of State for Health what proposals his Department has to promote research and development into disability equipment. [92303]

Mr. Hutton *[holding answer 22 July 1999]:* The Department promotes research and development work on equipment for disabled people through the annual report laid under section 22 of the Chronically Sick and Disabled Persons Act 1970. Copies are sent to research groups, charities, funding bodies, journal publishers, trade associations and other organisations. A range of programmes and schemes fund work in this field. Calls for proposals are announced on the Department's website and in relevant newsletters and journals.

Wheelchair Voucher Scheme

Mr. Oaten: To ask the Secretary of State for Health when the York Economic Consortium Review of the wheelchair voucher scheme will be published. [92307]

Mr. Hutton *[holding answer 22 July 1999]:* The York Health Economics Consortium has concluded its evaluation of the powered wheelchair and voucher scheme initiatives. The Consortium's report has now been received by the Department. It will be made available after it has been considered by Ministers.

Xenotransplantation

Mr. Baker: To ask the Secretary of State for Health if he will make a statement on Government policy towards the use of genetically engineered pigs as sources of organs for transplant into humans. [92666]

Mr. Hutton: The use of genetically modified animals, as with all aspects of xenotransplantation, needs to be monitored closely. The United Kingdom Xenotransplantation Interim Regulatory Authority (UKXIRA) acts as the focal point for consideration of all xenotransplantation issues as well as advising the Government on the acceptability of specific applications to undertake xenotransplantation procedures.

The transplantation of animal tissue into humans, offers a potential solution to the current shortage of human organs and tissue for transplantation. It also offers the possibility of new treatments for conditions such as Parkinson's disease. Clearly, there are many difficulties yet to be overcome with this new technology, not least the problem of rejection of tissue transplanted between different species. The genetic modification of animals, most notably pigs, may provide a solution to this problem.

The view of the UKXIRA and of the Government is that, while recognising that the problems in this field are not to be underestimated, the potential of xenotransplantation should continue to be explored.

Community Hospitals (Oxfordshire)

Mr. Baldry: To ask the Secretary of State for Health when he plans to make an announcement on *(a)* the future arrangements for community hospitals in Oxfordshire and *(b)* the future of Bicester Community hospital. [92646]

Mr. Denham: My right hon. Friend the Secretary of State fully recognises the concerns of the local community on this issue.

He has instructed officials at the National Health Service Executive South East Regional Office to explore further the feasibility of variations put forward by Oxfordshire Health Authority and Oxfordshire Community Health NHS Trust.

The matter has now been referred to my right hon. Friend who will be carefully considering all options before reaching a final decision on the future arrangements for community hospitals in Oxfordshire and the future of Bicester Community Hospital.

Health Checks

Mr. Cox: To ask the Secretary of State for Health if it his policy to encourage general practitioners to offer regular medical checks of their patients who are over the age of 75 years; and if he will make a statement. [92908]

Mr. Hutton: Under their terms of service, general practitioners are required to invite all patients who have reached the age of 75 for an annual health check in the

patient's home, or in the surgery if the patient prefers. General practitioners make arrangements with health authorities to provide services and regional offices of the National Health Service Executive hold health authorities to account for the services provided in their area.

Dialysis

Dr. Harris: To ask the Secretary of State for Health what reciprocal arrangements are in place for dialysis between the NHS and the island of Jersey. [92670]

Mr. Denham: There are no reciprocal arrangements for dialysis as part of regular, planned treatment though emergency care is available for conditions arising unexpectedly during a temporary visit.

Donor Cards

Dr. Harris: To ask the Secretary of State for Health what the budgeted expenditure has been for the promotion of the donor card scheme over the last three years. [92673]

Mr. Hutton: The information requested is:

	£
1996–97	1,225,231
1997–98	457,960
1998–99	1,527,692

Referral

Dr. Harris: To ask the Secretary of State for Health (1) what the specific circumstances are where a general practitioner must obtain prior approval for an out-of-area treatment referral; [92671]

(2) what the specific circumstances are where a general practitioner must obtain prior approval for referral *(a)* to a specialised service, *(b)* to a specialist mental health service for deaf people and *(c)* for a cochlear implant. [92672]

Mr. Denham: The out of area treatment arrangements are used where pre-arranged service agreements are impractical, primarily for emergency situations. As made clear in Health Service Circular 1999–117 "The New NHS: Guidance on Out of Area Treatment", there is no formal prior approval mechanism for referrals under the out of area treatment arrangements.

In some cases, there may be local accountability arrangements in place setting out clinical protocols for making referrals for highly specialised services.

FOREIGN AND COMMONWEALTH AFFAIRS

Falkland Islands

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects the Lan Chile flights to the Falklands to re-commence. [92504]

Mr. Tony Lloyd: I understand that Lan Chile are in touch with the Falkland Islands Development Corporation with a view to resuming flights to the Falklands during August if not sooner.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what evaluation he has made of the effect on the economy of the Falkland Islands of the Chilean legislation passed on 9 July banning all flights to the Falklands before January 2000. [92503]

Mr. Tony Lloyd: The Government of Chile have informed our Embassy at Santiago of their decision, in response to the joint statement issued by my right hon. Friend the Foreign Secretary and the Foreign Minister of the Argentine Republic on 14 July, to reverse their decree banning flights to the Falklands. We have made no formal assessment of the economic impact of the 9 July extension of the decree banning flights. The resumption of flights will bring social and economic benefits to the Falkland Islands and to southern Chile.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the documentation provided by the Chilean Government concerning the restoration of flights to the Falkland Islands contingent upon allowing Argentinian citizens to visit the islands. [92505]

Mr. Tony Lloyd: The Chilean Government have not provided us with any documentation concerning the restoration of flights to the Falkland Islands.

Kosovo

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* Kosovar Serbs and *(b)* members of other ethnic groups have left Kosovo since the KFOR Occupation. [92721]

Mr. Tony Lloyd: UNHCR estimate that about 170,000 Kosovar Serbs have left Kosovo. An unspecified number of Roma gypsies have also left Kosovo. There is no further breakdown of figures available. KFOR are committed to the protection of everyone in Kosovo whatever their ethnicity.

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received concerning the Federal Republic of Yugoslavia's Operation Horseshoe in Kosovo. [91762]

Mr. Tony Lloyd: In summer 1998, Belgrade's security forces drove at least 250,000 Kosovar Albanians from their homes and destroyed villages and crops. During the winter of 1998–99, we had information that the Serbs planned to destroy all those who they regarded as the KLA. The Racak massacre of 15 January (over 40 killed) was a reminder of Serb brutality.

Before NATO started bombing on 24 March, the Serbs had already destroyed villages and expelled the inhabitants. There were strong grounds for expecting that Milosevic was embarking on a renewed campaign of civilian casualties, with the destruction of villages and displacement of inhabitants on a scale at least as great as in 1998.

Public Interest Immunity Certificates

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the criteria used by his Department for issuing public interest immunity certificates; and what plans he has to amend these criteria. [92731]

Mr. Tony Lloyd: Government policy on the use of public interest immunity certificates was set out in a statement by my right hon. and Learned Friend the Attorney-General on 11 July 1997, *Official Report*, columns 616–17. I also refer the hon. Member to the answer given by the Prime Minister on 28 June 1999, *Official Report*, columns *18–19*. All certificates signed by FCO Ministers since 1 May 1997 have been issued in full accordance with the policy set out in those statements. I have no plans to seek amendment to it.

Entry Refusals

Mr. Coleman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he intends to place in the Library the report for 1998 by Dame Elizabeth Anson, relating to refusal of entry clearance where there is no right of appeal. [93260]

Mr. Hoon: I have arranged for copies of Dame Elizabeth's 1998 Report to be placed in the Library. I welcome the Report and note Dame Elizabeth's recommendations, which will receive careful consideration.

Irian Jaya

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set up an inquiry into events at Irian Jaya in May 1996 during the rescue of four British citizens; what British forces were involved in the rescue; and what transport bearing what markings was used. [92301]

Mr. Hoon *[holding answer 22 July 1999]:* We have no plans to hold an inquiry. British hostages were successfully freed but sadly during the rescue two Indonesian hostages and some Indonesian troops were killed. We do not comment on the operational aspects of kidnap cases.

Gough Island

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the correspondence between Her Majesty's Government and UNESCO World Heritage Centre about the adequacy of the monitoring of fishing grounds around the Gough Island Wildlife Reserve. [87490]

Mr. Tony Lloyd *[holding answer 29 June 1999]:* In order to ensure that all relevant papers on this subject were located it was necessary to consult The Administrator of Tristan Da Cunha, the British Embassy and UK Delegation to UNESCO in Paris, the Department for International Development and various FCO Departments. I am now confident that we have located all relevant correspondence and will be placing copies in the Libraries of the House.

Data Series

Jackie Ballard: To ask the Secretary of State for Foreign and Commonwealth Affairs what new data series separated by gender, race, disability and age have been commissioned by his Department since June 1997. [90830]

Mr. Tony Lloyd: No new data series separated by gender, race, disability and age have been commissioned by the FCO since June 1997, although a number of existing data series are routinely analysed in this way.

Recruitment, resignation and appraisal figures are routinely analysed by race, gender and disability. The number of staff in each grade is also broken down annually by gender, race and disability. A number of other data series separated by gender, race, disability and age continue to be analysed on an ad hoc basis.

EU Council Meetings

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Her Majesty's Government propose to take to publicise in advance the agendas of all meetings of the European Council and Councils of Ministers and their working groups; and what plans the current Presidency of the Union has on this issue. [90972]

Ms Quin: There are no formal agendas for European Councils. But it is normal for the Foreign Secretary to give oral evidence to the Foreign Affairs Committee on the topics most likely to be discussed. Regular European Councils are also preceded by a debate on the floor of the House.

As regards Council of Ministers meetings, we regularly inform Parliament about details of EU business. The European Scrutiny Committee is also informed of relevant agenda items before each Council of Ministers meeting, and a copy of the information routinely placed in the Library of the House.

We understand that the Finnish Presidency intends to post the agendas of both Council of Ministers and Coreper meetings on the Internet and that Council working group agendas will be available on request from the Finnish Permanent Representation to the EU in Brussels.

Appointments (Quangos)

Mr. Singh: To ask the Secretary of State for Foreign and Commonwealth Affairs how many appointments to quangos he made between *(a)* 1 June 1997 and 31 May 1998 and *(b)* 1 June 1998 and 31 May 1999; and in each case of those how many were members of Britain's (i) Asian and (ii) ethnic minority communities. [92127]

Mr. Tony Lloyd: The Secretary of State for the Foreign and Commonwealth Office and his Ministers made *(a)* 21 appointments between 1 June 1997 and 31 May 1998 and *(b)* 40 between 1 June 1998 and 31 May 1999.

In *(a)* one appointee was a member of Britain's Asian community.

In *(b)* six appointees were members of ethnic minority groups, not all were Asian.

The Foreign and Commonwealth Office is committed to increasing the percentage of women, and members of minority ethnic groups appointed to FCO sponsored NDPBs. The FCO departmental action plan for NDPB's sets objectives and targets for improving representation in these groups. Full details can be found in "Opening up Public Appointments" pages 18 and 19. This was deposited in the Libraries of both Houses on 25 May 1999.

HOME DEPARTMENT

Stephen Lawrence Inquiry

Mr. Efford: To ask the Secretary of State for the Home Department what were the costs of the Stephen Lawrence Inquiry, including the costs arising from the publication by the Inquiry of the names of the witnesses in Appendix 11 of the Inquiry's report; and if he will make a statement. [93265]

Mr. Straw: The final costs of the Inquiry have yet to be determined as there are outstanding bills for settlement in terms of legal fees. However, the costs incurred to date are:

	£
Pay and allowances, inquiry team, advisors and civil servants	667,000
Accommodation and associated costs	710,000
Legal representation and treasury solicitors costs	2,045,000
Miscellaneous running costs	777,000
Total	4,199,000

This provides a total cost to date of £4.199 million. I have accepted the recommendation of Sir William Macpherson, chairman of the Inquiry, that the Metropolitan Police Service should, in accordance with section 49(5) of the Police Act 1996, meet the full costs of setting up and establishing the Inquiry, together with all costs which directly accrued from Part 1 of the Inquiry relating to the police investigation of the murder of Stephen Lawrence. These costs amount to £3.170 million to date of the total costs and these have been met by the Metropolitan Police.

I have also accepted Sir William's recommendation that the costs of Part 2 of the Inquiry, on the future handling of racially motivated crime, should be met by the Home Office as the findings were of more general application.

I have always made clear that we would take steps to remedy the serious problems caused to a number of people by the Inquiry's error in publishing Appendix 11 of the Inquiry's report in full. Arrangements have, therefore, been made to reimburse the costs arising from the need of 18 families and individuals to be moved by Greenwich Council or to sell their houses. The final amount spent for this purpose, including staff costs incurred by the Council, is not yet known but is likely to be about £650,000.

Mr. Louis Farrakhan

Mr. White: To ask the Secretary of State for the Home Department when he expects to make a decision on whether the exclusion from the United Kingdom of Mr. Louis Farrakhan is to be maintained. [93266]

Mr. Straw: Last year, I informed Mr. Farrakhan that I was minded to maintain his exclusion from the United Kingdom on the grounds that his presence here would not be conducive to the public good for reasons of race relations and the maintenance of public order. Mr. Farrakhan was offered the opportunity to make further representations before I made my final decision.

I have carefully reviewed the case for his continued exclusion in the light of Mr. Farrakhan's representations and other relevant material. I have concluded that it remains the case that the exclusion of Mr. Farrakhan from the United Kingdom is conducive to the public good. Mr. Farrakhan's representatives have been informed of my decision today.

Passport Agency

Ms Dari Taylor: To ask the Secretary of State for the Home Department when the United Kingdom Passport Agency Business Plan 1998–99 and annual report will be published. [93264]

Mr. Mike O'Brien: Proof copies of the Passport Agency's Annual Report were today placed in the Library. The report will be printed and issued by September.

The Agency's Business Plan has, exceptionally, been deferred to later in the year in order that it will more accurately reflect the Agency's position in light of the difficulties experienced earlier this year.

Mr. Lidington: To ask the Secretary of State for the Home Department if he will place in the Library a copy of his Department's most recent quarterly analysis of the UK Passport Agency's customer service. [92555]

Mr. Mike O'Brien: Regular postal surveys of customer opinion take place on a two-monthly basis. In addition, surveys of personal callers are carried out by individual passport offices on a quarterly basis. Copies of the analyses of the most recent surveys have been placed in the Library.

Mr. Lidington: To ask the Secretary of State for the Home Department what assessment he has made of the difference to the Passport Agency's running costs from relocating the London Passport Office and the UK Passport Agency headquarters to Eccleston Square. [92499]

Mr. Mike O'Brien: This was assessed when the relocation business case was prepared in December 1997, and will be looked at again as part of the Agency's re-assessment of the business case which is now taking place.

Mr. Lidington: To ask the Secretary of State for the Home Department what was the backlog of unprocessed passport applications *(a)* at each office of the United

Kingdom Passport Agency and *(b)* in total for the last week for which the information is available. [92776]

Mr. Mike O'Brien: The number of unprocessed applications at week ending 18 July 1999 was:

	Number
London	8,144
Liverpool	153,065
Peterborough	57,090
Newport	94,310
Glasgow	98,772
Belfast	6,981
Total	418,362

Mr. Lidington: To ask the Secretary of State for the Home Department what assessment he has made of the cost to public funds of refurbishing 89 Eccleston Square and of relocating the UK Passport Agency headquarters and the London Passport Office to that address. [92498]

Mr. Mike O'Brien: A full business case and cost-benefit analysis covering a number of options for the relocation of the United Kingdom Passport Agency headquarters and the London Passport Office was carried out in December 1997. A further assessment took place when Bridge Place, 89 Eccleston Square—an existing Government leasehold property was identified. This found that Bridge Place offered best value for money of all the options considered by the Passport Agency. The business case is now being re-examined in the light of the Agency's operational difficulties this year, and other relevant factors.

Mr. Lidington: To ask the Secretary of State for the Home Department what assessment he has made of the nature and duration of the disruption to services to members of the public which would be caused by the re-location of the London Passport Office and the Passport Agency headquarters to Eccleston Square. [92501]

Mr. Mike O'Brien: As I indicated in my reply to the hon. Member on 19 July 1999, *Official Report*, column *402*, my right hon. Friend, the Secretary of State for the Home Department, has yet to approve the Passport Agency's proposals for relocation from Clive House. Clearly an important element in the project planning will be measures to ensure that services to members of the public are not disrupted.

Mr. Lidington: To ask the Secretary of State for the Home Department what was the average processing time, for the last week for which the information is available, for correctly completed, straightforward applications submitted *(a)* in person and *(b)* by post at each office of the United Kingdom Passport Agency. [92779]

Mr. Mike O'Brien: The Agency does not collect the information in the form requested. It does collect weekly information on the maximum processing time for each office for correctly completed non-urgent applications.

The last week for which information is available is 18 July and figures are:

	Number
Belfast	7
London	5
Newport	35
Liverpool	43
Peterborough	28
Glasgow	51

These figures need to be treated with caution because the Agency prioritises travel dates. Those who are travelling in July and August will get priority. New applications with urgent travel dates are not placed at the back of the queue, but are dealt with promptly. Currently, all July travel dates are cleared except for any new applications coming in on each day. Offices are now processing August dates of travel. Some work from Glasgow is being transferred to Belfast and London to expedite processing.

Mr. Lidington: To ask the Secretary of State for the Home Department how many expired passports have been renewed for 10 years since the beginning of 1999. [92775]

Mr. Mike O'Brien: This information is not available as the United Kingdom Passport Agency does not keep records on Passport renewals that differentiate between the previous passport being expired or still valid.

European Court of Human Rights

Ann Keen: To ask the Secretary of State for the Home Department what approach he is making to the European Court of Human Rights over the cases of Euan Sutherland and Christopher Morris. [93261]

Mr. Straw: We have today, with the agreement of the applicants, sought a further extension from the European Court of Human Rights in the stayed cases of Sutherland and Morris versus the United Kingdom.

We have informed the Court, in the context of this request, that the Government intend to re-introduce the Sexual Offences (Amendment) Bill next Session and if necessary, the Parliament Acts will be used to secure its passage.

Prison Service (Performance Indicators)

Mr. Stinchcombe: To ask the Secretary of State for the Home Department if he will publish the results achieved by the Prison Service on each of its key performance indicators in each prison during 1998–99. [91900]

Mr. Straw: The final key performance indicator (KPI) results achieved by the Prison Service and by each prison are given in the tables. The overcrowding KPI is formulated in terms of overall Prison Service capacity and population levels and is not applicable to individual prisons. Cost per place data are provisional pending final audit of the appropriation account for the Prison Service annual voted expenditure.

I am pleased to report that today I have placed before Parliament, the Prison Service Agency's Annual Report and Accounts, copies of which have been placed in the Library.

Performance against key performance indicators by prison, 1998–99

Prison name	Category A escapes	Escapes	Assault rate	Positive random drug testing rate %	Purposeful hours per prisoner	Are standard/ enhanced regime prisoners unlocked >=10 hours on weekdays	Offending behaviour programmes completions	Sex offender treatment programmes completions	Cost per place £	Training
Acklington	0	0	2.9	27.2	23.8	Yes	54	14	14,657	12.6
Albany	0	0	1.9	1.3	23.8	Yes	110	47	19,818	7.6
Aldington	0	1	0.7	22.3	28.1	Yes	0	0	16,084	7.3
Altcourse	0	1	18.4	19.0	20.5	Yes	0	0	[1]—	[1]—
Ashwell	0	0	1.6	38.1	33.3	Yes	0	0	15,040	10.3
Askham Grange	0	0	0.0	10.6	42.0	Yes	0	0	18,070	6.1
Aylesbury	0	0	42.3	13.9	20.9	No	55	0	23,021	10.2
Bedford	0	0	6.7	24.4	22.7	No	39	0	20,368	9.3
Belmarsh	0	0	11.3	12.0	13.2	No	0	0	31,220	9.3
Birmingham	0	1	6.6	30.2	13.3	No	0	0	20,334	6.2
Blakenhurst	0	0	18.8	38.6	21.8	Yes	20	0	22,001	[1]—
Blantyre House	0	0	0.0	0.7	39.6	Yes	30	0	17,807	6.1
Blundeston	0	0	6.1	14.1	25.8	Yes	0	0	20,225	7.3
Brinsford	0	0	35.2	20.9	16.3	No	0	0	18,847	7.5
Bristol	0	0	9.2	23.0	21.3	Yes	38	0	13,843	7.2
Brixton	0	0	11.8	11.3	15.7	Yes	62	17	22,767	7.8
Brockhill	0	0	21.5	14.8	21.1	Yes	0	0	29,868	5.1
Buckley Hall	0	0	2.9	37.4	26.6	Yes	0	0	19,972	[1]—
Bullingdon	0	0	6.9	26.5	21.2	Yes	51	0	16,485	12.7
Bullwood Hall	0	0	19.2	13.0	19.1	Yes	0	0	29,281	8.1
Camp Hill	0	0	5.3	27.2	19.3	No	0	0	18,575	3.7
Canterbury	0	0	2.5	13.4	18.5	Yes	0	0	33,983	6.7
Cardiff	0	0	6.1	25.4	21.3	Yes	25	0	21,783	6.8
Castington	0	2	29.1	17.8	20.7	No	14	14	19,288	13.5
Channings Wood	0	0	1.9	16.1	30.5	Yes	72	38	16,543	7.8
Chelmsford	0	0	12.3	23.1	15.8	No	0	0	19,728	6.6
Coldingley	0	0	0.3	14.2	40.7	Yes	82	0	22,015	10.3
Cookham Wood	0	1	7.7	5.9	22.3	Yes	14	0	26,511	7.6
Dartmoor	0	0	5.9	5.7	18.9	No	115	19	19,423	7.2
Deerbolt	0	2	19.1	8.8	19.9	Yes	0	0	17,941	8.2
Doncaster	0	0	19.7	12.8	17.0	Yes	0	0	22,531	[1]—
Dorchester	0	0	5.9	33.7	14.4	No	0	0	30,116	7.4
Dover	0	1	21.9	12.4	21.2	No	0	0	18,332	8.0
Downview	0	0	0.3	3.8	30.8	Yes	0	0	19,152	7.6
Drake Hall	0	0	0.4	17.7	34.9	Yes	0	0	14,289	6.3
Durham	0	0	8.1	15.8	20.2	Yes	0	0	29,450	6.9
East Sutton Park	0	0	0.0	4.2	40.1	Yes	0	0	18,625	7.1
Eastwood Park	0	1	15.5	15.3	21.6	Yes	0	0	22,648	11.8
Elmley	0	0	5.8	11.9	20.2	No	0	0	18,459	10.1
Erlestoke	0	0	0.7	25.7	27.2	Yes	0	0	17,711	8.6
Everthorpe	0	1	3.5	29.8	27.0	Yes	0	0	17,882	5.7
Exeter	0	0	12.5	27.6	13.6	No	0	0	29,405	6.4
Featherstone	0	4	2.0	41.9	24.7	Yes	91	0	18,449	4.2
Feltham	0	1	25.7	21.5	15.5	No	21	13	18,820	8.4
Ford	0	0	0.0	10.8	35.6	Yes	0	0	11,253	6.3
Foston Hall	0	0	11.8	7.8	23.4	Yes	15	0	27,047	12.0
Frankland	0	0	5.1	17.7	18.4	Yes	43	7	36,467	11.5
Full Sutton	0	0	4.3	6.9	17.6	No	85	21	35,605	8.9
Garth	0	0	1.9	11.7	21.3	Yes	0	0	18,611	8.1
Gartree	0	0	3.0	25.7	27.0	Yes	39	0	22,734	7.3
Glen Parva	0	2	35.9	14.9	16.7	No	39	0	16,646	7.8
Gloucester	0	0	26.6	29.8	26.4	No	0	0	26,197	5.6
Grendon	0	0	1.3	12.0	34.2	No	44	0	19,320	7.3
Guys Marsh	0	2	5.9	33.9	22.8	Yes	19	0	15,286	5.9
Haslar	0	0	2.0	2.4	18.8	Yes	0	0	15,726	7.3
Hatfield	0	0	7.9	15.7	32.5	Yes	0	0	17,473	5.8
Haverigg	0	0	1.8	18.0	33.9	Yes	0	0	18,207	7.1
Hewell Grange	0	0	0.5	10.3	42.7	Yes	0	0	12,617	3.3
Highdown	0	0	13.6	20.6	13.9	No	67	14	24,928	9.5
Highpoint	0	0	4.2	20.1	23.2	Yes	0	0	18,469	9.2
Hindley	0	0	31.3	24.3	23.8	No	0	0	20,376	7.4
Hollesley Bay	0	0	14.2	25.6	28.1	No	0	0	20,618	4.8
Holloway	0	2	26.7	10.2	17.6	Yes	22	0	34,689	6.5
Holme House	0	0	4.6	11.2	15.8	No	24	0	15,179	6.4
Hull	0	0	11.5	15.4	20.0	No	0	0	21,063	8.5
Huntercombe	0	0	16.1	17.6	23.8	Yes	0	0	19,712	9.2
Kingston	0	0	0.6	19.1	23.9	Yes	0	0	21,326	6.8
Kirkham	0	0	0.5	23.6	43.5	Yes	0	0	13,870	5.7
Kirklevington	0	0	0.0	7.3	50.1	Yes	0	0	14,057	6.7
Lancaster	0	0	1.4	36.5	20.7	Yes	0	0	21,794	8.7
Lancaster Farms	0	0	15.0	5.9	20.5	No	46	0	19,749	5.1
Latchmere House	0	0	0.0	14.6	70.2	Yes	0	0	11,985	9.8
Leeds	0	0	8.6	19.0	14.8	No	27	0	18,914	7.5
Leicester	0	0	6.6	27.4	20.5	Yes	0	0	35,718	6.0

Performance against key performance indicators by prison, 1998–99

Prison name	Category A escapes	Escapes	Assault rate	Positive random drug testing rate %	Purposeful hours per prisoner	Are standard/ enhanced regime prisoners unlocked >=10 hours on weekdays	Offending behaviour programmes completions	Sex offender treatment programmes completions	Cost per place [2] £	Training
Lewes	0	0	8.5	33.3	18.5	No	0	0	18,929	5.4
Leyhill	0	0	0.0	13.4	39.0	Yes	26	26	18,348	7.6
Lincoln	0	1	3.0	26.3	22.9	Yes	27	0	24,720	4.9
Lindholme	0	1	1.0	29.9	24.2	Yes	31	0	19,897	6.6
Littlehey	0	1	3.3	14.3	26.0	Yes	0	0	14,204	10.1
Liverpool	0	0	4.8	17.6	19.0	No	0	0	19,617	5.7
Long Lartin	0	0	6.0	14.2	17.0	Yes	42	0	36,943	15.4
Low Newton	0	0	40.5	38.9	20.2	No	0	0	28,283	15.2
Lowdham Grange	0	0	4.8	30.7	[3]—	Yes	0	0	[1]—	[4]—
Maidstone	0	0	2.5	13.0	21.3	Yes	0	0	18,932	9.2
Manchester	0	0	7.1	15.5	26.7	Yes	0	0	27,050	6.6
Moorland	0	0	13.1	5.6	24.0	Yes	92	0	17,743	6.5
Morton Hall	0	0	0.5	8.2	37.9	Yes	0	0	12,288	5.7
Mount	0	0	3.7	20.3	18.0	No	0	0	14,635	10.5
New Hall	0	0	13.6	4.8	23.7	Yes	10	0	22,501	5.5
North Sea Camp	0	0	0.0	23.8	45.0	Yes	0	0	14,581	4.7
Northallerton	0	0	15.8	14.9	14.5	Yes	0	0	30,967	7.1
Norwich	0	0	9.1	23.0	18.0	No	0	0	21,149	6.0
Nottingham	0	0	6.9	25.6	15.3	No	19	0	19,634	7.6
Onley	0	0	35.7	3.9	18.4	Yes	71	0	16,105	9.3
Parc	0	0	7.4	44.6	30.0	Yes	0	0	[1]—	[4]—
Parkhurst	0	0	6.4	3.2	19.5	No	74	0	22,467	8.1
Pentonville	0	1	11.0	31.6	20.3	No	77	0	21,329	7.8
Portland	0	0	13.9	9.3	23.1	No	0	0	17,735	6.7
Preston	0	0	9.6	23.0	17.1	No	0	0	28,086	5.4
Ranby	0	0	3.2	8.6	26.4	Yes	33	0	16,155	7.8
Reading	0	0	18.6	29.3	23.8	No	0	0	26,791	6.7
Risley	0	0	10.4	21.7	21.9	No	28	28	18,360	4.6
Rochester	0	0	14.9	4.2	19.1	Yes	34	15	18,555	6.1
Send	0	0	1.2	19.6	40.7	Yes	0	0	32,894	23.2
Shepton Mallet	0	0	3.8	31.9	22.7	Yes	17	0	25,249	7.2
Shrewsbury	0	0	5.1	17.0	22.7	Yes	0	0	32,140	6.2
Stafford	0	0	6.6	17.2	22.4	No	0	0	16,493	5.0
Standford Hill	0	0	0.0	11.3	44.1	Yes	13	0	16,078	6.6
Stocken	0	0	2.8	30.9	23.2	Yes	0	0	16,177	9.4
Stoke Heath	0	0	37.3	9.9	21.6	Yes	7	0	15,098	7.5
Styal	0	1	5.7	13.3	28.7	Yes	0	0	24,097	13.5
Sudbury	0	0	0.4	11.2	44.5	Yes	27	0	13,410	7.9
Swaleside	0	0	7.0	17.9	22.3	Yes	63	0	17,384	9.1
Swansea	0	0	11.0	37.0	20.0	No	0	0	26,295	4.9
Swifen Hall	0	0	15.0	5.8	28.9	Yes	104	15	20,870	8.7
Thorn Cross	0	0	11.5	23.1	50.3	Yes	78	0	19,827	7.5
Usk	0	0	0.0	5.6	34.9	Yes	104	44	21,520	8.2
Verne	0	0	1.2	17.9	27.2	Yes	0	0	15,079	6.0
Wakefield	0	0	4.3	1.2	18.2	No	144	57	24,547	9.0
Wandsworth	0	1	7.2	7.6	18.9	No	88	21	17,817	11.7
Wayland	0	0	2.2	36.4	24.0	Yes	96	50	14,416	9.8
Wealstun	0	0	1.8	24.7	30.6	Yes	16	0	15,127	6.6
Weare	0	0	0.9	28.1	20.8	Yes	0	0	17,463	25.1
Wellingborough	0	0	2.1	23.0	24.9	Yes	0	0	17,772	10.5
Werrington	0	5	45.9	4.7	24.0	Yes	0	0	26,113	8.8
Wetherby	0	0	30.0	5.2	28.3	Yes	8	0	18,745	4.4
Whatton	0	0	1.2	4.3	28.8	Yes	124	80	15,851	6.8
Whitemoor	0	0	12.1	7.7	19.6	Yes	33	6	38,355	7.2
Winchester	0	0	6.5	31.2	15.7	No	0	0	23,518	6.4
Wolds	0	0	11.0	17.6	29.1	Yes	26	0	25,008	[4]—
Woodhill	0	0	14.1	16.6	19.8	No	56	22	27,806	8.4
Wormwood Scrubs	0	1	5.0	22.9	14.2	No	48	0	17,379	6.8
Wymott	0	0	2.1	16.3	28.7	Yes	134	22	16,374	6.3

[1] Cost per place performance figures for HMP Parc, HMP Altcourse and HMP Lowdham Grange cannot be provided on a comparable basis because available data include an element for capital repayment.
[2] Cost per place data are provisional pending finalisation of accounts.
[3] Purposeful activity performance figures for HMP Lowdham Grange are not available for the financial year 1998–99.
[4] Private prison contractors are not required to supply training figures.

Jill Dando

Mr. Paul Marsden: To ask the Secretary of State for the Home Department if he will make a statement on the progress of the police investigation of the murder of Jill Dando. [92030]

Kate Hoey: This investigation is an operational matter for the Commissioner of Police of the Metropolis. He tells me that the investigation is being pursued as expeditiously as possible.

Bargoed Fire Station

Mr. Rowlands: To ask the Secretary of State for the Home Department (1) if he will review the decision to close the Bargoed Fire Station; [92243]

(2) what evidence he received about the possible time it would take for a fire appliance to reach New Tredegar from the Cefn Forest Fire Station, during his consideration of the proposed closure of the Bargoed Fire Station. [92245]

Mr. George Howarth: On 23 June 1998, my right hon. Friend, the Home Secretary, approved the application by the South Wales Fire Authority, under section 19 (4) of the Fire Services Act 1947, to remove a pumping appliance and associated firefighting posts from Bargoed fire station. My right hon. Friend, the Home Secretary's decision was taken in the light of advice from Her Majesty's Fire Service Inspectorate that the national standards of fire cover would continue to be maintained if the application was approved. That advice included confirmation that a timed run undertaken by the fire brigade suggested a pumping appliance from Cefn Forest should in normal circumstances be able to reach New Tredegar within the recommended attendance time for the substantive fire risk category for that area.

Following my right hon. Friend, the Home Secretary's decision, implementation of the proposals is now a matter for the Fire Authority. Closure of Bargoed fire station was not at issue and a further section 19 application would be required if the Authority was to make such a proposal.

Immigration Rules

Ms Moran: To ask the Secretary of State for the Home Department what plans he has to review the concession to immigration rules in respect of the one year rule and domestic violence. [92467]

Mr. Mike O'Brien: I plan to review the concession after it has been in operation for at least one year.

Merseyside Police

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment he has made of the crime reduction and community involvement programme, Operation Arrow, in the South Sefton district of the Merseyside Police Authority; and if he will make a statement. [92261]

Kate Hoey: If we are to make a lasting impact upon crime levels, we must engage the support of local communities. Operation Arrow seeks to achieve this by engaging all sectors of the community in South Sefton, understanding their concerns and needs, and then providing a swift and effective response. Early results are encouraging; Merseyside Police and their partners in the initiative are to be congratulated on this innovative approach to improving community safety.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what percentage of the Merseyside Police Authority revenue budget was spent on civilian support staff in the last year for which figures are available. [92260]

Kate Hoey: The Merseyside Police Authority's financial estimates for 1999–2000, as recorded by the Chartered Institute of Public Finance Accountancy (CIPFA), show that the force will commit around 12 per cent. of its net revenue expenditure of £249.5 million to salary costs for civilian support staff.

Ministerial Meetings (US)

Mr. Matthew Taylor: To ask the Secretary of State for the Home Department how many meetings he held with *(a)* officials in the United States Department of Justice and *(b)* the Baltimore police department during his visit to the United States of America between 4 and 6 February 1998; and if he will list the date of each meeting, the location of each meeting and the names of the United States officials who took part in each meeting. [92282]

Mr. Straw: When I visited the United States of America in February last year I attended four meetings with officials in the United States Department of Justice and one meeting with the Baltimore police department.

Tobacco

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department what discussions he has had with the Magistrates' Association about implementation of the proposed Draft Tobacco (Prohibition of Advertising and Promotion) Regulations 1999. [R] [92247]

Mr. Straw: To date, I have had no meetings to discuss the proposed Draft Tobacco (Prohibition of Advertising) Regulations 1999, although I have met with the Magistrates Association previously on other matters.

Mrs. Christine Soyal

Mr. Shepherd: To ask the Secretary of State for the Home Department when Mrs. Christine Soyal, a constituent of the hon. Member for Aldridge-Brownhills, may expect the return of her passport and driving licence, submitted in support of her husband's application to remain in the country on 19 July 1998. [92300]

Mr. Mike O'Brien *[holding answer 22 July 1999]:* Mrs. Soyal's passport and driving licence were returned to her on Tuesday 20 July 1999.

Schengen Acquis

Mr. Bercow: To ask the Secretary of State for the Home Department if he will list those items of the Schengen Acquis listed in the *Official Journal* of 10 July, which *(a)* had not been deposited in the Library and *(b)* had not been seen by his officials (i) prior to the decision being made for the UK to join elements of Schengen and (ii) to date; and if he will make a statement. [92832]

Kate Hoey: At the time of the decision to make a formal application for the United Kingdom to participate in certain elements of the Schengen acquis, which was submitted by letter on 20 May 1999, all the Decisions and Declarations of the Schengen acquis listed in the *Official Journal of the European Communities* of 10 July 1999 had been seen by officials of the Home Office and had been sent to the Scrutiny Committees of both Houses.

Data Protection

Mr. Llwyd: To ask the Secretary of State for the Home Department when he intends to lay before the House subordinate legislation under the Data Protection Act 1998; and if he will make a statement. [92702]

Mr. George Howarth: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) on 12 July, *Official Report*, column *73*.

Xenotransplantation

Mr. Baker: To ask the Secretary of State for the Home Department if he will ensure that the code of practice on the welfare of xenotransplantation source animals strictly limits the early removal of piglets from their mothers. [92668]

Mr. George Howarth: It is likely that, in some circumstances, the early removal of piglets from their mothers will be essential in order to establish colonies of animals with the health status (i.e. the absence of particular pathogens) that will be necessary to minimise the risk of infection to the recipient. This will, however, require suitable project licence authority and will be allowed only where there is a demonstrable need to eliminate particular micro-organisms. All practicable safeguards will be put in place to protect the welfare of piglets.

Mr. Baker: To ask the Secretary of State for the Home Department, pursuant to his answer of 5 July 1999, *Official Report*, column *333*, what progress has been made with the investigation into Harlan UK Ltd; if he has received the advice on whether there is a need to suspend the establishment's certificate of designation for which he asked; and if he will make a statement. [92718]

Mr. George Howarth: I refer the hon. Member to the reply I gave my hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) on 14 July 1999, *Official Report*, columns *206–07*, and to the reply I gave my hon. Friend the Member for North-West Leicestershire (Mr. Taylor) on 21 July 1999, *Official Report*, columns *527–28*.

Mr. Baker: To ask the Secretary of State for the Home Department if he will require Imutron's programme of breeding genetically engineered pigs to be suspended pending the finalisation of the code of practice on the welfare of xenotransplantation source animals. [92667]

Mr. George Howarth: Licences and certificates can be suspended under the terms of section 13 of the Animals (Scientific Procedures) Act 1986 only if it appears that this is urgently necessary for the welfare of any protected animal. There are no such grounds for suspending the relevant licences.

The existing "Codes of Practice for the Housing and Care of Animals Used in Scientific Procedures" apply to these animals, as do the terms and conditions of the licences under which they are held.

Mr. Baker: To ask the Secretary of State for the Home Department what assessment he has made of the advantages of *(a)* legally binding regulations and *(b)* a non-binding code of practice to protect genetically engineered pigs. [92669]

Mr. George Howarth: The codes of practice issued under section 21(2) of the Animals (Scientific Procedures) Act 1986 are legally enforceable. Section 21(4) of the Animals (Scientific Procedures) Act 1986 allows any failure to comply with such a code of practice to be taken into account in any criminal or civil proceedings.

In addition, we have recently amended the standard conditions that apply to all designated establishments to require that approved areas be maintained to the standards set out in the codes of practice, unless otherwise authorised. Under section 10(7) of the Act, failure to comply with such a condition is a ground for the variation or revocation of the certificate. If pigs are not maintained to the standards set out in the new code of practice, authority to maintain these animals can be withdrawn.

Asylum Seekers

Mr. Lidington: To ask the Secretary of State for the Home Department what is the present cost of a weighted unit of output for asylum, after-entry, enforcement and nationality casework. [92785]

Mr. Mike O'Brien: For the purposes of monitoring the performance of the Immigration and Nationality Directorate under the terms of the Casework Programme contract with Siemens Business Services, the unit cost of a basic casework decision is determined each month. The costs of more complex decisions may be estimated by combining the cost of the basic decision with the weighting attached to a unit output. The unit cost of a basic decision in May was £34.73. The costs of more complex decisions may, therefore, be expressed as is given in the table:

£

Type of output	*Cost*
After Entry Casework	44.10
Asylum Casework	314.65
Nationality Casework	52.85
Deportation Casework	1,241.45
Illegal Entry Casework	572.60

These costs exclude any productivity-related payments that may subsequently be due to Siemens.

Mr. Lidington: To ask the Secretary of State for the Home Department what his policy is towards the proposed conveyance of *(a)* residence conditions and *(b)* financial support payments for asylum seekers and refugees in member states of the European Union. [92782]

Mr. Mike O'Brien: The Government provide information on British immigration and asylum matters to member states of the European Union through the normal channels associated with the European Union at both ministerial and official level.

Mr. Lidington: To ask the Secretary of State for the Home Department how many failed asylum seekers were removed from the United Kingdom between *(a)* 1 January and 30 June 1997, *(b)* 1 January and 30 June 1998 and *(c)* 1 January and 30 June 1999. [92789]

Mr. Mike O'Brien: Data on removals and voluntary departures of asylum applicants, excluding dependants, are given in the table.

Removals and voluntary departures [1] of asylum applicants, excluding dependants, First Half 1997, First Half 1998, First Half 1999 [2]

Dates	Number of persons
1 January to 30 June 1997	3,370
1 January to 30 June 1998	3,105
1 January to 30 June 1999[2]	3,650

[1] For port applicants, the data include any voluntary departure up to and including notification of the decision on the asylum application but excludes any subsequent departure. For in-country applicants the data include 'voluntary' departures following enforcement action but exclude voluntary departures where enforcement action had not been initiated. Some persons may leave voluntarily without the knowledge of the Immigration and Nationality Directorate
[2] 1999 data are provisional

Mr. Lidington: To ask the Secretary of State for the Home Department what estimate he has made of the backlog in dealing with failed asylum seekers liable for removal at the latest date for which information is available. [92781]

Mr. Mike O'Brien: As at November 1998, the latest date for which a figure is available, the estimated backlog of failed asylum seekers liable for removal was 24,000. That figure represents a snapshot, taken from Immigration and Nationality Directorate (IND) port and enforcement databases, of failed asylum seekers, excluding dependants, who have exhausted their rights of appeal (including any who did not submit an appeal against the refusal of asylum) and who are liable for removal. The figure does not include any failed in-country asylum applicants against whom enforcement action has not commenced. Some persons included in the backlog figure may have actually departed from the United Kingdom without IND's knowledge.

The backlog includes a large number of cases where there are one or more barriers to removal such as absconding, judicial review, representations from hon. Members, or lack of necessary documentation.

Mr. Lidington: To ask the Secretary of State for the Home Department how many failed asylum seekers departed voluntarily in each month since January 1997. [92780]

Mr. Mike O'Brien: The available information is given in the table. The data do not include voluntary departures of in-country asylum applicants against whom enforcement action had not been initiated; the number of such departures cannot be quantified directly from Immigration and Nationality Directorate databases. Some persons may leave voluntarily without the knowledge of the Immigration and Nationality Directorate and, by definition, we have no record of the number of such departures.

Voluntary departures [1] of asylum applicants, excluding dependants, 1 January 1997 to 31 December 1998 [2]

	Number of persons 1997	1998
January	170	[2]150
February	150	[2]140
March	180	140
April	160	140
May	150	120
June	150	120
July	140	[2]120
August	130	[2]150
September	130	[2]130
October	180	[2]190
November	150	[2]200
December	120	[2]200

[1] For port applicants the data cover voluntary departures up to and including notification of the decision on the asylum application but exclude any subsequent departure. For in-country applicants the data cover 'voluntary' departures following enforcement action but exclude voluntary departures where enforcement action has not been initiated. Some persons may leave voluntarily without the knowledge of the Immigration and Nationality Directorate.
[2] Data for July to December 1998 are provisional estimates.

Prison Industries

Miss Widdecombe: To ask the Secretary of State for the Home Department how many pairs of slippers were commissioned from prison industries for use in Her Majesty's prisons in the financial years *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000 estimated. [92551]

Mr. George Howarth: All slippers manufactured by the Prison Service were for use in Her Majesty's Prisons. The numbers of pairs made were:

1997–98: 100,000 pairs

1998–99: 101,000 pairs

1999–2000: 54,000–60,000 (estimated).

Miss Widdecombe: To ask the Secretary of State for the Home Department how many pairs of socks were commissioned from prison industries for use in Her Majesty's prisons in the financial years *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000 estimated. [92552]

Mr. George Howarth: All socks manufactured by the Prison Service were for use in Her Majesty's Prisons. The numbers of pairs made were:

Year	Number
1997–98	400,000
1998–99	400,000
1999–2000	[1]600,000

[1] Estimated

Immigration and Nationality Directorate

Mr. Lidington: To ask the Secretary of State for the Home Department how many files the Case Allocation Unit in the Immigration and Nationality Directorate *(a)* received and *(b)* despatched in each week from the week ended 16 April. [92844]

Mr. Mike O'Brien: The figures are:

Date	Files received	Files despatched
17 April	4,115	2,931
24 April	1,766	2,202
8 May	10,936	6,202
15 May	6,565	1,592
22 May	4,396	2,078
29 May	5,129	2,556
5 June	1,980	2,221
12 June	2,939	1,735
19 June	3,737	1,778

Date	Files received	Files despatched
26 June	3,076	1,812
3 July	4,220	1,908
10 July	3,570	1,828
17 July	3,224	1,937

[1] Includes figures for week ended 1 May.

Mr. Lidington: To ask the Secretary of State for the Home Department what is the current average number of staff manning the Telephone Caller Unit in the Immigration and Nationality Directorate. [92840]

Mr. Mike O'Brien: The current daily average number of staff logged in to the telephone system available to take calls in the Immigration and Nationality Enquiry Bureau (INEB) is 27.

Mr. Lidington: To ask the Secretary of State for the Home Department what the forecast outturn is for the budget of the Immigration and Nationality Directorate for 1999–2000. [92852]

Mr. Mike O'Brien: The latest forecast outturn for 1999–2000 for the Immigration and Nationality Directorate is estimated as £679 million. This includes the estimated costs of providing support to asylum seekers. These costs are sensitive to a range of factors including the number of asylum applications, speed of processing and take-up rates. It is, therefore, difficult to predict with certainty the eventual cost for 1999–2000.

Mr. Lidington: To ask the Secretary of State for the Home Department what is his estimate of the number of cases awaiting action in the Immigration and Nationality Directorate which contain passports. [92838]

Mr. Mike O'Brien: Of the applications awaiting decision in the Immigration and Nationality Directorate, approximately 34,000 contain passports. These are general cases, for example, cases where spouse, student or other issues are being considered.

Mr. Lidington: To ask the Secretary of State for the Home Department how many complaints of maladministration concerning the Immigration and Nationality Directorate have been notified to his Department by the Parliamentary Commissioner for Administration since the beginning of 1999. [92849]

Mr. Mike O'Brien: The Parliamentary Commissioner for Administration has made nine formal and two informal inquiries about complaints about the Immigration and Nationality Directorate between 1 January and 21 July 1999.

Mr. Lidington: To ask the Secretary of State for the Home Department how much money he has paid in the current year to members of the public as compensation or as ex-gratia payments following loss or inconvenience which was due to delays in the Immigration and Nationality Directorate. [92837]

Mr. Mike O'Brien: Approximately £13,600 has been paid in ex-gratia payments of compensation so far this year by the Immigration and Nationality Directorate. Compensation is generally paid for financial loss arising from lost or misplaced passports.

Mr. Lidington: To ask the Secretary of State for the Home Department what is his estimate of the number of unopened letters at the Immigration and Nationality Directorate. [92848]

Mr. Mike O'Brien: There are currently no unopened letters in the Mail Handling Section. All generally addressed post is opened by this section on the day received, and all specifically addressed post is forwarded on the day of receipt to its appropriate destination. An earlier backlog of 18,000 unopened post in the Mail Handling Section was cleared in March. For special reasons, there is a separate procedure for dealing with applications and accompanying fees in the Travel Documents Case Management Unit. The letters are normally unopened until they are processed and a cashier registers the fees and issues a receipt. As at 22 July, there were 1,200 of these items.

Mr. Lidington: To ask the Secretary of State for the Home Department what is his current estimate of trends in processing casework at the Immigration and Nationality Directorate. [92839]

Mr. Mike O'Brien: The output of the Integrated Casework Directorate (ICD) is recovering. Radical measures are being explored to speed up the decision making process with a view to exceeding previous output.

Mr. Lidington: To ask the Secretary of State for the Home Department how many files from the Immigration and Nationality Directorate's Case Allocation Unit are currently stored in Acton. [92845]

Mr. Mike O'Brien: No files from the Case Allocation Unit are stored in Acton.

Mr. Lidington: To ask the Secretary of State for the Home Department what was the average unit cost of caseworking in the Immigration and Nationality Directorate in each month since January 1998. [92842]

Mr. Mike O'Brien: I refer the hon. Member to the reply I gave to the hon. Member for Hertsmere (Mr. Clappison) on 17 May 1999, *Official Report*, column *261*.

The direct cost of caseworking is routinely monitored under the terms of the Casework Programme contract between the Immigration and Nationality Directorate and Siemens Business Services. The latest estimates of those costs, which exclude some overheads, are given in the table:

£

Month	Unit Cost
January 1998	39.62
February 1998	39.12
March 1998	37.93
April 1998	38.90
May 1998	47.59
June 1998	37.34
July 1998	35.45
August 1998	43.45
September 1998	37.14
October 1998	33.54
November 1998	40.36
December 1998	78.64
January 1999	71.84
February 1999	58.90
March 1999	48.18
April 1999	43.27
May 1999	34.73

It should be noted that unit costs are subject to revisions and final agreement with Siemens Business Services.

Mr. Lidington: To ask the Secretary of State for the Home Department what was the average daily number of callers who attended *(a)* the Public Caller Unit and *(b)* the Asylum Screening Unit at the Immigration and Nationality Directorate in each month since the beginning of 1999. [92847]

Mr. Mike O'Brien: The figures represent the number of callers coming into the Public Caller Unit who were issued with tickets ie the main applicants or persons with an inquiry. The figures do not include family and friends. With regard to the Asylum Screening Unit, the figures do not include family, friends, representatives and their interpreters. The average daily number of callers coming into the Public Caller Unit and the Asylum Screening Unit since the beginning of 1999 were:

Month	*Public caller unit*	*Asylum screening unit*
June	862	239
May	663	202
April	661	226
March	723	175
February	627	297
January	723	325

Non-asylum Arrivals

Mr. Lidington: To ask the Secretary of State for the Home Department what is the present unit cost of examining non-asylum passengers arriving at ports. [92786]

Mr. Mike O'Brien: The Public Service Agreement contains a commitment to establish a baseline and target for this measure in 1999.

The management information systems in place do not currently enable us to separately identify the costs of dealing with non-asylum passengers, and we are currently considering how best to develop a comprehensive efficiency measure for the port operation.

The Home Office Business Plan includes a target of reducing the unit cost of Immigration port checks to £5.43. This covers both asylum and non-asylum passengers. The Immigration Service expects to meet this target for this financial year.

Leave to Remain

Mr. Lidington: To ask the Secretary of State for the Home Department what is the current average time taken by him to determine an application excluding asylum-related cases by a person with limited leave under the Immigration Act 1971 to enter or remain in the United Kingdom for further leave. [92846]

Mr. Mike O'Brien: The time taken to determine an application for variation of leave to remain will depend on the complexity of individual cases. It is not possible, therefore, to give an average time to deal with such cases. Applications which can be dealt with as fast track cases (currently about 40 per cent.) are at present being determined within about four weeks of the date of application. More complex applications may require lengthy examination including further inquiries and it is not possible to estimate how long it would take to determine such applications.

Electoral Registers

Mr. Hawkins: To ask the Secretary of State for the Home Department if the Working Party on Electoral Procedures has proposed in its interim report that political parties should not have access to the full electoral register for membership and fund-raising purposes. [92727]

Mr. George Howarth: The Working Party has recommended that the full register should continue to be available to electoral users as at present. The final report of the Working Party, which will be put forward later this summer, will describe in more detail the electoral purposes for which it will be made available.

Mr. Hawkins: To ask the Secretary of State for the Home Department if he will place on the internet a complete list of the business and charitable organisations which responded to his consultation on the commercial sale of the electoral register. [92726]

Mr. George Howarth: In the absence of permission from all the organisations concerned, we do not intend to do so.

Airline Liaison Officers

Mr. Lidington: To ask the Secretary of State for the Home Department how many airline liaison officers were stationed abroad on *(a)* 31 May 1997, *(b)* 31 May 1998 and *(c)* 31 May 1999. [92788]

Mr. Mike O'Brien: The number of Airline Liaison Officers in post on both 31 May 1997 and 31 May 1998 was five and the number on 31 May 1999 was 11.

Visa (Jamaican Nationals)

Mr. Lidington: To ask the Secretary of State for the Home Department if he will make it his policy to require visas from Jamaican nationals travelling to the United Kingdom; and if he will make a statement. [92500]

Mr. Mike O'Brien: We have no immediate plans to introduce a visa regime for nationals of Jamaica, but the Government keep the need for visa regimes throughout the world under constant review.

After-entry Applications

Mr. Lidington: To ask the Secretary of State for the Home Department how many after-entry applications were decided in each month from January 1997 to the most recent month for which information is available. [92836]

Mr. Mike O'Brien: Data for January 1997 to May 1999 are given in the table.

Decisions[1] on application for an extension of leave to remain in the United Kingdom and settlement, excluding European Economic Area nationals

Month of decision	*Year of decision*		
	1997	*1998*	*1992[2]*
January	14,000	12,900	7,200
February	13,000	13,800	8,100
March	12,100	13,500	11,800
April	12,200	11,200	11,900
May	11,500	10,500	13,600
June	14,700	14,100	—
July	16,100	14,900	—
August	13,500	14,300	—
September	16,500	15,300	—
October	17,400	17,000	—
November	14,200	13,400	—
December	11,400	9,200	—

[1] Excluding dependants of principal applicants, asylum-related decisions (except settlement), the outcome of appeals and withdrawn applications

[2] All 1999 data are provisional

Victims (Criminal Proceedings)

Mr. Lidington: To ask the Secretary of State for the Home Department if he will make a statement on the progress made with his Department's pilot project to assess how victims' views might be taken into account in criminal proceedings. [92549]

Kate Hoey: The pilot project was completed earlier this year. An evaluation of the project has been carried out by researchers from Bristol University and a final report will be published in early September. Later that month, a special conference will be held at which criminal justice practitioners can discuss the findings and other matters relating to the role of the victim in criminal proceedings, and make recommendations.

Mr. Lidington: To ask the Secretary of State for the Home Department if he will place in the Library a copy of the evaluation by Bristol University of his pilot project to assess how victims' views might be taken into account in criminal proceedings. [92550]

Kate Hoey: The evaluation report will be published in early September. A copy will be placed in the Library at the earliest opportunity.

Citizenship Applications

Mr. Lidington: To ask the Secretary of State for the Home Department how many citizenship applications were determined in each month from January 1997 to the latest month for which information is available. [92787]

Mr. Mike O'Brien: The number of citizenship applications concluded each month from January 1997 to June 1999 are shown in the table:

Month	*Amount*
January 1997	4,898
February 1997	4,562
March 1997	3,796
April 1997	3,935
May 1997	3,665
June 1997	3,894
July 1997	3,906
August 1997	2,777
September 1997	2,911
October 1997	2,747
November 1997	2,749
December 1997	1,860
January 1998	2,787
February 1998	4,801
March 1998	7,371
April 1998	5,539
May 1998	4,398
June 1998	4,551
July 1998	5,739
August 1998	5,051
September 1998	5,384
October 1998	4,839
November 1998	4,854
December 1998	3,231
January 1999	3,772
February 1999	5,042
March 1999	6,219
April 1999	4,860
May 1999	5,084
June 1999	5,427

Police

Mr. Lidington: To ask the Secretary of State for the Home Department if he will list for each police force in England and Wales the figures for *(a)* constable strength, *(b)* total police strength and *(c)* police civilian strength, full-time equivalent on 31 March (i) 1997, (ii) 1998 and (iii) 1999. [92548]

Kate Hoey: The information requested is set out in the table.

Police force	*As at 31 March 1997*			*As at 31 March 1998*			*As at 31 March 1999*		
	Civilian strength	*Constable strength*	*Total police officer strength*	*Civilian strength*	*Constable strength*	*Total police officer strength*	*Civilian strength*	*Constable strength*	*Total police officer strength*
Avon and Somerset	1,438	2,315	2,989	1,393	2,308	2,976	1,424	2,329	2,999
Bedfordshire	484	846	1,094	523	843	1,079	483	817	1,041
Cambridgeshire	607	1,001	1,302	574	1,014	1,291	586	994	1,274
Cheshire	735	1,590	2,046	781	1,601	2,042	785	1,607	2,071
City of London	347	656	859	334	634	825	314	603	778
Cleveland	609	1,121	1,459	586	1,146	1,483	552	1,116	1,416
Cumbria	451	882	1,144	451	911	1,164	442	873	1,126
Derbyshire	723	1,376	1,791	787	1,363	1,772	818	1,336	1,759
Devon and Cornwall	1,159	2,234	2,865	1,186	2,323	2,962	1,215	2,248	2,887
Dorset	615	969	1,284	651	1,003	1,310	702	973	1,279
Durham	583	1,130	1,461	557	1,184	1,515	559	1,233	1,568

Police force	As at 31 March 1997			As at 31 March 1998			As at 31 March 1999		
	Civilian strength	Constable strength	Total police officer strength	Civilian strength	Constable strength	Total police officer strength	Civilian strength	Constable strength	Total police officer strength
Dyfed Powys	322	756	1,005	341	749	1,002	341	769	1,026
Essex	1,199	2,269	2,961	1,252	2,264	2,928	1,273	2,215	2,891
Gloucestershire	435	872	1,133	423	861	1,104	504	859	1,104
Greater Manchester	2,612	5,342	6,922	2,661	5,415	6,949	2,623	5,307	6,810
Gwent	452	964	1,243	477	951	1,233	487	964	1,247
Hampshire	1,316	2,698	3,452	1,331	2,737	3,490	1,381	2,702	3,473
Hertfordshire	818	1,365	1,759	831	1,328	1,740	835	1,322	1,724
Humberside	718	1,582	2,045	789	1,565	2,021	840	1,520	1,974
Kent	1,384	2,554	3,260	1,470	2,548	3,251	1,582	2,505	3,201
Lancashire	1,126	2,492	3,247	1,143	2,504	3,257	1,198	2,468	3,245
Leicestershire	755	1,556	1,949	774	1,587	1,983	802	1,589	1,993
Lincolnshire	521	921	1,196	541	905	1,191	517	850	1,140
Merseyside	1,343	3,272	4,230	1,502	3,293	4,216	1,356	3,294	4,211
Metropolitan Police	13,493	20,671	26,677	12,432	20,156	26,094	11,257	20,093	26,073
Norfolk	603	1,133	1,432	646	1,115	1,430	648	1,060	1,381
Northamptonshire	554	931	1,177	577	925	1,169	587	895	1,137
Northumbria	1,365	2,885	3,677	1,362	2,961	3,769	1,443	3,019	3,840
North Wales	476	1,024	1,369	479	1,055	1,396	508	1,048	1,391
North Yorkshire	519	1,018	1,338	543	1,053	1,367	541	1,031	1,337
Nottinghamshire	1,003	1,822	2,323	987	1,831	2,323	1,039	1,733	2,225
South Wales	1,206	2,260	2,976	1,132	2,309	2,986	1,223	2,321	2,981
South Yorkshire	1,291	2,436	3,159	1,243	2,459	3,182	1,273	2,431	3,168
Staffordshire	763	1,684	2,211	866	1,782	2,292	1,004	1,723	2,238
Suffolk	522	922	1,180	583	927	1,186	594	935	1,190
Surrey	727	1,240	1,620	743	1,237	1,608	733	1,283	1,662
Sussex	1,149	2,374	3,085	1,185	2,321	2,996	1,393	2,183	2,847
Thames Valley	1,825	2,858	3,695	1,827	2,937	3,776	1,799	2,904	3,748
Warwickshire	376	708	926	398	724	924	406	714	908
West Mercia	942	1,563	2,040	975	1,553	2,010	975	1,562	2,025
West Midlands	2,739	5,636	7,113	2,817	5,731	7,156	2,652	5,908	7,321
West Yorkshire	2,234	4,106	5,209	2,304	4,069	5,155	2,216	3,931	4,982
Wiltshire	475	881	1,154	519	888	1,156	555	880	1,151
Total all forces	53,011	96,914	125,051	52,975	97,072	124,756	52,465	96,150	123,841

Note:
Full-time equivalents

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 335**

SESSION 1998–99

12th July—23rd July 1999

SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index to the daily parts and weekly Hansard is derived from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes, and cannot, therefore, be used in conjunction with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There will, however, be headings 'Northern Ireland', 'Scotland', and 'Wales' under which one will find not only Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instruments etc., under subject headings and under the names of those taking part.

Contributions by Speaker and deputies are brought together under the heading 'Speaker and deputies'. Significant rulings and statements are indicated by the sub-heading 'Rulings and statements'.

Opposition Day Debates and Estimates Day Debates are listed under those respective headings and under subject headings too.

The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions*.

Abbreviations

Bills 1R = first reading, 2R = second reading, Com = Committee stage, Rep = Report stage, 3R = third reading, res = resolution, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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